

JACKSON CITY COUNCIL
Regular Session
January 12, 2009
7:00 p.m.

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

Roll Call

Approval of Minutes

December 22, 2008 Regular Session
December 30, 2008 Special Session

VISITORS

Mike Stroth, discuss CHIP Program
Jim Gilliland, discuss Relay for Life

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 22, 2008

7:00 p.m.

Regular Session

Jackson City Council met in regular session on Monday, December 22, 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 – present
- Mr. Elliott - present
- Mr. Wiggins – present

Mr. Evans made a motion to approve the minutes of December 8, 2008 regular session seconded by Mr. Elliott. In a voice vote, all Council agreed.

VISITORS

COMMITTEE REPORTS

UTILITY – No Report

Mayor Heath stated he and Mr. Woltz had met with AMP Ohio last Thursday, two representatives were present and gave a breakdown of purchased power, past and present. This was very complex, Mr. Woltz can better explain.

BUDGET & FINANCE - No Report

POLICE, FIRE & TRAFFIC – No Report

SERVICE – No Report

RAILROAD – No Report

BUILDING/RECREATION

Mr. Smith stated the committee met at 6:00 prior to regular session to discuss the possible acquisition of Parkview, the administration will be requesting a one month extension, money and other information is still needed from the school. Mayor Heath passed out an overview of the project; any questions please let him know. Mr. Smith stated that Mr. Detty had presented the sign ordinance, please review. The next meeting will be discussing the current and future needs.

CITY AUDITOR – No Report

LAW DIRECTOR

Mr. Detty gave his report (see attached). Mr. Eric Brown asked about year end pending litigation or arbitration. Mr. Detty stated the only case now is Murphy vs. JPD, depositions will be done in January and a four day trial is scheduled in April.

MAYOR – No Report

The Mayor wished Council and citizens a Merry Christmas and Happy New Year.

SAFETY/SERVICE DIRECTOR

Mr. Sheward stated we were waiting grant funding from the Ohio Works Commission. We have a low bid, but cannot award until we have the grant funds. Discussed with Mr. Detty, we have no solution. We may need an emergency meeting in January to approve the project. The project has to be finished by March 31, 2009. Mr. Smith asked if you have it by next week can we address it at the special session. Mr. Sheward stated funds would not be available until mid January. Mr. Eric Brown stated in the past we fronted funds and the grant repaid. Mr. Detty stated we cannot award until we have funds, this is a condition of the grant. Mr. Sheward stated we will get the funds. Mr. Evans asked if the contractor was aware of the situation. Mr. Sheward stated yes, all bidders were notified prior to bidding.

Mr. Sheward stated that we blew an engine in the number two garbage truck last week, we will rebuild, cost \$7000 to repair. We are borrowing a garbage truck from Wellston on Friday to do Holiday pickups. Mr. Smith asked when we would take possession of the new truck. Mr. Sheward stated about three weeks. Mr. Sheward spoke about the fire truck purchase that Council had approved, we discussed building a three bay building, so trucks could be housed in one location. We asked for \$500,000 originally, we only need \$388,000, but we can get the full amount at 3.7% interest. We only have an estimate, but would like Council to entertain this idea. Mr. Evans agreed with getting funds at that rate and placing the money in the building fund, we can always pay back, earmark it for building use only. Mr. Eric Brown stated they bank may want to charge higher interest if we ask for less money. Mr. Elliott asked the quote date. Mr. Sheward stated a week and a half ago; we are currently receiving 3% on our investments. Mr. Wiggins asked if the current levy would support both. Mr. Sheward stated yes, payment is \$91,000 a year; the levy is at \$100,000+. We would be in line to pay for both in five years. Mr. Smith asked the cost of the truck. Mr. Sheward stated \$248,000 and \$150,000 for the garbage truck. Mr. Smith stated we will pay interest on a loan and may do nothing for six months. Doesn't agree with borrowing extra funds, stating we are still paying even if we don't build. Mrs. Sexton stated if you wait and take out another load, they charge another \$250.00 origination fee. Mr. Smith asked if it could be built for \$110,000. Mr. Sheward stated we have \$130,000 in the fund now, we are seeking a 2500 sq. ft. building, not fully equipped, just heat and water. Mr. Humphreys stated we can always pay on the loan if we don't build. Mr. Eric Brown asked about glass doors. Mr. Sheward stated there will be no glass doors; it will be behind the other building. Mr. Evans stated that would be better, but we may need a retaining wall. Mr. Sheward stated it will be a pole barn. Mr. Eric Brown made a motion to pursue the \$500,000 loan, seconded by Mr. Adams. In a voice vote, all agreed with the exception of Mr. Smith casting a no vote.

Mr. Sheward discussed House Bill 71-10, federal funds, may have funds available for potential projects, such as the elevator, fire house, etc. The funds will be released in March and June.

Mr. Sheward went on to discuss Cook Consulting and the Richland Tunnel; estimated repairs will take the entire grant/load fund \$750,000. Tie replacement and so on may not happen. Mr. Wiggins stated at one point there was some discussion of eliminating the tunnel. Mr. Sheward stated that would cost \$1 million, the same guy own all the property, it is a location issue. Mr. Humphreys asked about the \$30,000 grant for the elevator. Mr. Sheward stated we are waiting on engineering. Mrs. Sexton stated the engineering and bid deadline is the first of January or mid January, they are awarding as they receive applications. Mayor Heath stated Panic & Noel are working on this. Mr. Sheward doubts the bid will be done by mid January. Mayor Heath will contact them tomorrow. Mrs. Sexton will get the exact deadline.

ORINANCES AND RESOLUTIONS

ORDINANCE NO. 123-08

AN ORDINANCE TO AUTHORIZE AND DIRECT THE MUNICIPALITY TO EXECUTE A MUTUAL AID AGREEMENT WITH INTERSTATE AND INTRASTATE PARTICIPATING MUNICIPALITIES WITH MUNICIPAL ELECTRIC SYSTEMS, IN ORDER TO BE ABLE TO RECEIVE AND PROVIDE MUTUAL ASSISTANCE DURING TIMES OF EMERGENCIES THROUGH THE INTERCHANGE AND USE OF PERSONNEL AND EQUIPMENT.

First Reading

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

Mr. Sheward stated this is a program through AMP Ohio. Mr. Smith asked what the charges are, and who pays. Mr. Speakman stated we do, these are not passed on to the customers. Mr. Smith stated there are no dates or pricing structure. He asked who set the structure. Mr. Speakman stated in the past, cost per hour plus benefits, materials replaced in-kind. Mr. Smith asked if we should have a set rate. Mr. Detty stated we can not set. Mr. Cary Brown asked if in the past the administration done this. Mr. Speakman stated no, there are 83 participating cities. Mr. Evans stated we have been a party for 30 years. Mr. Cary Brown stated he is not against, just never seen this before. Mr. Detty stated the last one signed was in 2004, we are just updating. Mr. Evans stated this is voluntary, we don't have to go. Mr. Speakman stated we did send crews to Glouster once. Mayor Heath stated this is only in emergencies. This is a good insurance policy. Mr. Detty stated the deadline is January 12th. Mr. Evans asked if we could add the emergency clause. Mr. Smith stated he would vote yes, but we only get three days to decide if we want to participate. Mr. Sheward stated he just seen this week, received a letter stating 80 cities chose to participate, you did not. Mr. Speakman stated we need to be involved with AMP Ohio, and also attend board meetings. Mr. Evans stated we used to have seats on the board, the previous administration chose not to participate. Mayor Heath stated he is not opposed to taking an active role. Mr. Smith stated items like this need normal readings. Mayor Heath stated it took five years the last time. Mr. Evans made a motion to amend the ordinance, adding an emergency clause, seconded by Mr. Wiggins. In a voice vote, all Council agreed.

Mr. Wiggins 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 – 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. 123-08 DULY ADOPTED

ORDINANCE NO. 124-08

AN ORDINANCE APPROVING REDUCTIONS OF APPROPRIATIONS IN VARIOUS CITY FUNDS,
AND DECLARING AN EMERGENCY.

First Reading

Mr. Eric Brown 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. 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. 124-08 DULY ADOPTED

ORDINANCE NO. 125-08

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

First Reading

Mr. Evans made a motion to adopt the ordinance, seconded by Mr. Wiggins. 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 – 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. 125-08 DULY ADOPTED

ORDINANCE NO. 126-08

AN ORDINANCE APPROVING THE ADVANCEMENT OF FUNDS, AND DECLARING AN
EMERGENCY.

First Reading

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

Mr. Adams 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 – 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. 126-08 DULY ADOPTED

ORDINANCE NO. 127-08

AN ORDINANCE FINDING THE LOWEST RESPONSIBLE AND RESPONSIVE BID, AWARDED THE CONTRACT FOR THE POWER CONTROL ROOM FOR THE LICK SUBSTATION PEDERSEN POWER PRODUCTS, 3900 DAHLMAN AVENUE, OMAHA, NEBRASKA 68107, AND DECLARING AN EMERGENCY.

First Reading

RESOLUTION NO. 26-08

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

Third Reading

Mr. Eric Brown asked that this ordinance be tabled until the next regular session, seconded by Mr. Wiggins. In a voice vote, all Council agreed.

RESOLUTION NO. 28-08

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

First Reading

Mr. Adams made a motion to adopt the resolution, seconded by Mr. Eric Brown. 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 – 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. 28-08 DULY ADOPTED

CORRESPONDENCE

OLD BUSINESS


Reminder, a special meeting has been scheduled for December 30th at 5:00 and on the 31st at 5:00 if necessary.

NEW BUSINESS

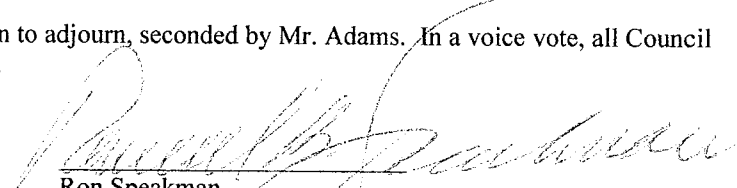
Mr. Speakman wished all a Merry Christmas. He stated that we have a good Council. Mr. Wiggins stated they have worked together even when some didn't agree, wants to compliment each one.

ADJOURN

Mr. Eric Brown made a motion to adjourn, seconded by Mr. Adams. In a voice vote, all Council agreed. Council adjourned at 7:55 p.m.



Tera Brown
Clerk
Date 1-12-09



Ron Speakman
Council President
Date 1-12-09

JOHN L. "JACK" DETTY

Jackson City Law Director

145 Broadway Street

Jackson, Ohio 45640

Phone: 740-286-2201

Fax: 740-286-3492

detty@jacksonohio.us

Jackson City Council

December 22, 2008

REPORT OF THE LAW DIRECTOR

The following is the Report of the Law Director:

• **BOWLING ANNEXATION**

- The annexation for Jim and Alice Bowling has been approved by the Board of Commissioners.
- There is a requirement it sits with the City Auditor for 60 days before Council can vote on the annexation.
- At the second meeting in February I will bring an ordinance requesting the annexation be approved.

• **RECORDS REMOVAL**

- We continue to review the files, 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 is in the process of moving from the second floor of the Memorial Building to the basement, in the space formerly occupied by the City Auditor.
- It appears the move will be finalized on December 31, 2008.

- **LAW CONCERNING SIGNS**

- I have copied the City's Zoning Regulations concerning signs and signage and have placed copies in each of your packets.
- The Building, Grounds & Recreation Committee will be looking into this issue.
- If you need more information please contact me.

- **CHALLENGING RENEWAL OF LIQUOR PERMITS**

- I have reviewed the law as to objections to the renewal of liquor permits. This was raised a few meetings back.
- There is a process but there has to be specific conduct (which in this case would be very difficult to prove).
- The establishment must be declared a nuisance per R.C. Chapter 3767.
- There is not enough evidence nor enough time to establish a nuisance case at this time.

MERRY 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

Section A - Off-Street Parking and Loading/Unloading Regulations (Continued)

- (3) Drainage. All open, off-street loading/unloading spaces and areas shall be provided with adequate drainage facilities as approved by the Service Director, in order to ensure that storm water does not flow onto abutting property or abutting sidewalks in such a way or quantity that adjoining property owners or users of the sidewalk would be detrimentally affected or inconvenienced.
- (4) Dimension. Each off-street loading space for over-the-road tractor trailers shall include a twelve (12) foot stall (fourteen (14) feet desirable), a sixty (60) foot stall depth, a sixty (60) foot maneuvering apron, and a fifteen (15) foot vertical clearance. For other delivery trucks, a twelve (12) foot apron and a twelve (12) foot vertical clearance shall be provided.
- (5) Setback/Screening Requirements Adjacent to "R" Districts. No loading/unloading ramp, dock, door, or space, nor any portion thereof, shall be located closer than fifty (50) feet to any lot in an adjoining "R" District, and this off-street loading/unloading space shall be effectively screened from such adjoining "R" District by a decorative masonry wall or uniformly painted solid fence. Such wall or fence shall not be less than six (6) feet nor more than eight (8) feet in height and shall be maintained in good condition without any advertising thereon. If there is space between such wall or fence and the side or rear lot line adjoining or the front lot line facing any "R" District, such space shall be landscaped and maintained in good condition.

Section B - Sign and Billboard Regulations

1. Permitted Signs For Which No Permit is Required. The following signs shall be permitted in the City subject to the following regulations. No Zoning Permit shall be required for any of the following signs constructed or erected under the terms of this Section.
 - a. Signs for Sale, Lease, or Rent of the premises on which the sign is located. Not more than two (2) signs shall be displayed on any lot or parcel. Such signs shall not be illuminated and shall not exceed six (6) square feet in area per side with not more than two (2) sides, or signs of the same size identifying the builder or contractor. All such signs shall be removed within thirty (30) days after occupancy.

Section B - Sign and Billboard Regulations (Continued)

- b. Signs for Home Occupations. One (1) sign per lot shall be permitted in any A, R-1, R-2, or R-3 District for the purpose of announcing a home occupation. Such signs shall not be illuminated and shall not exceed two (2) square feet in area.
 - c. Vehicular Signs. Directional or other incidental signs pertaining to vehicular or pedestrian control on private property shall be permitted, provided said signs are located outside the right-of-way of any public street, do not exceed two (2) square feet in area per side, and do not interfere or obstruct visibility when entering or leaving said property.
 - d. Name and Address of Occupant of residential property. Such signs shall not be more than two (2) square feet in area per side and shall be located outside the right-of-way of any public street. Said sign shall not be higher than three (3) feet above the ground and not more than one (1) sign shall be permitted.
 - e. Farm Signs denoting the name and address of the occupants, denoting produce or products for sale on the premises, and denoting membership in organizations. No more than one (1) sign of any type shall be permitted and it shall be located outside the road right-of-way. Advertising signs may not exceed thirty-two (32) square feet in area per sign and all other signs shall be limited to four (4) square feet in area per side.
2. Permitted Signs for Which a Permit is Required. The following signs shall be permitted in areas clearly delineated herein and subject to the reasonable regulations set forth below.
- a. Outdoor Advertising for a product or service not located upon the premises on which the billboard is located shall be classified as a business use and shall be permitted in the Business and Industrial Districts, and/or on lands used for agricultural purposes, subject to regulations set forth herein.
 - (1) No billboard shall exceed three hundred (300) square feet in area per side nor have more than two (2) sides.
 - (2) No billboard shall exceed thirty-five (35) feet in height nor have a length in excess of four (4) times the height of the sign face.

Section B - Sign and Billboard Regulations (Continued)

- (3) All billboards shall be located in compliance with all state and federal regulations controlling the same.
- (4) All billboards shall be located behind the building setback lines established for the District in which the sign is located.
- b. Free-standing, building mounted, or ground signs identifying or advertising business or industrial uses on the premises.
 - (1) No sign shall have a surface area of greater than forty (40) square feet per side.
 - (2) No business, industry, or use shall maintain a gross sign area on the premises in excess of two hundred (200) square feet. This area shall be computed by adding the gross sign area of all signs on the premises advertising the business or use.
 - (3) No building mounted sign shall be located closer than twenty-five (25) feet, and no free-standing or ground sign shall be located closer than one hundred (100) feet to any property line.
3. Prohibited Signs. The following signs and billboards shall be prohibited in the City:
 - a. All signs not specifically permitted by these Regulations.
 - b. Portable signs and billboards, pennants, streamers, flashing lights, strings of lights, portable "A" frame signs and billboards, and air-activated attraction devices. This provision shall not prohibit the use of signs indicating time and temperature which operate by means of lighting changes alternating on not less than a five (5) second cycle.
 - c. Signs or advertising erected and maintained on trees or painted or drawn upon rocks or other natural features.
 - d. Except for identification signs on agricultural buildings, no sign or billboard shall be painted directly upon the wall or roof of any building or structure. This restriction shall not prohibit the use of "supergraphics" such as murals or other illustrative or decorative paintings that are intended to be cosmetic devices.
 - e. No sign shall be attached to any fence post, utility pole, or similar structure.

Section B - Sign and Billboard Regulations (Continued)

f. Signs or advertising devices which attempt, or appear to attempt to direct the movement of traffic, or which interfere with, imitate, or resemble an official sign, signal, or device shall not be permitted.

4. Design Standards for Signs and Billboards. The following design standards shall apply to all signs and billboards located and erected within the City, regardless of type, style, location, design, or other classification.

a. Location: No sign or billboard shall be located within the right-of-way of any public or private road within the City. Said sign or billboard shall be located in strict compliance with these Regulations, and in strict compliance with the approved Site Plan or restrictions imposed by the Planning Commission.

b. Lighting.

(1) No sign shall be illuminated to a level which causes unnaturally high light levels on adjacent residential lots.

(2) No illuminating device for any sign shall be designed which permits the direct beaming of any light onto adjacent streets, thereby creating a hazard to vehicular traffic.

(3) No flashing, rotating, or moving light source shall be permitted on any sign, except as permitted in Subsection 3 b above.

(4) No sign shall be illuminated after ten o'clock (10:00) in the evening.

c. Height. No sign shall be erected to a height greater than thirty-five (35) feet.

d. Sight Interference. No sign shall be permitted which interferes with the visibility of pedestrian or vehicular traffic entering, leaving, or operating on streets.

e. Maintenance. All signs and billboards constructed or erected within the City shall be maintained so that all sign surfaces, supports, braces, guys, and anchors shall be kept in repair and in a proper state of preservation by painting or otherwise.

f. Abandoned Signs.

(1) If any sign or billboard shall become abandoned, in the manner defined herein, such a sign or billboard is declared

Section B - Sign and Billboard Regulations (Continued)

to be a public nuisance by reason that continued lack of use results in lack of reasonable and adequate maintenance, thereby causing deterioration and blighting influence on nearby properties.

- (2) A sign or billboard is abandoned if it meets any one (1) of the following criteria:
 - (a) Any sign or billboard associated with an abandoned non-conforming use.
 - (b) Any sign or billboard that remains after the termination of a business. A business has ceased operations if it is closed to the public for at least one hundred eighty (180) consecutive days. Seasonal businesses are exempt from this determination.
 - (c) Any sign or billboard that is not maintained in accordance with these Regulations.
- (3) When the Zoning Enforcement Officer finds, upon investigation, that a sign or billboard has been abandoned, as defined herein, he/she shall notify the owner of said sign, together with the owner of the land on which the sign is located, by ordinary mail, of his/her findings.
 - (a) Such notice shall advise the owner that the sign has been declared abandoned and must be removed within thirty (30) days from the date of mailing of said notice.
 - (b) The owner may appeal such decision to the Board of Zoning Appeals as provided in Chapter VI of these Regulations.
 - (c) It shall be the duty of the Zoning Enforcement Officer to maintain a photograph and file on said sign together with a written report of his/her findings for submission to the Board of Zoning Appeals upon request.
 - (d) If the sign is not removed, or ordered, the same may be removed by the City at the expense of the lessee or owner. If the City is not immediately reimbursed for such costs, the amount thereof shall be certified to the Jackson County Auditor for collection as a special assessment against the property on which the sign is located.

Section B - Sign and Billboard Regulations (Continued)

5. Non-Conforming Signs and Billboards.

- a. Any sign or billboard in existence within the City prior to the effective date of these Regulations that does not conform with the provisions of this Section is considered to be non-conforming.
- b. Any sign or billboard that does not conform to the provisions of this Section shall be allowed to continue in its non-conforming status provided the sign or billboard was erected in compliance in all respects with applicable laws in existence on the date of its erection.
- c. A non-conforming sign or billboard shall not be structurally relocated or replaced unless it is brought into compliance with the provisions of this Section. Should any replacement or relocation take place without being brought into compliance, the sign or billboard shall be existing illegally.
- d. A non-conforming sign or billboard shall be maintained or repaired in accordance with the following provisions:
 - (1) The sign and structural shape shall not be changed or altered.
 - (2) The copy may be changed provided that the change applies to the original non-conforming use associated with the sign or billboard and that the change is made by the owner of the sign or billboard at the time the sign or billboard became non-conforming; the copy area shall not be enlarged. Any subsequent owner or user shall bring the sign or billboard into compliance.
 - (3) In the case where damage occurs to the sign or billboard to the extent of fifty percent (50%) or more of either the structure or the replacement value of the sign or billboard, the sign or billboard shall be brought into compliance. Where the damage to the sign or billboard is less than fifty percent (50%) of the structure or its replacement value, the sign or billboard shall be repaired within sixty (60) days.

6. Permit Required. No signs, except as provided for in Subsection 1 of this Section, shall be erected prior to the issuance of a Zoning Permit by the Zoning Enforcement Officer.

Section B - Sign and Billboard Regulations (Continued)

- a. The applicant for a Permit herein shall pay such fee as is prescribed by the City Council.
- b. The Zoning Permit issued pursuant hereto shall be valid so long as the owner complies with the terms and conditions of these Zoning Regulations or any amendment thereto.
- c. All signs and billboards erected within the City are subject to inspection, whether a Permit is required or not prior to erection. The Zoning Enforcement Officer, or any other Official of the City, is hereby authorized to enter upon any property or premises to ascertain whether the provisions of this Section are being complied with. Such inspection may be made at any reasonable time and the Zoning Enforcement Officer may order the removal of any sign or billboard that is not maintained in accordance with the provisions of these Regulations.
- d. In the event that the owner of any sign, billboard, or property fails to comply with the terms of these Zoning Regulations, said Permit may be revoked upon compliance with the following terms:
 - (1) The Zoning Enforcement Officer shall notify the owner of any deficiency or violation of these Regulations. Notice shall be served personally or by certified mail, return receipt requested, at the last known address of the Permit holder. The Permit holder may seek a hearing on said notice by complying with the provisions of Chapter VI of these Regulations. Failure to correct deficiencies or to appeal the decision of the Zoning Enforcement Officer within thirty (30) days will result in cancellation of the Permit for such sign or billboard, and said sign or billboard shall then be removed as provided by these Regulations.
- e. The Zoning Enforcement Officer may effect removal of any sign or billboard illegally placed within the right-of-way of any road within the City. The Zoning Enforcement Officer shall maintain said sign or billboard and shall notify the owner thereof of its location, by ordinary mail. If the owner of any such sign or billboard fails to claim the same within one hundred eighty (180) days after mailing of notice by the Zoning Enforcement Officer, said sign or billboard may be destroyed.

PARKVIEW SCHOOL PROJECT

OBJECTIVE: To research all potential avenues to gauge the viability of obtaining the former Parkview Elementary School for use by the Jackson County Senior Citizens and other potential tenants.

POTENTIAL ACQUISITION: The city would acquire at no cost the former Parkview School building, and all property from 60 feet to the south of the building back to the alley in the rear of the school to the north. The city and schools would negotiate a possible purchase of the remaining land from 60 feet to the south of the school to South Street.

GENERAL BUILDING DIMENSIONS: There are ten (10) classrooms, an auditorium/gym and a full-service kitchen.

POTENTIAL TENANTS: There are presently at least four potential tenants.

(1) The Jackson County Senior Citizens would use five of the ten classrooms, would use the kitchen and the gymnasium area through 2 p.m. each day, plus for other activities as scheduled.

(2) This is a potential tenant who will be described as Tenant A. Tenant A would use the back three rooms of the school on the west end. They might have little use of the auditorium and would not need to use the kitchen.

(3) The Jackson Historical Society is interested in one or two rooms. They would be toward the back of the building and could be accessed by the two back doors.

(4) This is a potential tenant who will be described as Tenant B. Tenant B could use two or three rooms if one of the other tenants does not use the building. This tenant would most likely use the rooms more for storage, thus would use limited utilities and not need a great deal of access.

(5) The auditorium/gym would be available in the evenings for groups to use, and those who use it would have to pay into the building's maintenance fund.

The Head Start program is probably not a viable candidate at this time, because of lack of space and inadequate kitchen facilities when considering the senior citizen's needs.

ESTIMATED COST OF RENOVATIONS: Architects from Panich and Noel have estimated it will cost \$49,623 to do the necessary renovations to meet state code.

FINANCING FOR RENOVATIONS: The payment for the cost of renovations would be divided up three ways. The city of Jackson and the Jackson County government would each pay \$15,000. The remainder would be made up by the Jackson County Senior Citizens through donations and from its operating budget.

TIMELINE FOR RENOVATIONS: The city would contact two private contractors to review the architect's estimate and make sure they would be on line when the project would go to bid. The state inspector would also be contacted to see if the renovations listed in the architect's estimate would allow the building to meet state code. The goal would be to have this done by January 15. Bids would be advertised for soon after with a preliminary goal of occupation by April 1.

TIMELINE FOR ACCEPTANCE OF BUILDING: After having the contractors and state inspector review the architect's estimate and securing the tenants, it would be the goal of the city to have a deadline of January 31 to decide on whether the building would be accepted.

UTILITIES: The utility cost for Parkview School including electric, water, sewer and natural gas from June, 2005 through May, 2006 was \$39,294.66. This would be a 12-month average of \$3,274.56 per month.

The cost of utilities could be less for this use for several reasons, although in some areas could be more. You would not have 300 children using the bathroom multiple times a day, running up the water and sewer bills. As you will see, the sewer bill at Parkview was higher than the electric portion. The natural gas bill might be lower or higher because you would not have as many people in the building as when it was a school.

Of course, there would be the added use of the building over the summer for both electric lights and air conditioning in the individual rooms.

A breakdown of the monthly bills for each is included in this report, as is the architect's estimate of the work needing to be done.

ONGOING MAINTENANCE OF BUILDING: The building will require maintenance, both short-term and long-term.

No rent will be charged to any of the tenants, but each tenant will be required to pay into a maintenance fund, that will be overseen by the city and all tenants in the formation of a Maintenance Fund Board.

Each tenant will be charged \$100 per month per room to go toward the maintenance fund. For the Senior Citizens, this would also include the gymnasium and the kitchen as two rooms. This would allow us to collect \$1,200 per month, not including income that might be generated for the maintenance fund by use of the auditorium by outside groups.

The maintenance fund will only cover "shared costs", such as roof replacement, furnace replacement, hallway repair, etc., but will also include the gymnasium area. Any repair done inside individual rooms will be the responsibility of the tenant of those rooms.

The collection of the maintenance fee would start on the fourth month of occupancy, allowing the tenants to use the first three months to do whatever repairs are necessary to their individual rooms.

In addition, the Senior Citizens will be asked to advance to the Maintenance Fund 40 percent of any profit gained from the sale of their Mound Street Property, and that would offset monthly payments until the amount forwarded equals the amount that normally would have been paid.



Jackson County Board on Aging

Alterations to existing school building on Ohio Ave.

Jackson, Ohio

15-Dec-08

The following is an estimate of probable cost for alterations at the existing school on Ohio Ave. These alterations are minimum requirements for occupancy of the building. This does not include an any electrical distribution or lighting upgrades, general painting, exterior repairs or upgrades on existing heating system.

South Entries

Update railing at existing ramp and stairs.	\$	1,000.00
Handicap parking space.	\$	2,500.00
Southwest entry:		
Excavation and fill for new handicap sidewalk.	\$	1,200.00
Sidewalk stone base.	\$	250.00
Sidewalk concrete.	\$	800.00
Landing concrete.	\$	850.00
Landscaping blocks.	\$	300.00
Handrails and guards.	\$	500.00

Entry at Gym:

Hollow metal frame and door.	\$	775.00
Panic bar and hardware.	\$	500.00
Wall demolition and patching.	\$	650.00
Concrete sidewalk.	\$	700.00

Corridor Fire Rating

Five doors with sidelights:

20 min. rated wood door panels.	\$	1,000.00
Latch and closer, reuse existing hinges.	\$	1,960.00
New fire rated glass block.	\$	3,750.00

Six single doors:

20 min. rated wood door panels.	\$	1,200.00
Latch and closer, reuse existing hinges.	\$	2,352.00

Gym doors:

20 min. rated wood door panels.	\$	800.00
Panic hardware and closer, reuse existing hinges.	\$	3,040.00

Restroom Doors:

20 min. rated wood door panels.	\$	400.00
New hollow metal frame.	\$	500.00
Latch and closer.	\$	392.00

Fire rated dampers at air grilles.	\$	1,200.00
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Emergency lighting

Gym exit signs.	\$	500.00
Gym emergency lights.	\$	850.00
Hall emergency lights.	\$	1,950.00

Restrooms

Demolition of existing water closets.	\$	360.00
Demolition of existing toilet partitions.	\$	280.00
New partitions.	\$	920.00
Grab bars.	\$	350.00
New handicap water closets.	\$	350.00
New handicap lavatory faucets.	\$	3,440.00

Kitchen

Install kitchen hood and fans.	\$	3,500.00
Suppression for kitchen hood.	\$	2,000.00
Electrical upgrades for kitchen hood.	\$	375.00
New prep sink.	\$	425.00
Waste and supply for prep sink.	\$	1,600.00

Permits / Architect Fees

Plumbing permit.	\$	540.00
Structural / mechanical / electrical.	\$	2,964.00
Architect fee, permit only no Contract Administration.	\$	2,600.00

total \$ 49,623.00

JACKSON COUNTY BOARD ON AGING
OHIO AVENUE
JACKSON, OHIO, 45640
DEC. 2008

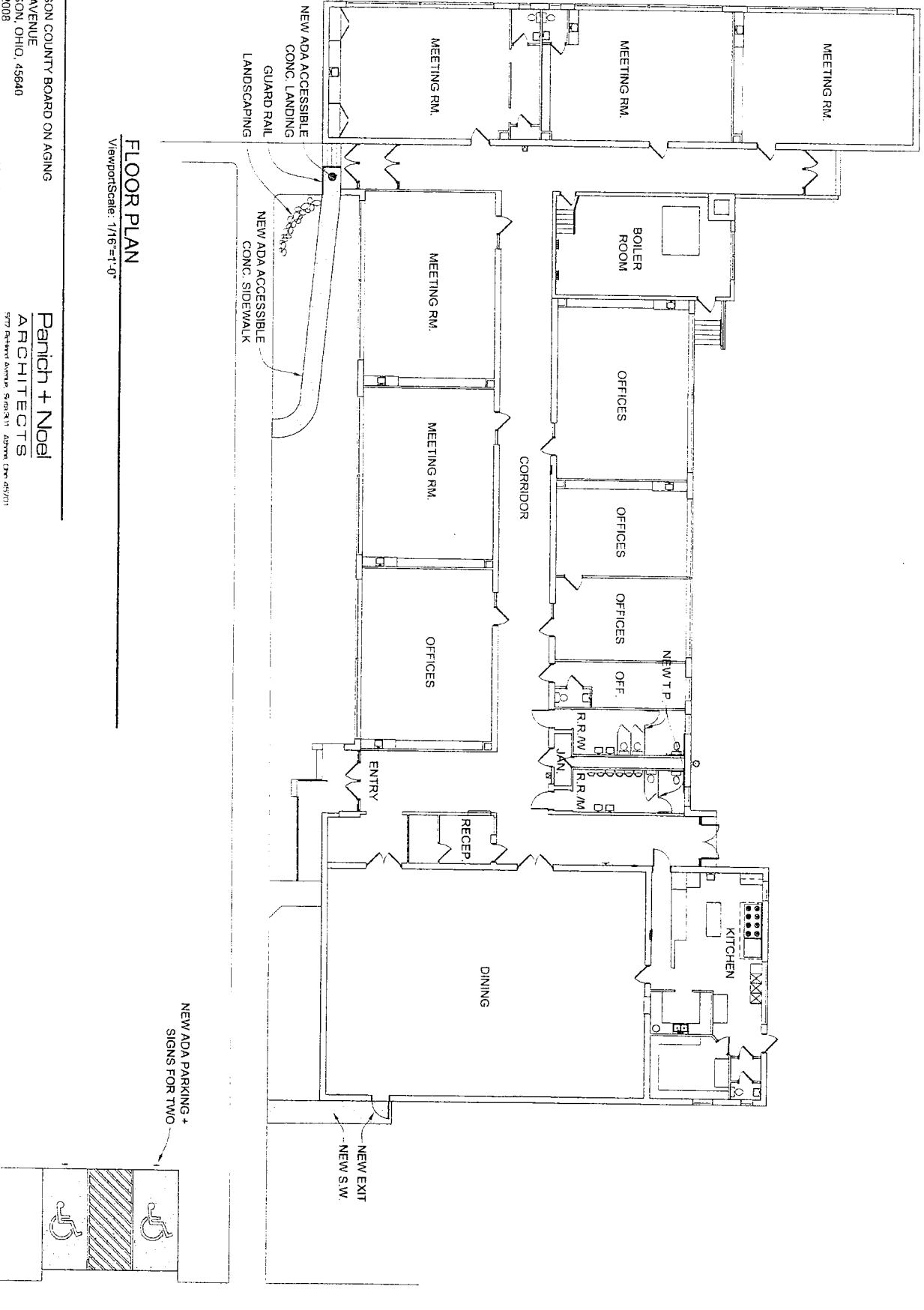
Parich + Noel
ARCHITECTS
5071 Parkview Avenue, Suite 2011, Dayton, OH 45424
New Construction
www.parichnoel.com

JOB # 07097

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FLOOR PLAN

Viewport Scale: 1/16"=1'-0"



C12-28610-00

PARKVIEW

SCHOOL

<u>DATE</u>	<u>ELECTRIC</u>	<u>WATER</u>	<u>SEWER</u>
Jun-05	\$ 642.39	\$ 388.82	\$ 748.95
Jul-05	\$ 490.62	\$ 354.95	\$ 667.81
Aug-05	\$ 281.55	\$ 328.62	\$ 627.22
Sep-05	\$ 355.89	\$ 247.02	\$ 459.53
Oct-05	\$ 778.03	\$ 365.96	\$ 720.35
Nov-05	\$ 795.53	\$ 365.33	\$ 718.77
Dec-05	\$ 709.82	\$ 343.31	\$ 663.93
Jan-06	\$ 386.66	\$ 187.60	\$ 341.20
Feb-06	\$ 651.48	\$ 503.98	\$ 1,064.18
Mar-06	\$ 825.59	\$ 350.93	\$ 682.91
Apr-06	\$ 801.93	\$ 339.29	\$ 653.91
May-06	\$ 927.69	\$ 389.04	\$ 777.83
TOTALS	\$ 7,647.18	\$ 4,164.85	\$ 8,126.59

Parkview Gas Usage from June 2005 thru June 2006
 Prepared for Randy Heath, City of Jackson on December 19, 2008 per his request

Date	Building	(DROP THE ZERO) MMBTU	Cost per MMBTU	Actual Cost	MEC Charge
June-05		24		\$ 182.40	
July	Parkview	3	\$7.60	\$ 22.80	No payment due
August	Parkview	3		0	No payment due
Sept	Parkview	15		0	No payment due
Oct	Parkview	2	\$13.17	26.34	3138.15
Nov	Parkview	169	\$14.18	2396.42	3138.15
Dec	Parkview	350	\$12.15	4252.5	3138.15
Jan-06	Parkview	453	\$10.42	4720.26	3138.15
Feb	Parkview	287	\$10.42	2990.54	3138.15
March	Parkview	311	\$9.27	2882.97	3138.15
april	Parkview	203	\$9.27	1881.81	3138.15
May	Parkview	0			No payment due
June	Parkview	3			No payment due
				\$ 19,356.04	