

JACKSON CITY COUNCIL
Regular Session
May 12, 2008
7:00 p.m.

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

Roll Call

Approval of Minutes

April 28, 2008

VISITORS:

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

JACKSON CITY COUNCIL

Minutes from

April 28, 2008

7:00 p.m.

Regular Session

Jackson City Council met in regular session on Monday, April 28, 2008 at 7:00 p.m. at the Jackson City Council chambers. President Ron Speakman called the meeting to order. The Pledge of Allegiance was given, led by Mr. Wiggins. The Prayer was given, led by Mr. Wiggins.

A roll call was taken as follows:

- Mr. Evans – present
- Mr. Adams – present
- Mr. Eric Brown – present
- Mr. Smith – present
- Mr. Cary Brown – absent
- Mr. Elliott - present
- Mr. Wiggins – present

Mr. Smith made a motion to approve the minutes of April 14, 2008 regular session seconded by Mr. Adams. In a voice vote, all Council agreed.

VISITORS - None

COMMITTEE REPORTS

UTILITY – No Report

Mr. Brown stated there would be a Utility Committee meeting on Wednesday at 6:30 to discuss utility rates, the water rate study and requested that members of the Budget & Finance Committee attend.

BUDGET & FINANCE – No report

Mr. Adams requested that members attend the Utility Committee meeting scheduled for Wednesday.

POLICE, FIRE & TRAFFIC – No Report

Mr. Evans stated he would schedule a meeting before the next regular meeting.

SERVICE

Mr. Smith stated that the scrap vendors issue was given to Mr. Detty and Mr. Cary Brown to develop an ordinance, to be patterned off of the Columbus city ordinance.

RAILROAD - No report

BUILDING/RECREATION – No report

Mr. Smith asked the status on the Memorial Building. Mr. Sheward stated that Panich & Noel are currently writing specs. Mr. Smith stated this was now out of the committee. Mr. Speakman requested that the Hammertown area needs to have tighter zoning laws.

CITY AUDITOR - No report

LAW DIRECTOR

Mr. Detty stated that the property for Liberty Township is going up for bid. US Rail vs. CIT, the court has issued a case management report. The property by Manpower Park, the building issues have been resolved.

MAYOR

Mr. Heath stated there is a resolution tonight for the Ohio Rail Commission. Suggested creating a policy for signs placed at Manpower Park, setting a timeframe and must be non-profit, signs should be registered just like the shelter house and gazebo. There will be a preview day on Saturday for the recreation teams, little league has formed with Wellston, Oakhill and Vinton County, this will start on Monday. The skate park was delivered today, both papers were present. He hopes the young people will respect this area, police will control enforcement, and they should stay of others property. Would like to request an executive session to discuss personnel matters. Mr. Evans stated in regards to the signs, should have a restricted area. Mr. Smith stated we need to preserve the integrity of the park.

SAFETY/SERVICE DIRECTOR

Mr. Sheward stated Walgreen's will be grinding materials to reuse at another location, EPA stopped onsite grinding. They ask permission to use the Veterans Drive property, this will happen. The trucks will be loaded both ways, there are concerns about damage to the road. They have agreed to repair if needed. This will be done at the compensation area for wetlands. Mr. Eric Brown asked if they would be traveling on Carr Street. Mr. Sheward stated that street was off limits, too narrow. Mr. Cary Brown asked why the EPA stopped. Mr. Sheward stated there were dust issues. Mr. Sheward stated the city is currently in the bid process for pest control, should start in a couple of weeks.

Mr. Eric Brown made a motion that ordinance 45-08, should be changed to 46-08, and seconded by Mr. Smith. In a voice vote, all Council agreed.

ORINANCES AND RESOLUTIONS

ORDINANCE NO. 41-08

AN ORDINANCE AMENDING JACKSON CODIFIED ORDINANCE SECTION 957.01, RELATING TO RATES AND RENTALS – MUNICIPAL POOL, AND 957.02, RELATING TO HOURS – MUNICIPAL POOL.

Third 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. Elliott – yes
Mr. Wiggins – yes

ORDINANCE NO. 41-08 DULY ADOPTED

ORDINANCE NO. 46-08

AN ORDINANCE AMENDING JACKSON CODIFIED ORDINANCE SECTION 945.073 RELATING TO GARBAGE – NO FRANCHISE FEE REQUIRED FOR CERTAIN SERVICES.

First Reading

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

Mr. Sheward recommended this update, this was prepared several years ago, and different types were exempt. At that time the city did not offer these services, roll off dumpsters need not be exempt, this is a large business and Rumpke is the only one who pays, this is unfair. Also, anything taken to Pike County, the city receives no tipping fees, wants them all included.

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

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

ORDINANCE NO. 46-08 DULY ADOPTED

RESOLUTION NO. 18-08

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, OR HIS DESIGNATED REPRESENTATIVE, TO APPLY WITH THE OHIO RAIL DEVELOPMENT COMMISSION (ORDC) FOR A LOAN TO REHABILITATE THE CITY OWNED RAIL LINE, AND DECLARING AN EMERGENCY.

First Reading

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

Mayor Heath stated that some of the track needs repaired, this is cost effective, and we met with Lou Jannezzo from the ODRC, and came up with this agreement. We need to make a decision, there fiscal year is ending, they need to know there is a grant connected with this, railroad committee members have attended this meeting. US Rail will be thorough and accurate along with payments, there are additional stipulations, and this is a big benefit to the rail service. Mr. Evans stated this is a good situation with Lou; he is a good friend of the city. This money will go into the rail, needs to be kept up, Lou helped us obtain the rail. Mr. Wiggins stated he was pleased to meet Lou, he has been instrumental several times, and he comes to bat to help secure loans and grants. The exposure is limited, payment is based on proceeds, 2% with no time frame to repay, would like to commend Mr. Sheward and Mayor Heath for their hard work. Mr. Smith stated this is good for the city, challenge to US Rail to get new business. Mr. Sheward stated the money is funneled through the city, and we have control to ensure the rail is maintained, this is a good start.

Mr. Humphreys asked what if we don't have the number of cars to repay. Mr. Evans stated this is dependent on the number of cars; the state only gets what we get. In twenty years it could be paid off, that is why it is set up this way. There is no guarantee of business; it is on a sliding scale. If the rail is someday lost, the materials will be scraped and the debt repaid, with no exposure to the city. Mr. Cary Brown stated

this is a good issue, scrap prices high, there is a need for rails, ties and the gravel. Mr. Sheward stated we are getting \$300,000, could also get \$350,000 in grants, more or less, these are free funds, to good of deal to ignore. Mr. Cary Brown asked how many miles. Mr. Evans stated 86 miles. Mr. Cary Brown asked if this included switches and all. Mr. Eric Brown asked about the language. Mr. Heath stated this is a package deal, if we pass this, they will apply for the grant. Mr. Evans stated no loan, no grant, we should accept.

Mr. Eric Brown made a motion to add applies and accept grants, seconded by Mr. Wiggins. In a voice vote, all Council agreed.

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

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

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

RESOLUTION NO. 18-08 DULY ADOPTED AS AMENDED

CORRESPONDENCE

The clerk read a letter from Mr. Volrath, see attached.

OLD BUSINESS – None

NEW BUSINESS

Mr. Cary Brown asked if there was an ordinance about contractor's heavy equipment being parked on city streets, with no cones or reflectors. Mr. Adams asked if it were a backhoe. Mr. Heath stated to address the Mr. Detty. Mr. Detty stated we certainly should have. Mr. Evans stated any vehicle parked on the street must be licensed. Mr. Humphreys stated the Mayor should send the resident a letter. Mr. Speakman stated that Mr. Sheward could address this issue with the police.

Mr. Smith made a motion to move into executive session to discuss imminent litigation in regards to personnel matters, seconded by Mr. Evans. In a roll call vote, all Council agreed. Council moved into executive session at 7:45 p.m.

Mr. Wiggins 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 8:45 p.m.

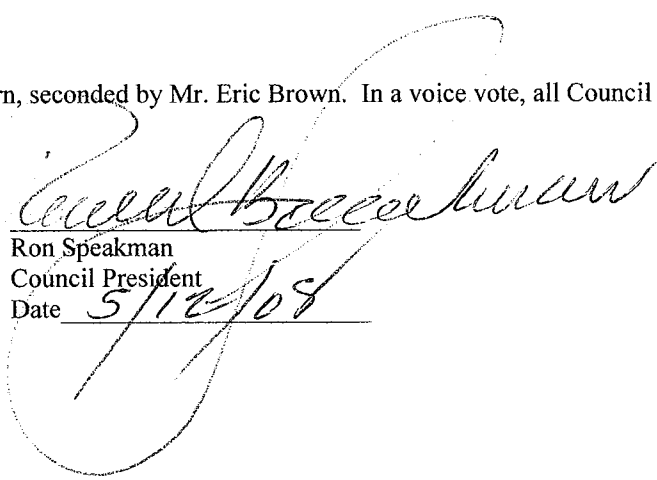
Mr. Evans stated there will be Police, Fire & Traffic Committee meeting on Wednesday at 6:00, to discuss j-turns, one way streets and personnel matters.

ADJOURN

Mr. Smith made a motion to adjourn, seconded by Mr. Eric Brown. In a voice vote, all Council agreed. Council adjourned at 8:46 p.m.



Tera Brown
Clerk
Date 5-12-08



Ron Speakman
Council President
Date 5/12/08

GARY H. VOLLRATH, CERTIFIED FORESTER
222 HAMMERTOWN LAKE ROAD, JACKSON, OH 45640-9683
TELEPHONE 740-286-4884

April 15, 2008

Mr. Randey Smith, Chair
Service Committee
Jackson City Council
145 Broadway Street
Jackson, OH 45640

Dear Mr. Smith:

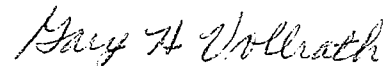
Regarding your report at the Jackson City Council meeting on April 14, 2008, on the Service Committee meeting held on April 7, 2008, I would like to clarify a couple of items. Your report may have been misinterpreted by some that I assured the committee that the City of Jackson has received the revenue it is due from the timber harvesting operations at Hammertown Lake.

My remarks at that committee meeting were in response to questions from those present at the committee meeting and were limited to the technical aspects of forestland management, Best Management Practices, water quality, and wildlife habitat. Those issues were my concerns during my visits to the forestland before, during and after the timber harvesting operations when I was a forester for the Ohio Department of Natural Resources Division of Forestry, and later as a private forester.

I do not know the terms of the agreement between the City of Jackson and Glatfelter, nor do I know the amount of timber or the value of the timber harvested from the Hammertown Lake forestland. This is a matter between the City of Jackson and Glatfelter, and is beyond the scope of my involvement.

I want to be sure it is clear, and that the record shows, that I made no comments regarding the volume of timber that was harvested or the amount of revenue the City of Jackson has received or will receive from the timber harvesting operations, nor did I make any assurances that the City of Jackson is receiving the revenue it is due from the sale of the timber. This was a matter that Mr. Sommer addressed.

Sincerely,



Gary H. Vollrath, CF

cc. Mayor Randy Heath
City Auditor James Humphreys
✓ President of Council Ronald Speakman
Council Members Troy Adams, Cary Brown, Eric Brown, Jeff Elliott, John Evans,
Curt Wiggins
Service/Safety Director William Sheward