

JACKSON CITY COUNCIL

Regular Session
January 28, 2008
7:00 p.m.

Call to Order..... President Speakman

Pledge of Allegiance..... Mr. Evans

Opening Prayer..... Mr. Wiggins

Roll Call

Approval of Minutes

January 14, 2008

VISITORS: AMEND: DAVID SKIDMORE - Interra Development

COMMITTEE REPORTS:

- Utility
- Budget & Finance
- Police, Fire & Traffic
- Service
- Railroad
- Building/Recreation
- City Auditor
- Law Director
- Mayor
- Service/Safety Director

ORDINANCES AND RESOLUTIONS

CORRESPONDENCE

OLD BUSINESS

NEW BUSINESS

ADJOURN

department some are in conjunction with EMA. Mr. Evans stated the concerns have been answered; the antenna on the sheriffs department is a block away, saw the drawing and in an emergency will be able to take care of the citizens. Mr. Heath indicated that EMA could dispatch fire fighters if we go down in the city.

President Speakman had clean up items to be addressed. Mr. Wiggins made a motion to hire Tera Brown as Council Clerk for the year 2008, seconded by Mr. Evans. In a voice vote, all Council agreed. Mr. Cary Brown made a motion to place Mr. Evans as President Pro Tempore, seconded by Mr. Eric Brown. In a voice vote, all Council agreed. Mr. Eric Brown made a motion to use Roberts Rules of Order for a backup to the Council Policy, seconded by Mr. Smith. The first person on the committee assignments is the chairman. In a voice vote, all Council agreed. President Speakman announced Mr. Detty as appointed for parliamentarian.

COMMITTEE REPORTS

UTILITY

Mr. Eric Brown stated he had no report. Mayor Heath ask the committee to review Governor Strickland's request not to turn off utilities, we are not regulated by the PUCO, but would like to discuss. President Speakman would like the committee to discuss the letter sent by the motels in regards to the planned power outages in November.

BUDGET & FINANCE

Mr. Adams stated he had spoke with Mr. Humphreys will be starting on the permanent budget, he will contact other members to schedule a meeting.

POLICE, FIRE & TRAFFIC

Mr. Evans stated he will set up a meeting before the next regular meeting to include the police and fire chiefs.

SERVICE

Mr. Smith stated he would like to see the 3rd Ward seat filled before scheduling a meeting.

RAILROAD

Mr. Wiggins stated a meeting was scheduled for the 16th at noon in the Mayor's office, see attached memo.

BUILDING/RECREATION – No Report

CITY AUDITOR

Mr. Humphreys stated that they were moving along with the new checking; this will be full gear by February 1st. Will be starting on permanent budget, a lot of requisitions, most need passed tonight.

LAW DIRECTOR

Mr. Detty stated most read about Judge Johnston order for funds, Judge Musick issued a stay, will have attend a pretrial. This pertains to jail expenses, etc., \$61,000+ to the city, will keep Council up to date and any one can attend the pretrial. Requesting an executive session to discuss Uribe vs. City. The matter of the Jackson Historical Society/Boone Rock should go before the Building/Recreation Committee. Mr. Evans would like to see Mr. Detty press the issue to get the money from the county. We the city do raise most of the sales tax money. Mr. Heath stated that he mentioned to Mr. Detty to look at the ballot

Mr. Wiggins – yes

Council went into executive session at 7:58 p.m.

Mr. Evans made a motion to return to regular session at 8:55 p.m., seconded by Mr. Adams. In a voice vote, all Council agreed.

President Speakman stated that Council Clerks rate of pay was \$350.00 per month, there were additional duties with the new public records law, and all opinions are welcome. Mr. Eric Brown with the new public records law the clerk will be more active in the committee meetings. Mr. Evans asked if the clerk attended committee meetings. Mr. Eric Brown stated upon request. Mr. Speakman stated she will have to attend all meetings, doubling the duty. Record books need to be up to date, there are original ordinances missing and the state audits will start shortly. This can not be put off. Recommends \$150.00 per month increase and review at a later date. Mr. Evans suggested the base salary and an hourly wage for the extra meetings. There will be many committee meetings in the next 2-3 months. The committee chairman will notify the clerk and she will prepare the records. Mr. Eric Brown was not sure, would she receive workers compensation with the hourly rate. Mr. Humphreys stated only PERS, part time employees now have to work 32 hours per week to become full time. Mr. Evans stated if the salary was not set tonight it could not be changed, she could resign and we could rehire tomorrow. Mr. Evans requested the clerk's opinion. Ms. Brown stated the base salary plus hourly rate would be fine. Mr. Evans suggested raising the base rate and hourly wage for the meetings. Mr. Detty stated she still has hours of work after the meetings. Mr. Evans stated base salary for regular meetings and hourly rate for special and committee meetings. Mr. Speakman asked if we had a motion. Mr. Smith asked the wage rate. Mr. Evans asked the clerical rate. Mr. Speakman stated it was \$12.13. Mr. Evans suggested \$12.00 per hour. Mr. Eric Brown made a motion to pay the clerk her base salary plus an hourly wage of \$12.00 per hour with timesheet to be turned into the auditor's office, seconded by Mr. Wiggins. In a voice vote, all Council agreed.

ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 177-07

AN ORDINANCE AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF JACKSON, OHIO, AND LOCAL #3619 AND OHIO COUNCIL 8, AFSCME, AFL-CIO, AND DECLARING AN EMERGENCY.

Second Reading

ORDINANCE NO. 180-07

AN ORDINANCE ESTABLISHING A PROCEDURE FOR APPROVAL OF FREE STANDING ANTENNAS OR TOWERS.

Second Reading

Mr. Eric Brown stated he would like the new council to review, anything taller than 20' will be directed to the Zoning Board w/ a site plan and current building permit. We are just looking out for the future, please review, and could need language changes.

ORDINANCE NO. 181-07

AN ORDINANCE APPROVING AND ADOPTING THE CITY OF JACKSON, OHIO, SEWER OVERFLOW EMERGENCY RESPONSE PLAN; DIRECTING THE SUBMITTAL THEREOF TO THE DIRECTOR OF THE OPEA; AND DECLARING AN EMERGENCY.

Second Reading

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

Mr. Evans – yes
Mr. Adams – yes
Mr. Eric Brown – yes
Mr. Smith – yes
Mr. Cary Brown – yes
Mr. Wiggins – yes

ORDINANCE NO. 02-08 DULY ADOPTED

ORDINANCE NO. 03-08

AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE WATER
DISTRIBUTION FUND AND DECLARING AN EMERGENCY.

First Reading

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

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

Mr. Evans – yes
Mr. Adams – yes
Mr. Eric Brown – yes
Mr. Smith – yes
Mr. Cary Brown – yes
Mr. Wiggins – yes

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

Mr. Evans – yes
Mr. Adams – yes
Mr. Eric Brown – yes
Mr. Smith – yes
Mr. Cary Brown – yes
Mr. Wiggins – yes

ORDINANCE NO. 03-08 DULY ADOPTED

ORDINANCE NO. 04-08

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

First Reading

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

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

Mr. Evans – yes

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

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

Mr. Evans – yes
Mr. Adams – yes
Mr. Eric Brown – yes
Mr. Smith – yes
Mr. Cary Brown – yes
Mr. Wiggins – yes

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

Mr. Evans – yes
Mr. Adams – yes
Mr. Eric Brown – yes
Mr. Smith – yes
Mr. Cary Brown – yes
Mr. Wiggins – yes

ORDINANCE NO. 06-08 DULY ADOPTED

ORDINANCE NO. 07-08

AN ORDINANCE AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF JACKSON, OHIO, AND THE OHIO ASSOCIATION OF PUBLIC SCHOOL EMPLOYEES, OAPSE/AFSCME LOCAL 4/AFL-CIO AND ITS LOCAL #410, AND DECLARING AN EMERGENCY.

First Reading

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

ORDINANCE NO. 08-08

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

First Reading

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

Mr. Humphreys stated this needs passed, a cruiser transmission has blown and needs repaired.

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

Mr. Evans – yes
Mr. Adams – yes
Mr. Eric Brown – yes
Mr. Smith – yes
Mr. Cary Brown – yes
Mr. Wiggins – yes

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

Mr. Humphreys explained this was out of county jail expense.

Mr. Wiggins made a motion to suspend the rules, seconded by Mr. Cary Brown. In a roll vote, Council voted at follows:

Mr. Evans – yes
Mr. Adams – yes
Mr. Eric Brown – yes
Mr. Smith – yes
Mr. Cary Brown – yes
Mr. Wiggins – yes

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

Mr. Evans – yes
Mr. Adams – yes
Mr. Eric Brown – yes
Mr. Smith – yes
Mr. Cary Brown – yes
Mr. Wiggins – yes

RESOLUTION NO. 02-08 DULY ADOPTED

RESOLUTION NO. 03-08

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

First Reading

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

Mr. Evans made a motion to suspend the rules, seconded by Mr. Cary Brown. In a roll vote, Council voted at follows:

Mr. Evans – yes
Mr. Adams – yes
Mr. Eric Brown – yes
Mr. Smith – yes
Mr. Cary Brown – yes
Mr. Wiggins – yes

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

Mr. Evans – yes
Mr. Adams – yes
Mr. Eric Brown – yes
Mr. Smith – yes
Mr. Cary Brown – yes
Mr. Wiggins – yes

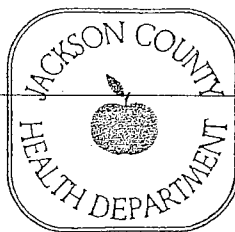
RESOLUTION NO. 03-08 DULY ADOPTED

Mr. President, as the newly appointed Chairman of the Railroad Committee, I would like to file the following report.

1. I have been conducting my own investigation of the railroad operation for several months, to be better prepared upon taking my position on the Council.
2. I have interviewed several people involved, reviewed the current agreement between the City and U.S. Rail, reviewed payments to the City back to the year 2000, met personally with Mayor Heath, and also met with Gabe Hall the President of U. S. Rail.
3. After my meeting with Mr. Hall, he hand delivered a check for \$33,815.14 to the Mayor representing full payment of the amount due for 2007, as calculated by U.S. Rail. While this does not equal the \$49,500.00 included in Mr. Detty's letter of January 7th, we are trying to obtain financial records that will reconcile these numbers.
4. It is my opinion that the City owns a railroad that can play an important role in the future economic development of several Southeastern Ohio counties. I have spoken to the two other members of the Railroad Committee and they agree that this railroad is an important asset to economic development.
5. We have an existing agreement between the City and U.S. Rail, and we intend for the Railroad Committee to take the following immediate action to identify and resolve the outstanding issues before considering other options.
 - a. Meet with Gabe Hall in a positive manner to identify issues of both parties. Conduct necessary meeting(s) in the next thirty days.
-We have set up our first meeting between the Railroad Committee and U.S. Rail for Wednesday, January 16th, at 12:00 Noon in the Jackson City Building. We are hereby notifying the news media of this meeting.
-Identify a plan to resolve each issue within a short reasonable time period.
 - b. Convey to Gabe Hall that U. S. Rail is to provide financial records of all U.S. Rail operations from the date they took over, through December 2007, as required by the current agreement. If possible, these are to be financial records as audited by an independent auditing firm. Give U.S. Rail thirty days to provide these records.
 - c. Convey to Mr. Hall that the City expects U.S. Rail to make required payments to the City, as outlined in the agreement on the 15th of the month following, from this month forward.
 - d. Convey to Mr. Hall that we expect U. S. Rail to bring current all other outstanding obligations within 90 days, and then remain on a current bill paying schedule.
 - e. Establish standard and regular communications between the Railroad Committee, City Administration, and U.S. Rail.
 - f. Convey to Mr. Hall, that the City is not interested in considering a revised agreement until the above conditions have been met.

Curt Wiggins
Chair, Railroad Committee

Board of Health
Carl J. Greever, M.D., President
Jane Kidd, Vice President



Board Members:
Brad Munn • Kevin O'Day
Keith Woolum

Jackson County Health Department

Gregory A. Ervin, M.P.H., Health Commissioner • Jill Ann Neff, D.O., Medical Director

December 5, 2007

Mr. Robert E. Czechlewski, EMA Director
Jackson County Emergency Management Agency
200 E. Main Street
Jackson, Ohio 455640-1716

Dear Mr. Czechlewski,

I would like to offer the support of the Jackson County Health Department to the Jackson Emergency Management Agency for the purchase and installation of a communications tower on the B.J. Allison Health Center. The installation of an 80 foot communications tower will be a great benefit to Emergency Response in our community. The proposed communications tower will enhance our emergency communications capability and the effectiveness of our MARCS emergency radio system and our ability to communicate both in and outside Jackson County.

As Public Information Officer for the EMA, I understand the importance of being able to communicate with emergency responders in the field and the importance of getting their assessment back to the EMA and EOC during an emergency. I commend the EMA for undertaking this major effort to upgrade our emergency communications capability in Jackson County and wish you success in your effort to install a communications tower.

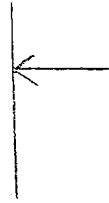
Please let me know if I or my staff may be of any additional assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Gregory A. Ervin". The signature is fluid and cursive, written over the printed name.

Gregory A. Ervin, MPH
Health Commissioner

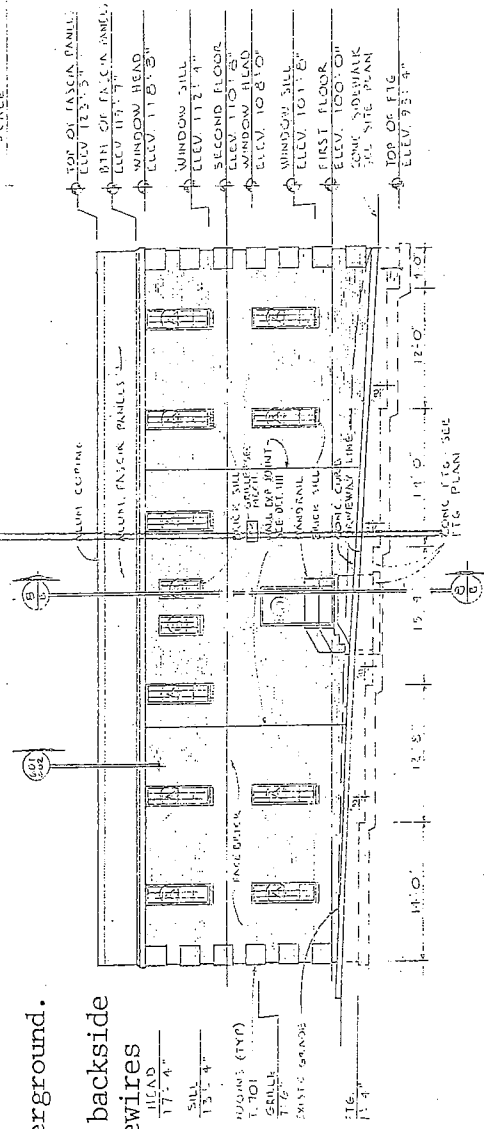
Jackson County Health Department Tower
 to be used by Jackson County Emergency Management Agency, Jackson Co.
 Health Department and Amateur (HAM) Radio.



Tower is 80 feet high from
 underground base to tip of highest
 Antenna.

Building is 30 feet high from
 footer to roof.

- 3 feet of tower is underground.
- 2 Mounting brackets to backside
 of building and 6 guidewires
 attached to tower.

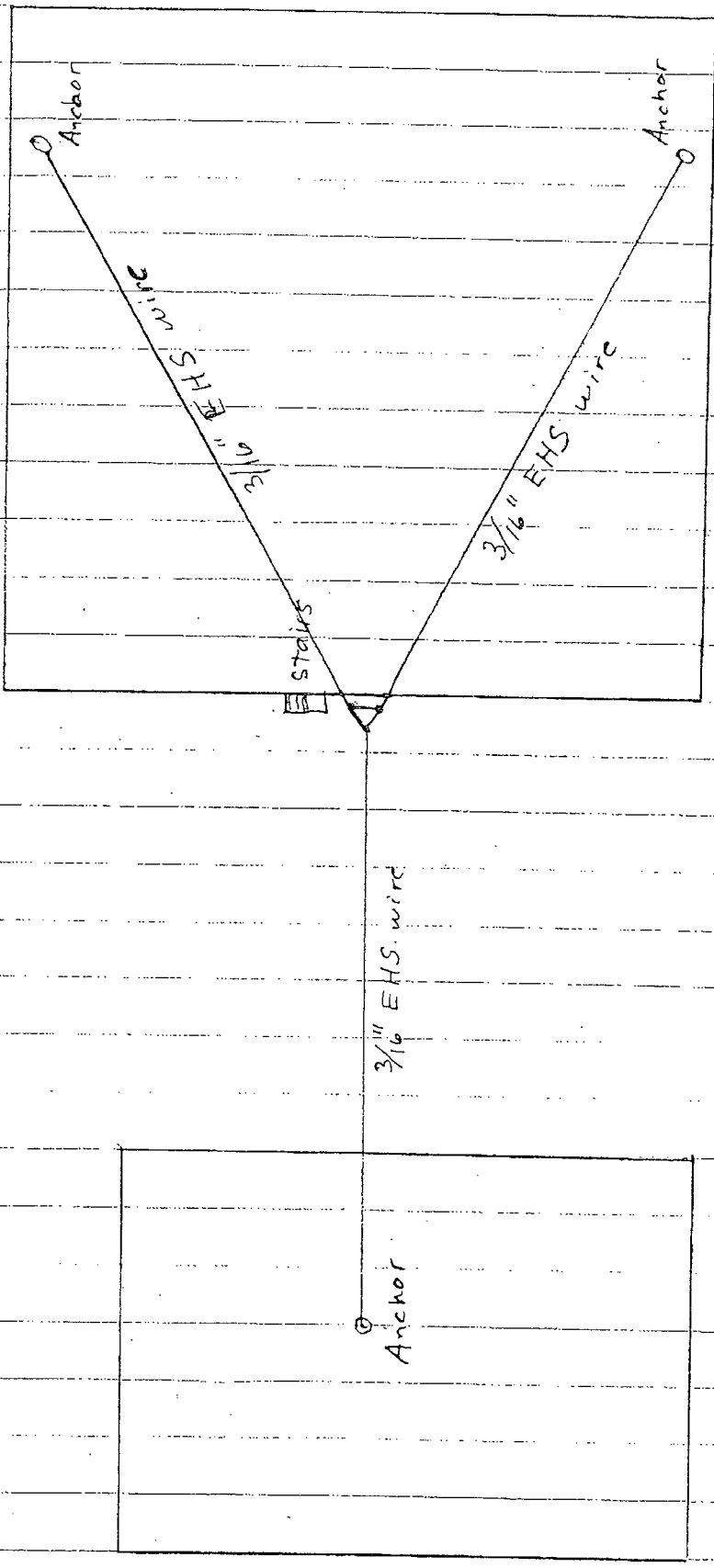


N O R T H
 S C A L L E
 E L E V A T I O N
 1/8"

Backside (Rear) of Health Dept. Building

(2)

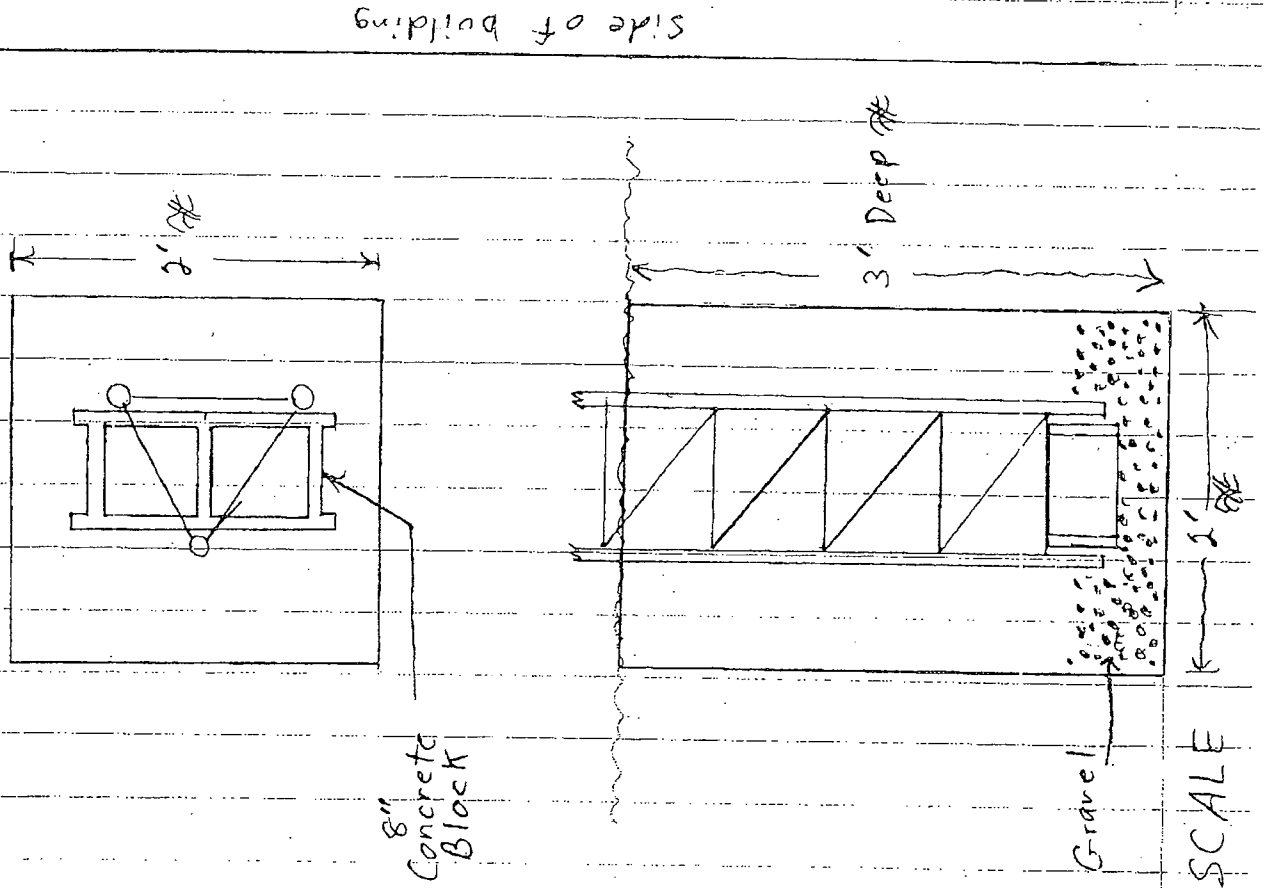
Anchor points to be determined prior to initial tower erection.



Note: Drawings NOT TO SCALE

(3)

The first section of antenna tower will sit on an 8" concrete block. Concrete block will sit on 5" to 6" of gravel with 3" to 4" more gravel after tower is plumbed. This allows any water drainage from tower legs. Remainder of hole to be filled with the excavated dirt.



Note: Drawings NOT TO SCALE

Area within Circle is
Maximum Tower Collapse Area
if Tower was to separate from
building and fall down in any
direction.

Main St.

Portsmouth St.

