

JACKSON CITY COUNCIL

Minutes from
December 13, 2010
7:00 p.m.
Regular Session

Jackson City Council met in regular session on Monday, December 13, 2010 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. Adams. The Prayer was given, led by Mr. Smith.

A roll call was taken as follows:

- Mr. Adams – present
- Mr. Brown – absent
- Mr. Elliott – present
- Mr. Smith – present
- Mr. Fain – present
- Mr. Powell - absent
- Mrs. Colby – present

Mrs. Colby made a motion to approve the minutes from the November 22, 2010 regular session and December 6, 2010 special meeting, seconded by Mr. Elliott. In a voice vote, all Council agreed.

Mr. Adams made a motion to excuse Mr. Powell and Mr. Brown, seconded by Mr. Fain. In a voice vote, all members agreed.

VISITORS

COMMITTEE REPORTS

UTILITY – No Report

BUDGET & FINANCE

Mr. Adams reported that the committee met on December 6th, presented copies of the temporary budget to propose to council with a first reading tonight.

POLICE, FIRE & TRAFFIC – No Report

SERVICE – No Report

RAILROAD – No Report

BUILDING/RECREATION

Mrs. Colby stated the committee on December 6th, however not enough members for a quorum, instead had a public discussion, next meeting scheduled with be after the first of the year.

CITY AUDITOR

Mrs. Sexton reminded council that one last meeting will need to be held on December 29th, regular meeting is scheduled for the 27th. Mr. Speakman suggested discussing on the 27th. Mr. Detty suggested moving the regular meeting to the 29th. Mr. Smith made a motion to move the regular scheduled meeting from December 27th to December 29th at 7:00, seconded by Mrs. Colby. Mrs. Sexton stated they had received the March 2010 payment, and US Rail is current.

LAW DIRECTOR

Mr. Detty gave his report, see attached. He briefly discussed the Municipal Court seminar on animal abuse cases, very interesting; he would like to be included on the next Police Fire & Traffic meeting to discuss. Further mentioned that his intern is back from January to March. Mr. Detty wished everyone a Merry Christmas.

MAYOR

Mayor Heath said it was unfortunate that there was no ordinance with the temporary budget, but if any of the members had questions, let us know and we will try to give an answer or solution. He noted that Bonnie at the police department gave a list of the junk cars, none towed, some owners have responded. He thanked the street and alley crew; so far it's been a tough December.

SAFETY/SERVICE DIRECTOR

Mr. Sheward stated they are still working on contracts, completed the ASFME, hopefully present both at the next meeting. Several people have asked about the time frame. There are three ordinances tonight, AMP needs passed, but can't we don't have enough members. The deadline is December 15th; it slipped past, my fault. The other two are fund transfers. Problem arise near Holzer Clinic, Horizon attempted to put cable through the ground, three contractors later, and it went ran through the sewer line, tremendous amount of overtime, tremendous amount of water leaks and some cash in pay, concerned with the weather. Mr. Elliott asks about the Brooks Jones will, referenced a program in Nashville, could a music program be a possibility. Mayor Heath was not sure when this would be finalized. Mr. Detty did not know either. Mayor Heath stated we get endowment programs from interest. Mr. Detty replied it appears. Mayor Heath stated they will be looking at programs and or recommendations. Mrs. Sexton asks when it will be received. Mr. Detty replied no idea.

ORINANCES AND RESOLUTIONS

ORDINANCE NO. 103-10

AN ORDINANCE FINDING THE LOWEST RESPONSIBLE AND RESPONSIVE BID, AWARDING THE CONTRACT FOR THE ELECTRICAL SCADA (SUPERVISORY CONTROL AND DATA ACQUISITION) PROJECT TO SURVALENT TECHNOLOGY, 2600 ARGENTA ROAD, MISSISSAUGA, ONTARIO, CANADA, AND DECLARING AN EMERGENCY.

Third Reading

Mr. Adams – yes
Mr. Brown – absent
Mr. Elliott – yes
Mr. Smith – yes
Mr. Fain – yes
Mr. Powell – absent
Mrs. Colby – no

ORDINANCE NO. 103-10 WITHOUT EMERGENCY CLAUSE

ORDINANCE NO. 108-10

AN ORDINANCE TO AUTHORIZE THE EXECUTION OF A REPLACEMENT ENERGY SCHEDULE WITH OPTIONAL PREPAY WITH AMERICAN MUNICIPAL POWER, INC., AND DECLARING AN EMERGENCY.

First Reading

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

ORDINANCE NO. 109-10

AN ORDINANCE MOVING APPROPRIATIONS IN THE WATER DISTRIBUTION FUND AND SEWER COLLECTION FUND, AND DECLARING AN EMERGENCY.

First Reading

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

CORRESPONDENCE

OLD BUSINESS

NEW BUSINESS

ADJOURN

Mr. Smith made a motion to adjourn, seconded by Mr. Fain. In a voice vote, all Council agreed. Council adjourned at 7:20 p.m.

Tera Brown
Tera Brown
Clerk
Date 1-10-11

Ronald B. Speakman
Ron Speakman
Council President
Date 1-10-11

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

Jackson City Council

December 13, 2010

REPORT OF THE LAW DIRECTOR

The following is the Report of the Law Director:

• **ORDINANCES/RESOLUTIONS**

- Ordinance 108-10 is an Ordinance from AMP-Ohio authorizing a replacement energy schedule with an optional prepay. The Service Director can provide additional information on this matter.
- Ordinances No. 109-10 and 110-10 are ordinances involving the movement of appropriations and they can be explained by the administration.

• **RAILROAD – Fenton Rigging v US Rail and City Suit**

- The discovery process on this case is continuing.
- The court has set the next pretrial conference in this matter for late January 2011.
- I will keep you informed as this matter progresses.

• **CITY v U.S. RAIL**

- We are continuing to review and look at a proposed Standard Lease Agreement. Hopefully a final draft will be ready soon.
- I will keep you informed as this matter progresses.

• **JONES WILL**

- We are looking at the process required to receive the bequeath and establish the endowment that has been set in Mr. Jones Last Will and Testament.

- As you will recall from the last regular meeting the gift is to the City of Jackson Recreation Department towards an endowment for “Arts Programs for Youth”.
- I will keep you informed as more information becomes available.

• MUNICIPAL COURT

- Municipal Court continues to remain a busy place.
- Jail space and funding are major issues in dealing and handling cases.
- I was involved in a Municipal Court sponsored seminar this past Friday. The issue of discussion was Animal Abuse – the investigation and presentation of evidence in these type of cases. I believe the seminar was worthwhile and was a service to our local individuals handling these type of cases.
- The next time the Police, Fire and traffic Committee meets I would like to be included on the agenda to update the committee on what is happening in Municipal Court, and the obstacle I face in prosecuting the cases in the court. There is no rush for a meeting as what I want to report is informational only. Just please place me on the agenda the next time a meeting is necessary and set.

• MISCELLANEOUS

- I have received communication from the intern who was working in my office earlier this Fall. He will be returning in January and will be with my office up to March.

I want to wish each of you and your families a

MERRY CHRISTMAS.

I thank you for your service and willingness to serve. 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