

JACKSON CITY COUNCIL  
Regular Session  
December 22, 2008  
7:00 p.m.

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

Roll Call

Approval of Minutes

December 8, 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*  
December 8, 2008  
7:00 p.m.  
Regular Session

Jackson City Council met in regular session on Monday, December 8, 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. Elliott. 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. Wiggins made a motion to excuse Mr. Eric Brown, seconded by Mr. Cary Brown. In a voice vote, all Council agreed.

Mr. Adams made a motion to approve the minutes of November 24, 2008 regular session seconded by Mr. Wiggins. In a voice vote, all Council agreed.

### **VISITORS**

### **COMMITTEE REPORTS**

UTILITY – No Report

BUDGET & FINANCE

Mr. Adams stressed that tonight will be the third reading of the temporary budget and this needs to be in place by December 31, 2008.

POLICE, FIRE & TRAFFIC

Mr. Evans stated that the committee met last week with the Doug Reed and Dave Channel, the purpose was to discuss bids received for the purchase of a new fire truck. Five bids were received for both custom and standard cabs. The committee recommends rejecting all bids and purchasing through state bid. They have discussed with the purchase of the cheaper truck and constructing a new free standing facility to house all vehicles on the same property with a 5 to 6 year payoff. Mr. Detty asked if we were still going to purchase the Septum. Mr. Sheward stated yes, but through state purchasing. Mr. Evans emphasized that this was being done through levies and this money is earmarked for equipment. Further stating our fire rating will go down without a new truck. Mr. Evans made a motion to reject all bids, seconded by Mr. Elliott. In a voice vote, all Council agreed.

SERVICE – No Report

RAILROAD – No Report

BUILDING/RECREATION – No Report

CITY AUDITOR

Mr. Humphreys stated he did receive an email from Gabe Hall, the payment had been overnighted and we should receive tomorrow. In regards to the 2009 budget ordinance, there will be three amendments needed. 93 Water Line, \$265,000, Fire truck, \$248,000 and Garbage \$145,500. There will be an

Investment Board Meeting on the 29<sup>th</sup> at 8:30 am. He noted that the schools and not he requested that the trees be trimmed on his property. He asked if there was an ordinance in regards to dog droppings, can they go in the trash or not. Mr. Cary Brown stated this had been discussed previously. Mayor Heath stated this is a legal matter. Mr. Detty stated he was not sure. Mr. Evans suggested asking the police, they have a drug dog. Mr. Evans asked why we changed the last meeting date. Mr. Humphreys stated because of ballgames. Mrs. Sexton stated it had to be either the 30<sup>th</sup> or 31<sup>st</sup>. Mayor Heath stated we would need six members present to take action. Mr. Adams asked about meeting earlier in the day. Mayor Heath stated 5:00 or the 30<sup>th</sup>. Mr. Evans stated he was afraid we would not have enough time to act. Mr. Evans made a motion to have the meeting on December 30, 2008 at 5:00 p.m. the purpose is to clean up ordinances and resolutions to balance the books.

#### LAW DIRECTOR

Mr. Detty gave his report (see attached).

#### MAYOR

Mayor Heath discussed the Parkview issue. He stated that he had met with Jim Thomas, Panich & Noels, thanks to the help of Mr. Smith. He asked for a bare bones price to get the building up to code, to include materials and labor. The Senior Citizens cannot take the whole building and Headstart has concerns with adequate kitchen space. We are talking with another interested party. The school would like an answer by December 31<sup>st</sup>. There are many factors. In regards to the Community Development ordinance, you have a reply (see attached). Mr. Smith asked if this were Chip money. Mr. Sheward stated grant money. Mrs. Sexton stated this is not grant money, program money. Mrs. Sexton stated she needed a purchase order. Mayor Heath stated this should be a second reading, wants further explanation. Mrs. Sexton stated if this is not passed tonight, the books close on Friday, if you wait it will be for nothing. They do have \$3000 in the temporary budget. Mr. Sheward stated this needs approved tonight. Mrs. Sexton stated they can come back and ask for more funds out of the temporary budget. Mayor Heath stated that the Fire Department had responded several times to the Merilatt Plant over the weekend and wanted to thank the mutual aid departments that assisted.

#### SAFETY/SERVICE DIRECTOR

Mr. Sheward updated members on the fire truck and garbage truck ordinance. He stated that nine bids were received for the St. Rt. 93 project, low bid \$253,000+, and this is \$100,000 less than the estimate. WE have been approved for the Ohio Public Works grant; these funds are not available until January. WE are still reviewing the low bid. He stated that we had purchased a new garbage truck, will not receive for six months, it will have a new truck warranty. He passed out a copy of the police contract, still many months away, but please start reviewing. The water plant will not be replacing a retiring employee, we will not replace, with a savings of \$15,000 per year, after employees work overtime to fill voids. Carl Eisnaugle father passed away, he will be traveling to Florida. Mr. Smith asked about the CD/MP3 player in the garbage truck. Mr. Sheward stated this was already there. Mr. Smith asked if the truck was white. Mr. Sheward stated it should be. Mr. Sheward stated that he had emailed members in regards to the generator at the waste water plant, did it answer your questions. Mr. Wiggins replied no. Mr. Evans also stated no, and stated that the utility committee may want to meet to discuss this further. Mr. Sheward stated this occurred in 2007. He had discussed with Mr. Detty and we are required to pay. This is a reduction from the original invoice.

#### ORINANCES AND RESOLUTIONS

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#### ORDINANCE NO. 109-08

AN ORDINANCE APPROVING AND ADOPTING THE CITY OF JACKSON, OHIO, COLLECTION SYSTEM CAPACITY MANAGEMENT, OPERATION, AND MAINTENANCE (CMOM) PROGRAM; DIRECTING THE SUBMITTAL THEREOF TO THE DIRECTOR OF THE OEPA; 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. 109-08 DULY ADOPTED

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ORDINANCE NO. 111-08

AN ORDINANCE ESTABLISHING A TEMPORARY BUDGET AND SETTING APPROPRIATIONS FOR JANUARY 1, 2009 THROUGH MARCH 31, 2009, AND DECLARING AN EMERGENCY.

Third Reading

Mr. Adams made a motion to amend, 228, add \$265,000, 332, add \$248,000 and 721, add \$145,500, seconded by Mr. Wiggins. In a voice vote, all agreed. Reverts to a 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, 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. 111-08 DULY ADOPTED

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ORDINANCE NO. 117-08

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

Second Reading

Mr. Evans 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, Council voted as follows:

Mr. Evans – no  
Mr. Adams – no  
Mr. Eric Brown – absent  
Mr. Smith – no  
Mr. Cary Brown – no  
Mr. Elliott – no  
Mr. Wiggins – no

ORDINANCE NO. 117-08 DEFEATED

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ORDINANCE NO. 120-08

AN ORDINANCE APPROVING REDUCTIONS OF APPROPRIATIONS IN THE STREET  
EXCAVATION 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. Evans 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, 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. 120-08 DULY ADOPTED

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ORDINANCE NO. 121-08

AN ORDINANCE AUTHORIZING THE CITY TO PURCHASE THROUGH STATE PURCHASING A  
COMMERCIAL PUMPER FIRE TRUCK AND ADDITIONAL EQUIPMENT FROM SUTPHEN  
CORPORATION, AND DECLARING AN EMERGENCY.

First Reading

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

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, 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. 121-08 DULY ADOPTED

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ORDINANCE NO. 122-08

AN ORDINANCE AUTHORIZING THE CITY TO PURCHASE THROUGH STATE PURCHASING A COMMERCIAL PUMPER FIRE TRUCK AND ADDITIONAL EQUIPMENT FROM SUTPHEN CORPORATION, AND DECLARING AN EMERGENCY.

First Reading

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

Mr. Evans 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, 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. 122-08 DULY ADOPTED

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RESOLUTION NO. 26-08

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

Second Reading

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RESOLUTION NO. 27-08

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF JACKSON TO FILE AN APPLICATION, AND EXECUTE ANY AND ALL AGREEMENTS OR DOCUMENTS, WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE SMALL CITY PROGRAM, AND DECLARING AN EMERGENCY.

First Reading

Mr. Adams made a motion to adopt the resolution, seconded by Mr. Wiggins. 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 resolution, 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

RESOLUTION NO. 27-08 DULY ADOPTED

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**CORRESPONDENCE**

Received a request for a liquor permit transfer, Mr. Cary Brown made a motion to accept, seconded by Mr. Adams. In a voice vote, all agreed.

**OLD BUSINESS**

**NEW BUSINESS**

Mr. Smith discussed the letter to the editor in regards to the LED signs being placed through out the city, stating our sign ordinance is from the 1980's. Stating there is on the border of being a nuisance. Mr. Sheward stated he had issued the permits. Mr. Evans stated the ordinance did not cover these. Mr. Smith stated he not against them, there is no building code, no standards and no one to police. Mr. Evans stated we need to review the legislation in place. Mr. Speakman referred this matter to the Building/Grounds and Recreation Committee for review. Stating that professional services will be needed to redo the zoning laws. Mr. Speakman stated that he will be appointing a committee next year to review the rules and regulations of council.

**ADJOURN**

Mr. Adams made a motion to adjourn, seconded by Mr. Wiggins. In a voice vote, all Council agreed. Council adjourned at 8:10 p.m.

Tera Brown  
Tera Brown  
Clerk  
Date 12-22-08

Ron Speakman  
Ron Speakman  
Council President  
Date 12-22-08



# JOHN L. "JACK" DETTY

Jackson City Law Director

145 Broadway Street

Jackson, Ohio 45640

Phone: 740-286-2201

Fax: 740-286-3492

[jdetty@jacksonohio.us](mailto:jdetty@jacksonohio.us)

*Jackson City Council*

*December 8, 2008*

## *REPORT OF THE LAW DIRECTOR*

The following is the Report of the Law Director:

### • **BOWLING ANNEXATION**

- The annexation for Jim and Alice Bowling was filed with the Board of Commissioners last week.
- In accordance with law the annexation should have been approved by the Commissioners at the 12/8 Commissioners meeting.

### • **RECORDS REMOVAL**

- My office is in the process of reviewing all documents and records to make a determination on this matter.
- Once this is completed I will submit a report.

### • **LAW DIRECTOR'S OFFICE MOVING**

- The Law Director's Office will be moving from the second floor of the Memorial Building to the basement, in the space formerly occupied by the City Auditor.
- We are hopeful to have this move completed before Christmas.

*If at any time you have any questions or would like to discuss any issues with me please feel free to stop by my office, or call me at 710-1214.*

*John L. "Jack" Detty*

# CITY OF JACKSON

## OFFICE OF COMMUNITY DEVELOPMENT

145 Broadway Street . Jackson, OH 45640

[communitydevelopment@jacksonohio.us](mailto:communitydevelopment@jacksonohio.us)

Phone: 740.288.2309

Fax: 740.286.3492

*December 2, 2008*

*Dear Council Members:*

*We are entering into the winter season and our office will be receiving requests for assistance for furnace problems, broken pipes, etc. Because our Program Income Account 236 does not have sufficient monies in the Project Costs line item, we are requesting an appropriation from the General line item to put into the Project Costs line item to be able to provide the needed assistance. It may be that, as the cold season goes on, there might be another request for more monies to be put into this line item. We appreciate your consideration.*

*Sincerely,*

*Deanna Stroth  
Program Coordinator*