

JACKSON CITY COUNCIL
Regular Session
September 12, 2011
7:00 p.m.

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

Roll Call

Approval of Minutes

August 22, 2011

VISITORS

COMMITTEE REPORTS:

- Utility - Brown, Smith, Kitchen
- Budget & Finance – Kitchen, Powell, Elliott
- Police, Fire & Traffic - Smith, Colby, Elliott
- Service – Elliott, Colby, Jones
- Railroad – Jones, Smith, Powell
- 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
August 22, 2011
7:00 p.m.
Regular Session

Jackson City Council met in regular session on Monday, August 22, 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. Powell - absent
- Mrs. Colby – present

Mrs. Colby made a motion to excuse Mr. Powell, seconded by Mr. Smith. In a voice vote, all members agreed.

Mr. Smith made a motion to approve the minutes from August 8, 2011, seconded by Mr. Elliott. In a voice vote, all members agreed.

VISITORS

COMMITTEE REPORTS

UTILITY – No Report

BUDGET & FINANCE – No Report

POLICE, FIRE & TRAFFIC – No Report

SERVICE – No Report

RAILROAD – No Report

BUILDING/RECREATION – No Report

CITY AUDITOR – No Report

Mr. Humphreys stated we still haven't received the final audit report from the State. Mr. Smith asked if US Rail was paid up to date. Mrs. Sexton replied received payment last week for April/May/June estimates, and \$1,000 estimated payment for July.

LAW DIRECTOR – No Report

MAYOR

Mayor Hearth reported that the Chip Program was funded \$550,000, total package; the bidding was very competitive this year.

SAFETY/SERVICE DIRECTOR

Mr. Sheward requested Ordinance 51-11 be passed, there has been added cost to fuel and dumping fee, both have increased. We opened bids for paving, Mr. Kirby did not get, will have tonight hopefully. Shelly and Sands was awarded, cost \$104,000. We opened proposals for creek cleaning; Sexton was the lowest at \$22,500. He also requested an executive session

to discuss contracts. Mr. Kitchen asks for a list on the paving. Mr. Sheward stated yes he could provide, please pass tonight. Mayor Heath stated bids came in \$7000 less than anticipated.

Mayor Heath asked Mr. Kirby to check on crossings on highways, we have received several complaints, Beaver Pike crossing. Mrs. Colby commented on the weeds. Mayor Heath stated they are contractually obligated. Mr. Sheward stated they are suppose to provide, \$6000 to spray they are unwilling to do, however they did send a request, no money in the account. Mrs. Sexton stated transfer has been done. Mr. Sheward stated they were running a pull behind mower on the tracks. Mrs. Colby stated a railroad employee told her weeds damage the ties. Mr. Sheward further commented they will stop the train on grade. Mayor Heath stated they had received lots of complaints. Mr. Smith asked if we were addressing in writing, so we have documentation. Mr. Sheward stated they were done via email. Mr. Kitchen stated appears to be difficult, we need to monitor. Mr. Sheward stated this has been a concern, \$18,000 were of timer. Mr. Kitchen stated he is willing to inspect.

ORINANCES AND RESOLUTIONS

ORDINANCE NO. 40-11

AN ORDINANCE TRANSFERRING APPROPRIATIONS FROM THE ELECTRIC UTILITY RESERVE FUND TO THE GENERAL FUND IN ACCORDANCE WITH THE RIGHT OF WAY REIMBURSEMENTS PLAN.

Third Reading

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

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

ORDINANCE NO. 40-11 DULY ADOPTED

ORDINANCE NO. 44-11

AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE STORM WATER UTILITY FUND: ADVANCES OUT AND DECLARING AN EMERGENCY.

Third Reading

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

- Mr. Kitchen – yes
- Mr. Brown – yes
- Mr. Elliott – yes
- Mr. Smith – yes
- Mrs. Jones – yes
- Mr. Powell – absent
- Mr. Colby – yes

ORDINANCE NO. 44-11 DULY ADOPTED

ORDINANCE NO. 49-11

AN ORDINANCE OF THE LEGISLATIVE AUTHORITY OF THE CITY OF JACKSON AUTHORIZING THE MAYOR TO ENTER INTO THE INDIGENT DEFENSE CONTRACT WITH THE JACKSON COUNTY COMMISIONERS SO AS TO PROVIDE LEGAL COUNSEL TO INDIGENT PERSON CHARGED WITH VIOLATIONS OF JACKSON MUNICIPAL CODE FOR THE SECOND HALF OF 2011 IN THE AMOUNT OF \$12,069.42

First Reading

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

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

Mr. Kitchen – yes
Mr. Brown – yes
Mr. Elliott – yes
Mr. Smith – yes
Mrs. Jones - yes
Mr. Powell – absent
Mr. Colby – yes

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

Mr. Kitchen – yes
Mr. Brown – yes
Mr. Elliott – yes
Mr. Smith – yes
Mrs. Jones - yes
Mr. Powell – absent
Mr. Colby – yes

ORDINANCE NO. 49-11

ORDINANCE NO. 50-11

AN ORDINANCE CREATING A NEW FUND – WATER STREET REPAIR FOR STREETS, HIGHWAYS AND SIDEWALKS AND APPROPRIATING \$40,900 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.

Mrs. Colby made a motion to change line item to new fund, seconded by Mr. Brown. In a voice vote, all members agreed.

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

Mr. Kitchen – yes
Mr. Brown – yes
Mr. Elliott – yes
Mr. Smith – yes
Mrs. Jones - yes
Mr. Powell – absent
Mr. Colby – yes

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

Mr. Kitchen – yes
Mr. Brown – yes
Mr. Elliott – yes
Mr. Smith – yes
Mrs. Jones - yes
Mr. Powell – absent
Mr. Colby – yes

ORDINANCE NO. 50-11

ORDINANCE NO. 51-11

AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE GARBAGE FUND FOR CONTRACTUAL SERVICES AND GAS, FUEL AND OIL AND 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. Smith stated he hopes this will carry through year end. Mrs. Colby said \$16,000 extra, that is double 2010, would like a report on gallons. Mr. Steward stated with the spring floods, there were extra dumps, hauled a lot, but we can do a report. Won't spend anymore than we have to and will not transfer. Mrs. Colby asked about the \$8,100 in dump feed, that makes it \$143,000. Mr. Sheward stated there was a 7% increase, more hauls. Mrs. Colby stated utility committee should look at this, how much gas used outside the city, maybe spending more on fuel and tonnage than bringing in. Mr. Sheward stated we probably break even. Mrs. Colby stated we need to look at. Mayor Heath stated she may be right, done by ordinance; agree this is worth looking into. Mr. Speakman stated he always thought this was illegal. Mr. Sheward stated the administration would welcome a study.

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

Mr. Kitchen – yes
Mr. Brown – yes
Mr. Elliott – yes
Mr. Smith – yes
Mrs. Jones - yes
Mr. Powell – absent
Mr. Colby – yes

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

Mr. Kitchen – yes
Mr. Brown – yes
Mr. Elliott – yes
Mr. Smith – yes
Mrs. Jones - yes
Mr. Powell – absent
Mr. Colby – yes

ORDINANCE NO. 51-11

ORDINANCE NO. 52-11

AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE GENERAL FUND, GENERAL GOVERNMENT: TRANSFER OUT FUND AND 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.

Mrs. Colby asked Mrs. Sexton to explain. Mrs. Sexton stated this is companion to 53-11 funds in cost allocation, could not afford general fund, loans and they gave back. Mrs. Colby asked about the railroad. Mrs. Sexton replied litigation.

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

Mr. Kitchen – yes
Mr. Brown – yes
Mr. Elliott – yes
Mr. Smith – yes
Mrs. Jones - yes
Mr. Powell – absent
Mr. Colby – yes

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

Mr. Kitchen – yes
Mr. Brown – yes
Mr. Elliott – yes
Mr. Smith – yes
Mrs. Jones - yes
Mr. Powell – absent
Mr. Colby – yes

ORDINANCE NO.52-11

ORDINANCE NO. 53-11

AN ORDINANCE TRANSFERRING APPROPRIATIONS TO THE GARBAGE, SCMR, CEMETARY, COMMUNITY DEVELOPMENT, RECREATION, AND VISITORS CENTER FUNDS FROM THE GENERAL FUND IN ACCORDANCE WITH THE COST ALLOCATION PLAN AND DECLARING AN EMERGENCY.

First Reading

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

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

Mr. Kitchen – yes
Mr. Brown – yes
Mr. Elliott – yes
Mr. Smith – yes
Mrs. Jones - yes
Mr. Powell – absent
Mr. Colby – yes

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

Mr. Kitchen – yes
Mr. Brown – yes
Mr. Elliott – yes
Mr. Smith – yes
Mrs. Jones - yes
Mr. Powell – absent
Mr. Colby – yes

ORDINANCE NO. 53-11

ORDINANCE NO. 54-11

AN ORDINANCE OF THE LEGISLATIVE AUTHORITY OF THE CITY OF JACKSON, OHIO TO ACCEPT THE BID OF SHELLY & SANDS, INC. IN AN AMOUNT NOT TO EXCEED \$105,000.00 FOR REPAVING AND STREET MAINTENANCE IN CITY OF JACKSON 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. 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, members voted as follows:

Mr. Kitchen – yes
Mr. Brown – yes
Mr. Elliott – yes
Mr. Smith – yes
Mrs. Jones - yes

Mr. Powell – absent
Mr. Colby – yes

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

Mr. Kitchen – yes
Mr. Brown – yes
Mr. Elliott – yes
Mr. Smith – yes
Mrs. Jones - yes
Mr. Powell – absent
Mr. Colby – yes

ORDINANCE NO. 49-11

CORRESPONDENCE

OLD BUSINESS


NEW BUSINESS

Mr. Smith requested an executive session to discuss contractual matters, seconded by Mr. Brown. In a roll call vote, all members agreed. Council moved to executive session at 7:31 p.m.


Mr. Smith made a motion to return to regular session, seconded by Mr. Brown. In a voice vote, all members agreed. Council returned to regular session at 8:02 p.m.

ADJOURN

Mr. Brown made a motion to adjourn, seconded by Mr. Smith. In a voice vote, all Council agreed. Council adjourned at 8:02 p.m.



Tera Brown
Clerk
Date 9-12-11



Ron Speakman
Council President
Date 9/12/11