

JACKSON CITY COUNCIL  
Regular Session  
October 14, 2011  
7:00 p.m.

Call to Order..... President Speakman  
Pledge of Allegiance..... Mr. Smith  
Opening Prayer..... Mrs. Colby

Roll Call

Approval of Minutes

October 24, 2011

VISITORS

COMMITTEE REPORTS:

- Utility - Brown, Smith, Kitchen
- Budget & Finance – Kitchen, Foster, Elliott
- Police, Fire & Traffic - Smith, Colby, Elliott
- Service – Elliott, Colby, Jones
- Railroad – Jones, Smith, Foster
- Building/Recreation – Colby, Jones, Brown
- City Auditor
- Law Director
- Mayor
- Service/Safety Director

ORDINANCES AND RESOLUTIONS

CORRESPONDENCE

OLD BUSINESS

NEW BUSINESS

ADJOURN

# JACKSON CITY COUNCIL

*Minutes from*  
October 24, 2011  
7:00 p.m.  
Regular Session

Jackson City Council met in regular session on Monday, October 24, 2011 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. Kitchen. The Prayer was given, led by Mr. Brown.

A roll call was taken as follows:

- Mr. Kitchen - present
- Mr. Brown - present
- Mr. Elliott - present
- Mr. Smith - present
- Mrs. Jones - present
- Mr. Foster - present
- Mrs. Colby - present

Mrs. Colby made a motion to approve the minutes from September 26, 2011 regular session, seconded by Mr. Kitchen. In a voice vote, all members agreed.

## VISITORS

## COMMITTEE REPORTS

### UTILITY

Mr. Brown announced a committee meeting will be held November 1<sup>st</sup> at 6:30 p.m. to discuss outside of the city trash collection. Mrs. Colby would also like to discuss delinquent bills.

### BUDGET & FINANCE

Mr. Kitchen stated the committee met this evening; he will have a report at the next meeting.

POLICE, FIRE & TRAFFIC - No Report

SERVICE - No Report

RAILROAD - No Report

Mr. Kirby stated an executive session would be necessary.

### BUILDING/RECREATION

Mayor Heath announced for Beaumont, Delasi and Flossie, the dog park is open and ready for use, please abide by the rules, there are bags available, the port-a-potty will be available in a day or two. Mr. Sheward stated we still have a metal building to be delivered and in process a 20x20 covered area. Also a nice fire hydrant has been installed, just no water.

CITY AUDITOR

Mr. Humphreys discussed the MK Power situation, when we found out, immediately met with administration and law director, with everything being turned over to the law director.

LAW DIRECTOR

Mr. Kirby requested an executive session to discuss litigation.

MAYOR

Mayor Heath announced the Police Department with Municipal Court will have a warrant roundup, focus on drugs, back fines. Judge Musick and Chief Eisnaugle are working to make the streets safer. Also on Saturday will be a drug take back at the Jackson County Municipal Court, this will be announced on the radio and in the papers. The city is currently picking up leaves, bagged or rake to the curb. Halloween Trick or Treat will be October 31st, 5:30 - 7:30 in conjunction with Wellston and Oak Hill. Jaycees will be helping.

SAFETY/SERVICE DIRECTOR

Mr. Sheward stated there is work being done on the sidewalks, allotment of GBGC funds, handicap access, this commenced over the weekend. This is bid by the county with no city funds being used. This is a good project for the city. Will discuss ordinances when they are read.

Mr. Smith made a motion to go into executive session to discuss pending and eminent litigation with US Rail, Mk Power Solutions, and Meridian, seconded by Mr. Brown. Mrs. Colby questioned the MK Power Solutions as it had been made public. Mr. Kirby stated after speaking with their attorneys, there may be possible litigation. In a roll call vote, all members agreed. Council moved to executive session Council moved to executive session at 7:12 p.m.

Mr. Brown made a motion to return to regular session, seconded by Mrs. Jones. In a voice vote, all members agreed. Council returned to regular session at 8:05 p.m.

**ORINANCES AND RESOLUTIONS**

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ORDINANCE NO. 57-11

AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE GARBAGE FUND:  
HEALTH INSURANCE AND GARBAGE UTILITY OFFICE FUND: HEATH INSURANCE FUNDS  
AND DECLARING AN EMERGENCY.

Second Reading

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ORDINANCE NO. 58-11

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

Second Reading

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ORDINANCE NO. 59-11

AN ORDINANCE CREATING THE WWTP EFFLUENT MGMT. SYSTEM FUND AND ESTABLISHING APPROPRIATIONS AND DECLARING AN EMERGENCY.

Second Reading

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ORDINANCE NO. 60-11

AN ORDINANCE TRANSFERRING APPROPRIATIONS FROM THE SEWER FUND: TRANSFER OUT TO WWTP EFFLUENT MGMT. SYSTEM FUND: TRANSFER IN FUND.

Second Reading

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ORDINANCE NO. 61-11

AN ORDINANCE CREATING THE 2011 COMMUNITY HOUSING IMPROVEMENT PROGRAM FUND AND ESTABLISHING APPROPRIATIONS AND DECLARING AN EMERGENCY.

Second Reading

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ORDINANCE NO. 62-11

AN ORDINANCE OF THE LEGISLATIVE AUTHORITY OF THE CITY OF JACKSON, ESTABLISHING A VETERANS MEMORIAL ON THE FORMER GIBSON HOUSE SITE AND GRANTING THE PRIVILEGE OF CREATING THE MEMORIAL TO JACKSON COUNTY VETERANS ORGANIZATION, INC., A NOT FOR PROFIT CORPORATION.

Second Reading

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

Mr. Kitchen - yes  
Mr. Brown - yes  
Mr. Elliott - yes  
Mr. Smith - yes  
Mrs. Jones - yes  
Mr. Foster - yes  
Mrs. Colby - yes

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

Mr. Kitchen - yes  
Mr. Brown - yes  
Mr. Elliott - yes  
Mr. Smith - yes  
Mrs. Jones - yes  
Mr. Foster - yes  
Mrs. Colby - yes

ORDINANCE NO. 62-11 DULY ADOPTED

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ORDINANCE NO. 63-11

A RESOLUTION AUTHORIZING WILLIAM R. SHEWARD, JR. DIRECTOR OF PUBLIC SERVICE/SAFETY OF THE CITY OF JACKSON, OHIO, TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVE AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAMS, AND TO EXECUTE CONTRACTS AS REQUIRED AND DECLARING AN EMERGENCY.

Second Reading

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

Mr. Kitchen - yes  
Mr. Brown - yes  
Mr. Elliott - yes  
Mr. Smith - yes  
Mrs. Jones - yes  
Mr. Foster - yes  
Mrs. Colby - yes

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

Mr. Kitchen - yes  
Mr. Brown - yes  
Mr. Elliott - yes  
Mr. Smith - yes  
Mrs. Jones - yes  
Mr. Foster - yes  
Mrs. Colby - yes

ORDINANCE NO. 63-11 DULY ADOPTED

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ORDINANCE NO. 64-11

AN ORDINANCE OF THE LEGISLATIVE AUTHORITY OF THE CITY OF JACKSON, OHIO TO ACCEPT THE BID OF DREIER & MALLER, INC. IN AN AMOUNT NOT TO EXCEED \$53,900.00 FOR THE PURCHASE OF A SEWER CAMERA PACKAGE AS IT WAS THE LOWEST AND BEST RESPONSIBLE BID SUBMITTED AND DECLARING AN EMERGENCY.

Second Reading

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

Mr. Kitchen - yes  
Mr. Brown - yes  
Mr. Elliott - yes  
Mr. Smith - yes

Mrs. Jones - yes  
Mr. Foster - yes  
Mrs. Colby - yes

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

Mr. Kitchen - yes  
Mr. Brown - yes  
Mr. Elliott - yes  
Mr. Smith - yes  
Mrs. Jones - yes  
Mr. Foster - yes  
Mrs. Colby - yes

ORDINANCE NO. 64-11 DULY ADOPTED

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ORDINANCE NO. 65-11

AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE VISITORS CENTER FUND.

First Reading

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

Mrs. Sexton stated every year we try to give back the bed tax, dollar amount listed in the budget was not the full amount.

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

Mr. Kitchen - yes  
Mr. Brown - yes  
Mr. Elliott - yes  
Mr. Smith - yes  
Mrs. Jones - yes  
Mr. Foster - yes  
Mrs. Colby - yes

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

Mr. Kitchen - yes  
Mr. Brown - yes  
Mr. Elliott - yes  
Mr. Smith - yes  
Mrs. Jones - yes  
Mr. Foster - yes  
Mrs. Colby - yes

ORDINANCE NO. 65-11 DULY ADOPTED

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ORDINANCE NO. 66-11

AN ORDINANCE OF THE LEGASLATIVE AUTHORITY OF THE CITY OF JACKSON, OHIO TO ACCEPT THE BID OF R&R CONSTRUCITON OF JACKSON, OHIO IN AN AMOUNT NOT TO EXCEED \$88,267.00 FOR THE CONSTRUCTION OF TRANSFORMER STORAGE DOCKS AS IT WAS THE LOWEST AND BEST RESPONSIVE BID SUBMITTED AND DECLARING AN EMERGENCY.

First Reading

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

Mr. Sheward asked to consider approval with the cold weather, this is in the budget, this was the only bid and within 10%. Mrs. Colby stated she would like to see the bid and where it is to be built. Mr.

Sheward stated in the city garage area, two docks to store transformers, 50/60/100, open. Mr. Speakman commented a few years ago we did not have docks, cost thousands to clean up and build docks. Mrs. Colby wants to see the bid, it should be attached. Mr. Sheward stated the contractors are not required to breakdown the labor and materials. Mrs. Colby stated there are no engineering costs included.

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ORDINANCE NO. 67-11

AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE RAILROAD FUND FOR MAINTENANCE OF EQUIPMENT AND FACILITIES AND DECLARING AN EMERGENCY.

First Reading

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

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

Mr. Kitchen - yes  
Mr. Brown - yes  
Mr. Elliott - yes  
Mr. Smith - yes  
Mrs. Jones - yes  
Mr. Foster - yes  
Mrs. Colby - yes

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

Mr. Kitchen - yes  
Mr. Brown - yes  
Mr. Elliott - yes  
Mr. Smith - yes  
Mrs. Jones - yes  
Mr. Foster - yes  
Mrs. Colby - yes

ORDINANCE NO. 67-11 DULY ADOPTED

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ORDINANCE NO. 68-11

AN ORDINANCE OF THE LEGISLATIVE AUTHORITY OF THE CITY OF JACKSON, OHIO TO ACCEPT THE BID OF RICART FORD IN AN AMOUNT NOT TO EXCEED \$81,044.00 FOR THE PURCHASE OF A 2012 CLASS FIVE TRUCK WITH SERVICE BODY AND CRANE AS IT WAS THE LOWEST AND BEST RESPONSIVE BID SUBMITTED AND DECLARING AN EMERGENCY.

First Reading

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

Mr. Sheward stated this truck is first line for sewer department, used to pull pumps, general maintenance. Mr. Smith asked if it is hard to certify crane. Mr. Sheward stated it is not certified. Mr. Sheward stated the bid from Barnett was \$81,925, and Dodge was much higher. Mr. Smith asked if this was the full unit. Mr. Sheward replied yes, 550 diesel, crane. Mr. Brown asked if Barnett's bid was acceptable, just more. Mr. Kitchen asked would they meet. Mr. Sheward stated we don't have the option. Mr. Brown would like this to stay local. Mayor Heath stated the goal is to recommend the lowest. Mr. Kitchen stated no requirements, hard to justify, can they do maintenance and warranty. Mayor Heath asked if something could be done to give margin for local business. Mr. Kirby stated cars/vehicles don't meet, will look into. Mr. Sheward stated there is no problem with warranty. Mr. Brown asked if they would deliver. Mr. Sheward believed this to be a delivered price.

No motion was made to suspend. Mr. Sheward asked to reconsider.

Mr. Brown made a motion to bring back to the table, seconded by Mr. Smith. In a roll call vote, Council voted as follows:

Mr. Kitchen - yes  
Mr. Brown - yes  
Mr. Elliott - yes  
Mr. Smith - yes  
Mrs. Jones - yes  
Mr. Foster - yes  
Mrs. Colby - no

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

Mr. Kitchen - yes  
Mr. Brown - yes  
Mr. Elliott - yes  
Mr. Smith - yes  
Mrs. Jones - yes  
Mr. Foster - yes  
Mrs. Colby - no



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

Mr. Kitchen – yes  
Mr. Brown – yes  
Mr. Elliott - yes  
Mr. Smith – yes  
Mrs. Jones – yes  
Mr. Foster – no  
Mrs. Colby – no

ORDINANCE NO. 68-11 DULY ADOPTED

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ORDINANCE NO. 69-11

AN ORDINANCE OF THE LEGASLATIVE AUTHORITY OF THE CITY OF JACKSON, OHIO TO ACCEPT THE BID OF BEAU TOWNSEND FORD IN AN AMOUNT NOT TO EXCEED \$64,248.00 FOR THE PURCHASE OF A 2012 CLASS FIVE TRUCK WITH DUMP BODY AND SNOW REMOVAL EQUIPMENT AS IT WAS THE LOWEST AND BEST RESPONSIVE BID SUBMITTED AN DECLARING AN EMERGENCY.

First Reading

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

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

Mr. Kitchen – yes  
Mr. Brown – yes  
Mr. Elliott - yes  
Mr. Smith – yes  
Mrs. Jones – yes  
Mr. Foster – yes  
Mrs. Colby – no

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

Mr. Kitchen – yes  
Mr. Brown – yes  
Mr. Elliott - yes  
Mr. Smith – yes  
Mrs. Jones – yes  
Mr. Foster – yes  
Mrs. Colby – no

ORDINANCE NO. 69-11 DULY ADOPTED

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ORDINANCE NO. 70-11

AN ORDINANCE AUTHORIZING A WAGE INCREASE FOR THE POSITIONS OF CHIEF OF POLICE AND ASSISTANT CHIEF OF POLICE AND DECLARING AN EMERGENCY.

First Reading

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

Mayor Heath stated this is correspondent with the police contract.

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

Mr. Kitchen - yes  
Mr. Brown - yes  
Mr. Elliott - yes  
Mr. Smith - no  
Mrs. Jones - yes  
Mr. Foster - yes  
Mrs. Colby - no

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ORDINANCE NO. 71-11

AN ORDINANCE REPEALING AND REVISING SECTION 505.15 OF THE CITY OF JACKSON CODE OF ORDINANCES SO AS TO PERMIT DOGS IN AREAS OF A CITY PARK DESIGNATED TO BE A DOG PARK AREA.

First Reading

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

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

Mr. Kitchen - yes  
Mr. Brown - yes  
Mr. Elliott - yes  
Mr. Smith - yes  
Mrs. Jones - yes  
Mr. Foster - yes  
Mrs. Colby - yes

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

Mr. Kitchen - yes  
Mr. Brown - yes  
Mr. Elliott - yes  
Mr. Smith - yes  
Mrs. Jones - yes  
Mr. Foster - yes  
Mrs. Colby - yes

ORDINANCE NO. 71-11 DULY ADOPTED

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ORDINANCE NO. 72-11

AN ORDINANCE ESTABLISHING RULES AND REGULATIONS FOR THE USE OF A THE DESIGNATED DOG PARK AREA WITHIN A CITY PARK.

First Reading

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

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

Mr. Kitchen - yes  
Mr. Brown - yes  
Mr. Elliott - yes  
Mr. Smith - yes  
Mrs. Jones - yes  
Mr. Foster - yes  
Mrs. Colby - yes

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

Mr. Kitchen - yes  
Mr. Brown - yes  
Mr. Elliott - yes  
Mr. Smith - yes  
Mrs. Jones - yes  
Mr. Foster - yes  
Mrs. Colby - yes

ORDINANCE NO. 72-11 DULY ADOPTED

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RESOLUTION NO. 16-11

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF JACKSON TO ENTER INTO AN AGREEMENT WITH THE OWNER OF LOT 45, PARKVIEW SUBDIVISION NO. 2 TO AQUIRE TITLE TO THAT LOT IN EXCHANGE FOR PLACING SEWER TAPS AND MOWING LOTS 43 AND 44 AND DECLARING AN EMERGENCY.

Third Reading

Mr. Brown made a motion to amend the resolution, adding a one year provision, seconded by Mrs. Jones, in a voice vote, all members agreed.

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

Mr. Kitchen - yes

Mr. Brown - yes  
Mr. Elliott - yes  
Mr. Smith - yes  
Mrs. Jones - yes  
Mr. Foster - yes  
Mrs. Colby - yes

RESOLUTION NO. 16-11 DULY ADOPTED AS AMENDED

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CORRESPONDENCE

OLD BUSINESS


NEW BUSINESS

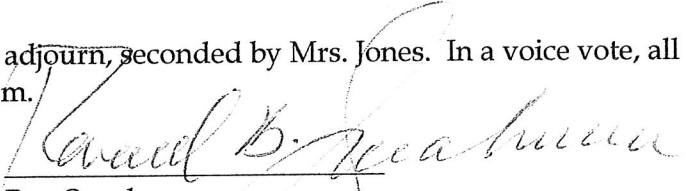
Mr. Brown stated a parent had commented on the railroad crossing at Vaughn Street, not being marked well, the tree blocks view coming down the hill. Concerned with the younger drivers not stopping on the track. Mayor Heath stated he will address tomorrow.

Mrs. Colby commented on the alley behind the middle school, can't get through there when school gets out and during lunch. Mayor Heath stated he will mention to the police. Mr. Sheward stated it is a school pickup area, not much we can do.

ADJOURN

Mr. Brown made a motion to adjourn, seconded by Mrs. Jones. In a voice vote, all Council agreed. Council adjourned at 8:40 p.m.

  
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Tera Brown  
Clerk  
Date 11-14-11

  
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Ron Speakman  
Council President  
Date 11/14/11