

JACKSON CITY COUNCIL
Regular Session
December 10, 2007
7:00 p.m.

Call to Order..... President Speakman
Pledge of Allegiance..... Mr. Reed
Opening Prayer..... Mr. Reed

Roll Call

Approval of Minutes

November 26, 2007 and November 29, 2007

VISITORS:

COMMITTEE REPORTS:

- Utility
- Budget & Finance
- Police, Fire & Traffic
- Service
- Railroad
- Legal
- Building
- City Auditor
- Law Director
- Mayor
- Service Director/City Engineer
- Chief of Staff
- Safety Director
- Police Chief

ORDINANCES AND RESOLUTIONS

CORRESPONDENCE

OLD BUSINESS

NEW BUSINESS

ADJOURN

JACKSON CITY COUNCIL

Minutes from
November 26, 2007
7:00 p.m.
Regular Session

Jackson City Council met in regular session on Monday, November 26, 2007, at 7:00 p.m. at the Jackson City Council chambers. President Speakman called the meeting to order. The Pledge of Allegiance was given and followed by prayer, both led by Brett Reed.

A roll call was taken as follows:

- Mrs. Colby – present
- Mr. Hughes – present
- Mr. Eric Brown – present
- Mr. Reed – present
- Mr. Cary Brown – present
- Mr. Stewart – present
- Mr. Heath – present

Mr. Heath made a motion to approve the minutes from October 22, 2007, seconded by Mr. Stewart. In a voice vote, all Council agreed. Mrs. Colby made a motion to approve the minutes from the November 12, seconded by Mr. Reed. In a voice vote, all Council agreed.

VISITORS

Al Byler of 9518 Chillicothe Pike came before Council to request temporary electric service at his residence for a pole barn. Mr. Heath asked if this property was outside the city limits. Mrs. Colby asked if this was permanent or temporary. Mr. Heath made a motion to grant the utilities, seconded by Mr. Stewart. In a voice vote, all Council agreed.

Cheryl Clarkson did not appear.

George Needham appeared before the Utility Committee.

A representative from AMP Ohio was present any questions Council may have in regards to the Prairie State Project.

COMMITTEE REPORTS

UTILITY

Mrs. Colby stated there had been a meeting at 6:30 and two customers had been discussed. Carolyn Leach of Orange Street, pole surge, burnt up appliances; city insurance denied the deductible and has asked Council to reimburse. Mr. Heath stated we were at fault, not an act of God, it was on a pole. Mrs. Colby made a motion to reimburse the deductible, seconded by Mr. Heath. In a voice vote, all Council agreed. Mr. Speakman requested a copy of the deductible receipt.

Mrs. Colby went on to discuss the other customer, George Needham, he had a water leak, and the bill totaled more than \$3000. The utility office will waive the sewer charge, would Council like to vote on a water adjustment. In other incidents the city is liable. Mr. Reed asked what makes you think this is the cities fault. Mr. Needham stated it had to be a water surge. Mr. Reed stated this was on Chillicothe Street. Mr. Benson stated there had been no reports of other problems in this area. Mrs. Colby stated we need to

take action. Mr. Reed stated take no action, I own rentals, its happened to me and I had to pay. Mr. Reed made a motion to deny a water adjustment, seconded by Mr. Cary Brown. In a voice vote, all Council agreed. There will be no penalties and the party can make payments and the sewage will be waived. Mr. Needham was advised to visit the utility office to set a payment plan.

Mrs. Colby stated she had a memo in regards to the EPA and fish kill fines. Mr. Benson stated there were no fines, ODNR may make us pay. Mrs. Colby asked about the problem on Burlington Road. Mr. Benson stated three days, dry weather fines, \$6000. There are two events, around \$10000 total. Mr. Heath asked if we have to reply in 14 days, to the York Street incident. Mr. Benson stated they have replied.

BUDGET & FINANCE

Mr. Reed stated he had asked for a budget, the Administration stated that Mr. Heath should do his budget for the following year. A temporary budget will be set for now.

POLICE, FIRE & TRAFFIC

Mr. Eric Brown stated that Council needs to appoint two members of Council to the Fire Fighters Dependents Board; in 2007 they were Mr. Eric Brown and Mr. Reed. This needs to be done before December. Mr. Speakman appointed Mr. Eric Brown and Mr. Cary Brown.

Mr. Eric Brown stated that there was a meeting on November 19, 2007 to discuss the fire truck purchase; this was recommended by a five person committee. This looks good but the budget and finance committee needs to approve. They could save 10% this year, cost \$330,000. They want to sell a bond, \$50000 per year. Mr. Reed asked the fire chief is this for a pumper and wasn't this money used in the BCS bldg. Chief Reid stated all but \$35000 repaid, would like to buy this year. Front to be usable by next year, waiting for demo. Mrs. Colby asked about the money in the General Fund. Mr. Eric Brown stated money voted on each year for budget, not earmarked for the fire department. Mrs. Colby asked where it comes from. Mr. Humphreys stated \$150000 belongs to the fire department. Mr. Eric Brown was told this was levy money, budgetary money, and general fund/fire department fund, cannot be added upon each year, and does not roll over. Mr. Reed stated that he had looked at this when the BCS building was purchased. Mrs. Colby asked how much debt. Mr. Reid stated \$120000 to the general fund, all levy money. Mr. Reed stated that the Budget & Finance committee will review.

Mr. Eric Brown the committee looked at the Scioto County Jail contract, renewal, recommends, this is still cheaper than other jails. Mr. Heath stated this just replaces current contract.

SERVICE

Mr. Eric Brown asked about the Cemetery expansion. Mr. Detty stated the law does not allow to us to give property to townships, possible lease. Mr. Cary Brown asked Mr. Benson if someone had surveyed. Mr. Detty stated this was just staked out and he has requested help from the prosecutor's office. Mr. Eric Brown asked if we could give to the county and they give to the township, this will not hinder the city. Mr. Detty stated the ORC only allows certain things. Mrs. Colby asked if we could sell and set price. Mr. Detty stated it would have to be bid. Mr. Eric Brown stated we do not want to forget about this. Mrs. Colby asked if we received bids on the fire truck. Mr. Eric Brown stated it was not necessary, state purchasing.

RAILROAD – No report

LEGAL

Mr. Heath stated there are two cases with Kida Newell and Maria Uribe that we would like to discuss with the Mayor. Depositions that may involve Council members. Mr. Detty stated this needs discussed in executive session.

BUILDING

CITY AUDITOR

Mr. Humphreys stated that Katie Klinefelder was due to come and explain some issues, however she will be appearing at the February 11, 2008 meeting to discuss with new council. The Maximus problem, no response from Mrs. Grant's boss to Mr. Howarth, needs corrected. The budget for 2008, Mr. Reed and Mr. Heath will do the temporary budget. Mr. Reed stated he had to deal with the legal question with the maximus effects on the general fund. Mr. Humphreys stated the November 28, 2007 meeting would be with local banks for checking accounts. The investment board to discuss rates. Bids for the \$2.6 million to be reinvested, hopefully the rates don't lower. There are several ordinances to move money, these need passed. See attached letter from Gambino and Wilson, \$5000 day fine.

LAW DIRECTOR

Mr. Detty has ordinances to pass out. Reminded Council of the Public Records Seminar must go or designate someone to go, he recommends that all go. Received a request from the railroad lease, 10 year to use property, under the impression that the city would sell the property after that time, advise against, roll over. Mr. Speakman stated the FRA would get the proceeds. Mrs. Colby asked where and how much. Mr. Speakman stated Tom Corbin Road. Mrs. Colby asked if they were willing to lease. Mr. Detty stated don't sell. Mr. Heath made a motion to contact the leaser to roll over, seconded by Mr. Reed. In a voice vote, all Council agreed. Community Development contacted about second or third place on mortgage asks now about reverse mortgages. Mr. Eric Brown made a motion to stay in the current language, seconded by Mr. Reed. In a voice vote, all Council agreed.

MAYOR – No Report

SERVICE DIRECTOR/CITY ENGINEER

See attached memo.

Mr. Heath asked how many states are involved. AMP Ohio representative stated it is 95% owned by Illinois, Missouri and Indiana. Currently buying coal reserves from Peabody LLC, owns 5%. 368 out of 1600 for Ohio. There are more requests and the project is underway. Mrs. Colby asked the cost. The cost will vary each year, way below market, debt service is consistent, coal cost project increases, will roll debt plans over 40 years. Mr. Benson stated the cost is in the power. Mr. Speakman stated this is similar to the hydro project without the fuel cost. This information has been provided to Council. Mrs. Colby asked the auditor, how much has been paid to JV5, 10 years paid, several left, and still have to purchase power. This is still lower than 7%. Mr. Heath stated these agreements are made for the future generations. Mr. Humphreys stated JV5; \$140000 roughly, will get figures. Mr. Heath asked is hydro safer with cost with environmental regulations. The risk went down with all three project involvements, hydro cost more up front, no carbon tax risks. Mr. Heath asked is there a chance that might be cheaper with weather extremes. To some extent, goes to base load needs. Mr. Heath stated we would still have peaking charges.

CHIEF OF STAFF – No Report

SAFETY DIRECTOR – No report

POLICE CHIEF – No report

Mr. Speakman stepped aside as Council President and let Mr. Reed take over pro tem.

ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 131-07

AN ORDINANCE TO APPROVE THE FORM AND AUTHORIZE THE EXECUTION OF A POWER SALES CONTRACT WITH AMERICAN MUNICIPAL POWER-OHIO, INC. AND TAKING OTHER ACTIONS IN CONNECTION THEREWITH REGARDING THE PRAIRIE STATE ENERGY CAMPUS.

Third Reading

In a roll call to adopt, Council voted as follows:

Mrs. Colby – no
Mr. Hughes – no
Mr. Eric Brown – yes
Mr. Reed –yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 131-07 DULY ADOPTED

ORDINANCE NO. 132-07

TO APPROVE THE FORM AND AUTHORIZE THE EXECUTION OF A POWER SALES CONTRACT WITH AMERICAN MUNICIPAL POWER-OHIO, INC. AND TAKING OTHER ACTIONS IN CONNECTION THEREWITH REGARDING HYDROELECTRIC PROJECT PARTICIPATION.

Third Reading

In a roll call to adopt, Council voted as follows:

Mrs. Colby – no
Mr. Hughes – no
Mr. Eric Brown – yes
Mr. Reed –yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 132-07 DULY ADOPTED

ORDINANCE NO. 137-07

AN ORDINANCE TRANSFERRING APPROPRIATIONS, AND DECLARING AN EMERGENCY.

Second Reading

Mr. Heath made a motion to suspend the rules, seconded by Mr. Stewart. In a roll call vote, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed –yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed –yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 137-07 DULY ADOPTED.

ORDINANCE NO. 143-07

AN ORDINANCE ADOPTING A PUBLIC RECORDS POLICY FOR THE CITY OF JACKSON, OHIO.

Second Reading

ORDINANCE NO. 144-07

AN ORDINANCE AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT BETWEEN THE BOARD OF COMMISSIONERS OF HIGHLAND COUNTY, OHIO AND THE CITY OF JACKSON, OHIO, FOR THE HOUSING OF PRISONERS, AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Stewart. In a voice vote, all Council agreed.

Mr. Heath made a motion to suspend the rules, seconded by Mr. Stewart. In a roll call vote, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed –yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed –yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 144-07 DULY ADOPTED.

ORDINANCE NO. 145-07

AN ORDINANCE AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT BETWEEN THE BOARD OF COMMISSIONERS OF SCIOTO COUNTY, OHIO AND THE CITY OF JACKSON, OHIO, FOR THE HOUSING OF PRISONERS, AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Eric Brown. In a voice vote, all Council agreed.

Mr. Heath made a motion to suspend the rules, seconded by Mr. Eric Brown. In a roll call vote, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 145-07 DULY ADOPTED.

ORDINANCE NO. 146-07

AN ORDINANCE FINDING THE LOWEST RESPONSIBLE AND RESPONSIVE BID, AWARDED THE CONTRACT FOR THE WATER TREATMENT PLANT ROOF REPLACEMENT PROJECT, E. LEE CONSTRUCTION, INC., 6223 KIGGENS ROAD, DELPHOS, OHIO 45833, AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by MR. Eric Brown. In a voice vote, all Council agreed.

Mr. Stewart made a motion to suspend the rules, seconded by Mr. Heath. In a roll call vote, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed –yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 146-07 DULY ADOPTED.

ORDINANCE NO. 147-07

AN ORDINANCE ADOPTING THE RECOMMENDATION OF THE JACKSON CITY PLANNING COMMISSION AS TO THE REZONING OF CERTAIN REAL ESTATE, AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Eric Brown. IN a voice vote, all Council agreed.

Mr. Heath made a motion to suspend the rules, seconded by Mr. Eric Brown. In a roll call vote, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed –yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed –yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 147-07 DULY ADOPTED.

ORDINANCE NO. 148-07

AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE GENERAL FUND, AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Stewart. In a voice vote, all Council agreed.

Mr. Heath made a motion to suspend the rules, seconded by Mr. Eric Brown. In a roll call vote, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed –yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed –yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 148-07 DULY ADOPTED.

ORDINANCE NO. 149-07

AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE GENERAL FUND, SCMR FUND, WATER FUND, WATER UTILITY OFFICE FUND, AND SEWER COLLECTION FUND, AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Eric Brown. In a voice vote, all Council agreed.

Mr. Heath made a motion to suspend the rules, seconded by Mr. Eric Brown. In a roll call vote, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed –yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed –yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 149-07 DULY ADOPTED.

ORDINANCE NO. 150-07

AN ORDINANCE TRANSFERRING APPROPRIATIONS, AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Stewart. In a voice vote, all Council agreed.

Mr. Eric Brown made a motion to suspend the rules, seconded by Mr. Stewart. In a roll call vote, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed –yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed –yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 150-07 DULY ADOPTED.

ORDINANCE NO. 151-07

AN ORDINANCE AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF JACKSON, OHIO AND THE AUDITOR OF STATE OF OHIO, 88 E. BROAD ST, PO BOX 1140, COLUMBUS, OHIO 43216-11410, FOR THE GAAP CONVERSION SERVICES FOR THE FISCAL YEAR ENDING DECEMBER 31, 2007, AND DECLARING AN EMERGENCY.

First Reading

Mr. Eric Brown made a motion to adopt the ordinance, seconded by Mr. Stewart. In a voice vote, all Council agreed.

Mr. Eric Brown made a motion to suspend the rules, seconded by Mr. Stewart. In a roll call vote, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed –yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed –yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 151-07 DULY ADOPTED.

ORDINANCE NO. 152-07

AN ORDINANCE TRANSFERRING APPROPRIATIONS, AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Stewart. In a voice vote, all Council agreed.

Mr. Heath made a motion to suspend the rules, seconded by Mr. Stewart. In a roll call vote, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed –yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed –yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 152-07 DULY ADOPTED.

ORDINANCE NO. 153-07

AN ORDINANCE TRANSFERRING APPROPRIATIONS, AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Stewart. In a voice vote, all Council agreed.

Mr. Stewart made a motion to suspend the rules, seconded by Mr. Heath. In a roll call vote, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed –yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed –yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 153-07 DULY ADOPTED

ORDINANCE NO. 154-07

AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE WATER PLANT
IMPROVEMENT PROJECT FUND, AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Stewart. In a voice vote, all Council
agreed.

Mr. Heath made a motion to suspend the rules, seconded by Mr. Stewart. In a roll call vote, Council voted
as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed –yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed –yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 154-07 DULY ADOPTED

ORDINANCE NO. 155-07

AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE WATER PLANT
IMPROVEMENT PROJECT FUND, AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Eric Brown. In a voice vote, all Council
agreed.

Mr. Heath made a motion to suspend the rules, seconded by Mr. Eric Brown. In a roll call vote, Council
voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed –yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed –yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 155-07 DULY ADOPTED

ORDINANCE NO. 156-07

AN ORDINANCE TRANSFERRING APPROPRIATIONS, AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Stewart. In a voice vote, all Council
agreed.

Mr. Stewart made a motion to suspend the rules, seconded by Mr. Heath. In a roll call vote, Council voted
as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed –yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes

Mr. Reed –yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 156-07 DULY ADOPTED

ORDINANCE NO. 157-07

AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE ELECTRIC FUND, AND
DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Stewart. In a voice vote, all Council
agreed.

Mr. Heath made a motion to suspend the rules, seconded by Mr. Eric Brown. In a roll call vote, Council
voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed –yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed –yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 157-07 DULY ADOPTED

ORDINANCE NO. 158-07

AN ORDINANCE TRANSFERRING APPROPRIATIONS, AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Stewart. In a voice vote, all Council
agreed.

Mr. Stewart made a motion to suspend the rules, seconded by Mr. Eric Brown. In a roll call vote, Council
voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed –yes

Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed –yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 158-07 DULY ADOPTED

ORDINANCE NO. 159-07

AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE GENERAL FUND, AND
DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Stewart. In a voice vote, all Council
agreed.

Mr. Heath made a motion to suspend the rules, seconded by Mr. Eric Brown. In a roll call vote, Council
voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed –yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed –yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 159-07 DULY ADOPTED

ORDINANCE NO. 160-07

AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE WOOD AVENUE
SANITARY SEWER LINING FUND, AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Eric Brown. In a voice vote, all Council agreed.

Mr. Stewart made a motion to suspend the rules, seconded by Mr. Eric Brown. In a roll call vote, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed –yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed –yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 160-07 DULY ADOPTED

ORDINANCE NO. 161-07

AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE SEWER FUND, AND
DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Stewart. In a voice vote, all Council agreed.

Mr. Heath made a motion to suspend the rules, seconded by Mr. Eric Brown. In a roll call vote, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed –yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed –yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 161-07 DULY ADOPTED

ORDINANCE NO. 162-07

AN ORDINANCE TRANSFERRING APPROPRIATIONS , AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by MR. Eric Brown. In a voice vote, all Council agreed.

Mr. Heath made a motion to suspend the rules, seconded by Mr. Eric Brown. In a roll call vote, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed –yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed –yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 162-07 DULY ADOPTED

ORDINANCE NO. 163-07

AN ORDINANCE FINDING THE LOWEST RESPONSIBLE AND RESPONSIVE BID, AWARDED THE CONTRACT FOR THE WOOD AVENUE SANITARY SEWER PROJECT, TO KOKOSING CONSTRUCTION COMPANY, INC. 17531 WATERFORD ROAD, FREDERICKTOWN, OHIO 43019, AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by MR. Stewart. In a voice vote, all Council agreed.

Mr. Stewart made a motion to suspend the rules, seconded by Mr. Heath. In a roll call vote, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed –yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed –yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 163-07 DULY ADOPTED

RESOLUTION NO. 39-07

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, OR HIS DESIGNATED REPRESENTATIVE, TO FILE AN APPLICATION, AND EXECUTE ANY AND ALL AGREEMENTS OR DOCUMENTS WITH THE OHIO PUBLIC WORKS COMMISSION FOR THE CLEAN OHIO CONSERVATION PROGRAM FUNDS, AND DECLARING AN EMERGENCY.

Second Reading

Mr. Speakman stated they have a copy of the land in question. Mr. Heath stated this needs to pass tonight to meet the deadline. Mrs. Colby stated this will pay for property we don't need. Mr. Eric Brown stated some members have reservation; we will get poles and lift station with no cost to the city. Mr. Reed stated purchase with grant money, the poles and right of way were in place. The green space is grant money, makes sense to apply. Mrs. Colby stated why do we want a pump station and poles. Mr. Reed stated we already own. Mr. Heath stated someone will get the grant dollars, board rates very competitive, many criteria must be met. Mrs. Colby asked has anyone talked about the bike path with cost to Mr. Bowman. Mr. Eric Brown stated four acres @ \$25000 an acre, try for grant and we pay nothing. Mr. Reed stated would control around the city, Berridge property, no value, buy with grant funds. Mrs. Colby stated they will not sell this property, way over priced. Mr. Eric brown stated we need the right of way, prime land, we need to get the grant money, may have future trouble, will cost the city money. Mrs. Colby stated we have other options for the bike path. Mr. Heath stated options, there and Veterans Drive.

RESOLUTION NO. 40-07

A RESOLUTION AUTHORIZING A THEN AND NOW CERTIFICATE, AND DECLARING AN EMERGENCY.

First Reading

Mr. Reed made a motion to adopt the ordinance, seconded by Mr. Stewart. In a voice vote, all Council agreed.

Mr. Stewart made a motion to suspend the rules, seconded by Mr. Heath. In a roll call vote, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed –yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

RESOLUTION NO. 40-07 DULY ADOPTED

Mr. Speakman returned to the position of Council President.

CORRESPONDENCE

See attached. Board of Liquor Control and Ohio Department of Commerce. Mr. Heath made a motion to request no hearing, seconded by Mr. Eric Brown. In a voice vote, all Council agreed.

OLD BUSINESS

Mr. Detty reminded Council to review the Public Records Policy.

NEW BUSINESS

Mr. Eric Brown made a motion to allow newly elected Council members to stay for the executive session, seconded by Mr. Reed. In a voice vote, all Council agreed.

Mr. Heath made a motion to go into executive session to discuss, Newell appeal, Uribe suit, EPA consent order and Tonya Murphy vs. city, seconded by Mr. Reed. In a roll call vote, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – absent
Mr. Heath – yes

Council went into executive session at 8:50 p.m.

Mr. Heath made a motion to return to regular session, seconded by Mr. Eric Brown. In a voice vote, all Council agreed. Council returned to regular session at 9:15 p.m.

Mr. Eric Brown made a motion to have a special meeting on November 29, 2007 for a third reading on Resolution No. 39-07, consent order, water plant contract for the heating and cooling, seconded by Mr. Heath. In a voice vote, all Council agreed.

ADJOURN

Mr. Heath made a motion to adjourn, seconded by Mr. Eric Brown. In a voice vote, all Council agreed. Council adjourned at 9:18.m.

In a roll call to adopt, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

RESOLUTION NO. 40-07 DULY ADOPTED

Mr. Speakman returned to the position of Council President.

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ADJOURN

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APPROVAL:

Tera L. Brown
Tera L. Brown
Clerk

Date 12-10-07

Ronald Speakman
Ronald Speakman
President
Date 12/10/07

Director of Public Service

Assistant Director of Public Safety
City Engineer
Zoning Enforcement Officer
Building Official

Ph: 740-286-2201
Fax: 740-288-4119
Pager: 740-230-2434

City of Jackson

145 Broadway St.
Jackson, Oh 45640

Memo

To: Council
From: Steve Benson
CC:
Date: 11/26/2007
Re: Report

1. You have the **AMP Ohio Prairie State Power Project** Ordinance up for third reading tonight. We have had several presentations from Amp Ohio and lots of reports. They have employed the best consultants to analyze the project and all reports are positive. This project is the best of the group and is now under construction. It is the best hope to control power costs into the future for our customers. The contract before you rolls all the costs into the purchase of the power once the project is on line. The agreement not only conveys a major part ownership in the plant to the Amp Ohio group but also the coal reserves in the mine to fuel the plant. It is an arrangement that guarantees the best long term rates. We will not be getting as much of this power as was recommended due to it being over sold. Everyone is jumping on the band wagon to get all they can. Amp Ohio has a representative here tonight if you have additional questions.
2. The **AMP Ohio Hydro Project** ordinance is up for third reading tonight also. You approved the participation in this project last summer and now we have the power purchase agreement to approve. We will not be

getting as much of this power as originally hoped for. As you remember, the cost of this power will be just above market when it comes on line in a couple years but will actually be below market very soon there after. Of course when it is paid off, it becomes the best thing around for our customers. As you know the power cost for this project is about the same as it has been for JV5.

- 3 The **SR 93 South Electric Relocation Project** is almost complete. This is the ODOT project.
- 4 As you know we had our third power outage last weekend to finish up the substation project. We had hoped for only two but it run into one more. We know what an inconvenience this is and we appreciate everyone's understanding. The new substation will be brought on line in about a week.
- 5 As you know we generally budget about \$500,000 a year for electric system upgrades when we aren't doing a project like the new substation. Next year we need to do a final upgrade at the lick sub station that does not have anything to do with the recent work. We are estimating this at \$750,000.
- 6 You should have an ordinance to award both a **roofing project** and a **heating project** for the Water Plant. These are critical to get moving due to the weather and they both tie into the ongoing electrical project that we are trying to complete and they are a planned part of the overall \$750,000 project.
- 7 The **Water Plant Electric and Control Project** is going well and we brought a portion of the new equipment on line a week ago with a one day shut down of the plant and a change over.
- 8 I have mentioned before the need for another water plant upgrade project next year. This is the **Back Wash Recovery** system project. The EPA is now asking for a schedule. Depending on final details, this will be between 1/2 million and 3/4 million dollars. This does not include the back wash pump system that is also needed.
- 9 You should have an Ordinance to award the next phase of the **Wood Avenue Sewer Lining Project** using Issue II funds for half the cost. We did not expect to get the grant this year but we did. This should be the last section of this project and we will target other areas in the sewer system for upgrades in the future in accordance with the consent decree.
- 10 You should have an ordinance to appropriate funds for EPA sewer system fines in accordance with the consent decree. As we have discussed on many occasions, we had hoped to eliminate much of this from the consent decree but the State would not budge. I suggest budgeting \$100,000 for this next year.
- 11 We are preparing to bid out the Downtown Sewer project. It is expected to be something over \$1 million. As you remember, EDA kicked in \$500,000 for this work and the rest will need to come from the sewer fund.

- 12 CT Consultants is proceeding with the CMOM preparation. We are meeting with them tomorrow. We are expecting more sanitary sewer repair projects to be required with construction likely in about a year.
- 13 The EPA is requesting we rebuild the creek sewer crossing at York Street and use an inverted siphon. I am trying to get this reconsidered by the EPA.
- 14 Jones and Henry is working on the **Water Rate Study**. I suggest the Utility Committee meet with them after the first of the year to give them direction. At the same time you should discuss the last sewer rate study and decide what direction to take on it.
- 15 We have a planned inspection of our water system by the EPA next week and we expect to have some upgrades mandated on at least five of our booster pumps out in the system. These stations work ok but don't meet regulations. We expect this work will have to be done next year.
- 16 The **Phase II Bike Path** construction came in about \$25,000 under the contract due to good soils conditions. We now have to design a bridge over the creek behind the new substation. I think our crews can build this out of material on hand. We also need to design an improved crossing under SR 32. Our original proposal to ODOT was rejected so something a little more elaborate is required. It looks like there will be no problem remaining under the budget due to the saving I just mentioned. This crossing under SR 32 will have to be bid out since it is becoming more involved and not something our crews should be doing. All this work is funded by the State.
- 17 I have some paperwork concerning the proposed purchase of rail road property that I suggest go to the Rail Road Committee for consideration.
- 18 Amp Ohio has protested an additional charge levied on its electric customers since the deregulation of the electric industry in Ohio. The extra charge was called a **SECA** charge and was levied by the Federal Energy Regulatory Commission (FERC). After years of protest and appeals, FERC has reversed the ruling and awarded \$7 Million dollars in refunds to Ohio cities. Jackson electric customers have paid out about a **Quarter Million Dollars** in SECA charges. I recommend to City Council that the money Jackson receives back be credited to our electric customers. Final information should be coming early next year.



STAR Ohio
 P.O. Box 691195
 Cincinnati, OH 45269-1195

November 15, 2007

CITY OF JACKSON
 RECREATION
 ATTN: JAMES L. HUMPHREYS
 145 BROADWAY STREET
 JACKSON, OH 45640



Dear STAR Ohio Partner,

Yesterday we saw a story running on the Bloomberg information service about Florida's local government investment pool. Apparently the Florida officials had invested approximately \$2 billion in investment instruments tainted by the current subprime market meltdown, which have been sharply downgraded and are at serious risk of default. That is about 8% of Florida's \$27 billion local government investment pool.

Today we saw another story on Bloomberg which indicated, after further inquiries had been made, that the same problems are also ensnaring public investments in Connecticut, Maine, Montana, and King County, Washington. That has prompted a few inquiries today from some of our local government investors here in Ohio.

We scrubbed our portfolio carefully back in June, when the subprime problems first arose and began affecting the financial markets. As a result, we can assure you that our STAR Ohio investment pool has no investments in mortgage-backed securities, or any investments in asset-backed securities of any kind. I have also made it plain to our STAR Ohio advisors that we are not authorizing any such investments on my watch. In addition, unlike many of the other states that have local government investment pools, STAR Ohio is registered with Standard & Poor's, which offers another layer of controls and assurances about the soundness of our investments. We are careful and conservative on your behalf, and our solid returns are not risk-laden like some of these other local government investment pools that we are now reading about around the country.

Thank you for your continued participation in STAR Ohio.

Sincerely,

Richard Cordray
 Ohio Treasurer

Date: 11/15/2007

Regarding: Request to transfer funds

From: Mike Gambino

To: Auditor

This is a request to transfer funds for the Water and Wastewater Department to cover communications for the remainder of 2007.

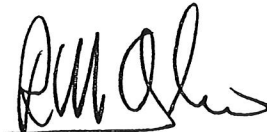
Due to the added cost of providing internet service the communications account 711-7525-53004 for wastewater and 701-7510-53004 for the Water department will require additional funds.

Please note that these accounts maintain our alarm systems and if not funded could result in OEPA fines.

Please transfer from 711-7525-54005, 500.00\$ to 711-7525-53004 for the Wastewater Department.

Please transfer from 701-7525-54005, 500.00\$ to 701-7525-53004 for the Water Department.

Respectfully,

A handwritten signature in black ink, appearing to read "Mike Gambino", written in a cursive style.

Mike Gambino
Superintendent

NOTICE TO LEGISLATIVE
AUTHORITY

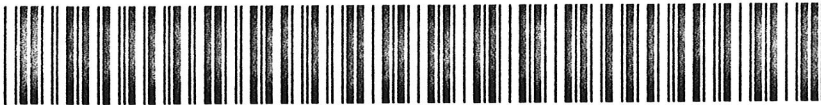
OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD
P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005

TO

4220417		TRFO	JACKSON EXPRESS LLC
PERMIT NUMBER		TYPE	779 E MAIN ST
02	01	2007	JACKSON OHIO 45640
ISSUE DATE			
11	09	2007	
FILING DATE			
C1	C2		
PERMIT CLASSES			
40	022	B	F97301
TAX DISTRICT			RECEIPT NO.

FROM 11/14/2007

5438647			MAIN EXPRESS DRIVE THRU
PERMIT NUMBER		TYPE	A PARTNERSHIP
02	01	2007	779 E MAIN ST
ISSUE DATE			JACKSON OHIO 45640
11	09	2007	
FILING DATE			
C1	C2		
PERMIT CLASSES			
40	022		
TAX DISTRICT			RECEIPT NO.



MAILED 11/14/2007

RESPONSES MUST BE POSTMARKED NO LATER THAN. 12/17/2007

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES

B TRFO 4220417

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

Wes Brown

(Signature)

(Title)- Clerk of County Commissioner

Clerk of City Council

Township Fiscal Officer

11/26/07

(Date)

CLERK OF JACKSON MUNICIPAL COUNCIL
145 BROADWAY ST
JACKSON OHIO 45640-1656

FOR OFFICE USE ONLY	
NEW	TRANSFER
PERMIT #	4220417

LIMITED LIABILITY COMPANY DISCLOSURE FORM
 (This form must accompany all applications of an LLC business entity)

Section A

Name of Limited Liability Company Jackson Express LLC	DBA Name Jackson Express	
Permit Premises Address 779 East Main Street	City, State Jackson, OH	Zip Code 45640
Township, if in Unincorporated Area	Tax Identification No. (TIN) 42-1743321	

Limited Liability Company ("LLC") - Chapter 1705 Ohio Revised Code. Indicate below the managing members, LLC Officers, and all persons with a 5% or greater membership or voting interest, and attach a copy of the Articles of Organization filed with the Ohio Secretary of State.

Please be advised that any social security numbers provided to the Division of Liquor Control in this application may be released to the Ohio Department of Public Safety, the Ohio Department of Taxation, the Ohio Attorney General, or to any other state or local law enforcement agency if the agency requests the social security number to conduct an investigation, implement an enforcement action, or collect taxes.

SECTION B. List the top five (5) officers of the captioned business. If an office is NOT held, please indicate by writing NONE.

➡ EACH OFFICER LISTED BELOW MUST SUBMIT A CIVILIAN IDENTIFICATION CARD & PERSONAL HISTORY BACKGROUND FORM

NAME OF OFFICER	SOCIAL SECURITY NUMBER	DATE OF BIRTH
1) CEO Jason Snider		11/29/1975
2) President Jason Williams		11/22/1974
3) Vice-President None		
4) Secretary None		
5) Treasurer None		

SECTION C. List the managing members and all persons with a 5% or greater membership or voting interest in the LLC.

➡ ALL INDIVIDUALS LISTED BELOW MUST SUBMIT A CIVILIAN IDENTIFICATION CARD & PERSONAL HISTORY BACKGROUND FORM

1) Name Jason Snider	Social Security No. (if individual)	<input checked="" type="checkbox"/> Managing Member <input checked="" type="checkbox"/> 5% or greater voting interest <input checked="" type="checkbox"/> 5% or greater membership interest
Residence Address 38790 Mound Hill Road	Tax Identification No. (if applicable)	
City and State Radcliff OH	Zip Code 45695	
Telephone No. 740-418-0054	Date of Birth 11/29/75	
2) Name Jason Williams	Social Security No. (if individual)	<input checked="" type="checkbox"/> Managing Member <input checked="" type="checkbox"/> 5% or greater voting interest <input checked="" type="checkbox"/> 5% or greater membership interest
Residence Address 33550 Wolf Hill Rd.	Tax Identification No. (if applicable)	
City and State McArthur OH	Zip Code 45651	
Telephone No. 740-352-3691	Date of Birth 11/22/74	

(PLEASE SEE REVERSE SIDE SHOULD YOU NEED ADDITIONAL SPACE)

STATE OF OHIO, Jackson COUNTYss,

I, Jason Williams being first duly sworn, according to law, deposes and says that he/she is (Title) President of the Jackson Express LLC, a business duly authorized by law to do business in the State of Ohio, and that the statements made in the foregoing affidavit are true.

(Signature) Jason Williams (Print Name and Title) Jason Williams President
 Sworn to and subscribed in my presence this 26th day of October 2007
Patricia S. Stevens 2/24/2009
 (Notary Public) (Notary Expiration)



Ohio Department of Commerce

Division of Liquor Control

6606 Tussing Rd., P.O. Box 4005
Reynoldsburg, OH 43068-9005
(614)644-2360 FAX(614)644-6968
<http://www.com.state.oh.us>

Ted Strickland
Governor

Kimberly A. Zurz
Director

NOTICE TO LEGISLATIVE AUTHORITIES Re: Permit Renewal Objections

NOVEMBER 08, 2007

CLERK OF JACKSON MUNICIPAL COUNCIL
145 BROADWAY ST
JACKSON OHIO 45640-1656

Dear Clerk of Legislative Authority:

The purpose of this letter is to notify you that all permits to sell alcoholic beverages in your political subdivision will expire on **February 1, 2008**. In order to maintain permit privileges, every permit holder must file a renewal application.

Ohio Revised Code Section 4303.271(B) provides the legislative authority with the right to object to the renewal of a permit and to request a hearing. The hearing may be held in the county seat of the county in which the permit premises is located if that request is made in writing. This will be your only opportunity to object to the renewal of a liquor permit premises which might be a problem in your community.

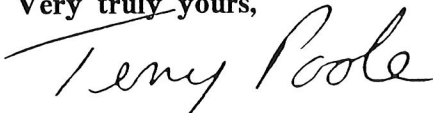
In order to register a valid objection with this Division and obtain a hearing, the legislative authority must pass a resolution which specifies the reason for objecting. The reasons for the objection must be based upon the grounds set forth in Ohio Revised Code Section 4303.292(A). The Chief Legal Officer of your political subdivision must also submit a statement with the resolution that, in the Chief Legal Officer's opinion, the objection is based upon substantial legal grounds within the meaning and intent of Ohio Revised Code Section 4303.292(A). **The resolution and Chief Legal Officer's statement must be addressed to the Division of Liquor Control, Attn: Legal Section, 6606 Tussing Road, P.O. Box 4005, Reynoldsburg, Ohio 43068-9005 and postmarked no later than January 2, 2008.**

For your convenience, we have enclosed a brochure entitled "How to Object to the Issuance or Renewal of a Liquor Permit", which explains the process in more detail.

You may wish to contact the law enforcement agency for your jurisdiction to determine if it has any information which will aid in your decision whether or not to object and request a hearing. If you wish to obtain a list of permit holders in your jurisdiction, you may now access this list from our website at www.liquorcontrol.ohio.gov, and at the left click on Permit Holder Info." and then click on "ACTIVE Permit Holders By County,.....(In print image format)". If you do not have access to the internet, this list can be provided by this Division upon written request.

If you have any questions, please contact the Legal Section at (614)644-2489.

Very truly yours,


Terry Poole, Superintendent