JACKSON CITY COUNCIL

Regular Session August 25, 2008 7:00 p.m.

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

Roll Call

Approval of Minutes

August 11, 2008

VISITORS:

Marvin Ross – Utilities and ordinances. COMMITTEE REPORTS:

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

ORDINANCES AND RESOLUTIONS

CORRESPONDENCE

OLD BUSINESS

NEW BUSINESS

ADJOURN

JACKSON CITY COUNCIL

Minutes from August 11, 2008 7:00 p.m. Regular Session

Jackson City Council met in regular session on Monday, August 11, 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 absent
- Mr. Smith present
- Mr. Cary Brown present
- Mr. Elliott present
- Mr. Wiggins present

Mr. Adams made a motion to excuse Mr. Eric Brown, seconded by Mr. Wiggins. In a voice vote, all Council agreed.

Mr. Evans made a motion to approve the minutes of July 28, 2008 regular session seconded by Mr. Smith. In a voice vote, all Council agreed.

VISITORS - None

COMMITTEE REPORTS

UTILITY

Mr. Adams stated the committee met on August 5' 2008 at 6:00, with one visitor present, Mrs. Marva Colby to discuss a repayment plan for the electric fund loss. The committee recommends. discontinuing the 35% yearly reduction and adding a .01 cent per KW, until the debt is repaid, but not to exceed 18 months. The committee also discussed the garbage fund, there will be a possible deficit of \$45,000 by 2009, suggesting \$2.00 per month increase for residential and \$3.00 increase per industrial/commercial users. This will create an estimated balance of \$61,000; these funds would go toward the purchase of a new garbage truck. There was further discussion about AMP Ohio taking responsibility for our loss of interest due to the loss in the utility fund. Mr. Heath stated that they have spoke to them, they want to see our recovery plan before meeting with their board, and also request that a representative from the city be present. Mr. Smith asked if we were the only municipality with this problem, they need to take responsibility in helping the city recover lost interest. Mr. Cary Brown asked if we were locked into electric rates. Mr. Heath stated some of the rates, but not all. Mr. Humphreys stated they admitted to the error but are not taking responsibility. Further discussion on course of action needed. Mayor Heath stated that Council can adopt a motion tonight. Mr. Speakman recommends authorizing an ordinance to modify 35% reduction. Mr. Wiggins stated we needed armed with a figure. Mrs. Sexton stated that they do have the figures of lost interest. Mr. Smith stated we should get every dime possible. Mr. Evans made a motion to have administration to recover lost interest, seconded by Mr. Smith. Mr. Evans stated that we could hold the funds longer, and if granted then restructure the rate plans. Mr. Wiggins stated the bill payers were not in the wrong, repayment would be easier. Mr. Sheward stated this has been discussed at least three times prior to this meeting. Mr. Adams made a motion to raise the garbage rates \$2.00 per residential/\$3.00 per industrial/commercial/dumpster, seconded by Mr. Evans. Mr. Speakman stated that dumpster rates are set by the Service Director. Mr. Adams and Mr. Evans rescinded his motion. Mr. Adams motion to raise \$2.00 residental/\$3.00 commercial with an effective date upon ordinance being adopted, Mr. Evans seconded the motion. More discussion followed, this will be discussed at a future date.

POLICE, FIRE & TRAFFIC - No Report

Mr. Evans stated he will be scheduling a meeting with the Police Chief and Fire Chief at 6:00 prior to the next Council meeting.

SERVICE - No Report

RAILROAD - No report

BUILDING/RECREATION - No report

CITY AUDITOR

Mr. Humphreys stated that Resolution 20-08 had been taken care of, go no further.

LAW DIRECTOR

Mr. Detty stated that the ODRC loan grant, waiting on the consultant to get specifications, will need this information soon. US Rail vs. CIT; this has been transferred to the Southern District Court in Columbus. Information requested on indigent counsel has been distributed for review. Mr. Evans asked if Mr. Detty had received any response on the records that the previous administration had removed. Mr. Detty stated he was not sure how to proceed, they say items that were deleted were not public record. Mr. Evans stated they were public record; you are responsible to move forward. They were put on disc and those disc need to be returned to the city. Mr. Detty stated he will try to figure out what records they are. Mr. Evans stated to get with Mr. Woltz he knows. Mr. Detty stated he will follow up with Mr. Woltz tomorrow. Mr. Speakman stated a committee can be appointed if needed.

MAYOR

Mayor Heath reported on the Jackson City Schools, Parkview School status, this was to be donated to the Senior Citizens, but at this time they do not have the funds to refurbish. We went to the board to offer help; this is a fine asset to our community. There is a second entity looking at sharing this building. We did tour the building, Mr. Smith was present. We attended the US Rail meeting two weeks ago; Mr. Hall and attorneys need to get moving on this project. Ohio Basic Minerals needs the rail by year end. It is critical to hear from US Rail, the rail needs inspected. The recycling program will start on August 18th, residents are excited, and this will be done with little cost to the city. We have taken an employee from the Utility Office, this led to the lunch closure, which led to much conflict, this has since been resolved and the office will remain open at lunch. Received a request from the Commissioners to join the county wide sewer district, we need a motion not to participate. Catch after school program, last year there were 60 kids participate, this program started four years ago with a grant. The city has paid for this program the last two years, with 2008 costing \$7,388. We have informed the recreation department that this program must be self sustaining or we will lose the program. We are talking with the school about the recreation program. We also need to make a decision on the full time director by next month. The pool admission totaled \$8,618, it ran smooth with few problems, donations are still down, which is expected with a tighter economy. We hope to balance out, more donations are needed. We would like to commend Anthony Coyan and the others who have worked so hard on the James Cemetery. We would like to commend the Firefighters for a successful Pig Iron Days. We would like to thank the community and residents for successful Relay for Life. Mayor Heath requested an executive session to discuss the possible acquisition of property. Mr. Adams asked where to pick up new recycling bins. Mr. Sheward stated that the old bins can still be used. We are working with the media to give information on routes and pickup requirements. Cardboard boxes can also be used. Mr. Cary Brown asked about any creek cleaning projects. Mayor Heath stated that this has been discussed with Mr. Sheward. Mr. Sheward stated no decisions have been made. Mr. Cary Brown stated that \$25,000 was placed in the budget. Mr. Evans asked about the recycling route. Mr. Sheward stated this information will also be available on Channel 24.

Mr. Smith made a motion to advise the County Commissioners that we will not be participating in the county wide sewer district, as this is no benefit to the city, seconded by Mr. Adams. In a voice vote, all Council agreed.

Mr. Sheward stated that the bids were in for the Memorial Building roof project, only two received, see attached letter from Jim Thomas of Panich & Noel. Noting that it was \$6000.00 less than the 2005 estimate review. If Council sees fit to pass tonight, we could start this project in August. On August 18th we will be mosquito spraying; in case of inclement weather it will be postponed to August 20th. The drainage issues on Wood Ave have been resolved; tree roots were clogging the storm drains. Mr. Smith asked if we were taking steps to have the roof inspected yearly and the lifetime of the roof. Mr. Smith stated he had spoken to the contractor; this roof will need to be resealed every five years, with a 15-20 year life span. Mr. Adams stated per Ordinance 76-08, there is a ten year guarantee. Mr. Smith stated this must be inspected, in the past this has not been the case, it will bubble and crack, preventative maintenance is a plus. Mr. Speakman stated that the current roof is well over 20 years old.

REDISTRICTING COMMITTEE

The names of committee members were left out of the minutes; they are Mr. Adams, Mr. Elliott and Mr. Evans. Mr. Evans reported that he met with the Board of Elections. He went to the GIS tax map office and stated he wants Mr. Woltz involved in this process. We have a current list of voters, we can do this by September 1st, we can move the boundaries digitally on the computer, and this will not be passed on the poorly done 2000 census. We will have the option to change the boundaries when the 2010 census is taken. This must be done 150 days before the primary election, so we need to have this completed by December, this will also give the politicians time to review. This will most likely cause some problems with the council positions. Our goal is to meet in September and supply council with map and numbers. Mr. Cary Brown stated he agrees that some of the wards are too small. Mr. Evans stated we are in violation of the law, the committee will make the final decision, and all voting will take place at the YMCA in 2009. Mr. Speakman stated the boundaries were last set in 1911. Mr. Elliott stated he would like to see this done by residents, we represent all, would like this based on the average number of adults per household. Mr. Evans stated Mr. Woltz is investigating, fairly consistent numbers; we can review again in 2011. Mr. Speakman stated we can commission a census, but we would have to pay for it. Mr. Cary Brown stated this needs to be restructured. Mr. Smith asked if the utility department could help out with this. Voter registration may not be accurate, but utility customers are paying. Mr. Evans stated same problem, may be more children in some areas. Mr. Speakman stated the committee is running and headed in a good direction. Mr. Evans stated he is open for ideas.

ORINANCES AND RESOLUTIONS

ORDINANCE NO. 65-08

AN ORDINANCE AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF JACKSON, OHIO, AND THE BOARD OF COMMISSIONERS OF JACKSON COUNTY, OHIO, FOR THE PROVISION OF A PUBLIC DEFENDER FOR INDIGENTS, AND DECLARING AN EMERGENCY.

Third Reading

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

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

ORDINANCE NO. 65-08 DULY ADOPTED

ORDINANCE NO. 66-08

AN ORDINANCE AUTHORIZING WAGE RATES FOR THE POSITION OF CHIEF OF POLICE AND ASSISTANT CHIEF OF POLICE, AND DECLARING AN EMERGENCY.

Third Reading

Mr. Evans asked if there had been a written agreement. Mr. Detty stated this will only be effective with a signed agreement. Mr. Adams made a motion to table the ordinance until the next meeting, seconded by Mr. Smith. In a voice vote, all Council agreed.

ORDINANCE NO. 68-08

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

Third Reading

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

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

ORDINANCE NO. 68-08 DULY ADOPTED ******

ORDINANCE NO. 69-08

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

Second Reading

ORDINANCE NO. 70-08

AN ORDINANCE FINDING THE LOWEST RESPONSIBLE AND RESPONSIVE BID, AWARDING THE CONTRACT FOR THE PURCHASE OF VALVE EXERCISING EQUIPMENT FOR THE WATER DISTRIBUTION DEPARTMENT TO E.H. WACHS COMPANY, 600 KNIGHTSBRIDGE PARKWAY, LINCOLNSHIRE, ILLINOIS 60069, DECLARING AN EMERGENCY.

Second Reading

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

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

ORDINANCE NO. 70-08 DULY ADOPTED

ORDINANCE NO. 71-08

AN ORDINANCE AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF JACKSON, OHIO, AND INFILCO DEGREMONT INC., 8007 DISCOVERY DRIVE, RICHMOND, VIRGINIA 23229-8605, FOR THE PURCHASE OF FILTER SYSTEM REPAIR PARTS FOR THE WASTEWATER TREATMENT PLANT, AND DECLARING AN EMERGENCY.

Second Reading

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

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

ORDINANCE NO. 71-08 DULY ADOPTED

ORDINANCE NO. 72-08

AN ORDINANCE VACATING THE ENTIRE LENGTH OF THE ALLEYS ABUTTING LOTS 48, 49, 50,35,34,33 AND OUTLOT 32 IN THE DAILE HOFFMAN $2^{\rm ND}$ ADDITION TO THE CITY OF JACKSON, OHIO, BEING AN ALLEY 20.79 FEET IN WIDTH EXTENDING IN A GENERALLY NORTHEAST DIRECTION FROM SOUTHWEST END OF LOTS 48 AND 35 OF DANIEL HOFFMAN $2^{\rm ND}$ ADDITION, AND AN ALLEY 16.5 FEET IN WIDTH EXTENDING IN A GENERALLY NORTHWEST BY WEST DIRECTION FROM BROADWAY STREET TO PORTSMOUTH STREET.

Second Reading

Mr. Smith made a motion to amend the ordinance by adding that the city has access to utilities and any damages would be the property owner's responsibility, seconded by Mr. Wiggins. In a voice vote, all Council agreed.

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

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

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

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

ORDINANCE NO. 72-08 DULY ADOPTED ******

ORDINANCE NO. 73-08

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

First Reading

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

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

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

ORDINANCE NO. 73-08 DULY ADOPTED

ORDINANCE NO. 74-08

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

First Reading

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

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

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

ORDINANCE NO. 74-08 DULY ADOPTED ******

ORDINANCE NO. 75-08

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

First Reading

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

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

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

ORDINANCE NO. 75-08 DULY ADOPTED ******

ORDINANCE NO. 76-08

AN ORDINANCE FINDING THE LOWEST RESPONSIBLE AND RESPONSIVE BID, AWARDING THE CONTRACT FOR MEMORIAL BUILDING ROOF REPLACEMENT CONTRACT INSULATED ROOFING CONTRACTORS, 10801 PLANTSIDE DRIVE, LOUISVILLE, KENTUCKY 40299, AND DECLARING AN EMERGENCY.

First Reading

- Mr. Wiggins made a motion to adopt the ordinance, seconded by Mr. Adams. In a voice vote, all Council agreed.
- Mr. Wiggins made a motion to amend the ordinance, by adding the line item number, 1000-7750-54003, seconded by Mr. Evans. In a voice vote, all Council agreed.
- Mr. Wiggins made a motion to suspend the rules seconded by Mr. Adams. In a roll call vote, Council voted as follows:

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

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

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

ORDINANCE NO. 76-08 DULY ADOPTED ******

RESOLUTION NO. 20-08

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

First Reading

Mr. Wiggins made a motion to table the resolution, seconded by Mr. Evans. In a voice vote, all Council agreed.

CORRESPONDENCE

The Jackson County Firefighters Association sent a letter requesting use of the streets to solicit funds for "Fill the Boot for Muscular Dystrophy", see attached. Mr. Sheward noted that there had been some concern with people in the streets. Mr. Smith was concerned with the congestion in the Walgreen's area.

OLD BUSINESS - None

NEW BUSINESS - None

Mr. Smith made a motion to go into executive session to discuss possible acquisition of property, requesting that the Auditor and Administration stay, seconded by Mr. Elliott. In a roll call vote, all Council agreed. Council went into executive session at 8:55 p.m.

Mr. Smith made a motion to return to regular session, seconded by Mr. Wiggins. In a voice vote, all Council agreed. Council returned to regular session at 9:35 p.m.

ADJOURN

Mr. Smith made a motion to adjourn, seconded by Mr. Adams. In a voice vote, all Council agreed. Council adjourned at 9:36 p.m.

Tera Brown
Clerk
Date 8-26-08

Mr. Adams. In a voice vote, all Council Council President
Council President
Date 26-08

JACKSON COUNTY FIREFIGHTERS ASSOCIATION

C/O Doug Reed, President 152 Pearl St. Jackson, Ohio 45640

August 11, 2008

To the President and Members of Jackson City Council,

The members of the Jackson Fire Department in conjunction with other member Fire Departments of the Jackson County Firefighters Association are planning a "Fill the Boot for Muscular Dystrophy" Campaign on the 24th of August 2008 from 10:00 AM to 2:00 PM. This campaign will be taking place at various locations with other firefighters throughout Jackson County. We are asking your permission to solicit donations at the following locations in the city of Jackson:

Wal-Mart Drive at McCarty Lane Jackson Square Shopping Center Entrance on Main Street

To ensure the safety of our firefighters everyone that will be soliciting in the street will be required to be wearing an Orange Safety Vest with reflective striping and we will have DOT approved Traffic Cones in place around those that are collecting the money.

We appreciate your consideration in this matter.

Doug Reed President, Jackson County Firefighters Association

JACKSON COUNTY BOARD ON AGING, INC.

Suggestions to finance our share of renovation of Parkview School:

- 1) Fundraisers and appeal for private donations.
- 2) Borrow from City of Jackson and pay back in monthly installments.
- 3) Transfer Mound St. property to the City of Jackson in exchange for total cost of our share of renovation of Parkview School plus a 60 year optional lease for our half of the building.

Must have:	Would like:	Future projects:
Building to meet State code requirements		Air conditioning
 Kitchen up to code with health dept. & state code stove hood (one in storage per Mr. Byler) new kitchen flooring?? 	Petition for kitchen prep room	Lowered ceiling in dining area/windows to replace fold down tables
New entrance (exterior door) with sidewalk - (facing Ohio Ave.) - handicap accessible - no ramp necessary - for van drop-off/pick-up of seniors		
Floor to ceiling petition in room to be shared		
Entrance door to our half of shared room		
Handicap accessibility to restrooms	water closet replacement (standard height)	
Sufficient phone lines in all rooms and reception area (front hall)	Counter high enclosure for reception area (approx. 5' wide)?? in front hall	

507 Richland Ave, Suite 301, Athens, OH 45701-3700

August 11, 2008

Bill Sheward City of Jackson

Bill.

I have reviewed the bids for new roofing on the Memorial Building; Jackson, Ohio. Both contractors have listed exceptions to their bids.

Foam Coat Roofing, which was the higher bid, noted coating only on the upper roof. I don't have a problem with this if the existing insulation is in good shape. From a visual inspection it appears to be undamaged from water.

Insulated Roofing Contractors, which is the lower bid, noted coating only on the upper roof only also. They did add that the roof would be inspected with infrared equipment to determine if any of the existing foam is wet, and that any wet foam would be replaced. On the large barrel roof they were proposing to take off all the existing foam and spray a new 1½ " layer of foam.

I propose that the Insulated Roofing Contractors proposal is acceptable and exceeds the requirements of the drawings and specifications. I did notice on their bond form the amount of the bid was not filled in. This blank should be completed and submitted with other contract attachments.

The estimate of probable cost our firm did in 2005 allowed \$86,440.00 for roof repairs. If the City decides to proceed with this work I can have permits with-in a few days. If you need any additional information please contact me.

Thank you,

Jim Thomas

Panich Noel + Associates