

JACKSON CITY COUNCIL  
Regular Session  
April 8, 2013  
7:00 p.m.

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

Roll Call

Approval of Minutes

March 25, 2013

VISITORS

COMMITTEE REPORTS:

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

ORDINANCES AND RESOLUTIONS

CORRESPONDENCE

OLD BUSINESS

NEW BUSINESS

ADJOURN

JACKSON CITY COUNCIL

*Minutes from*  
March 25, 2013  
7:00 p.m.  
Regular Session

Jackson City Council met in regular session on Monday, March 25, 2013 at 7:00 p.m. at Jackson City Council Chambers. President Ronald 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. Brown - present
- Mr. Kitchen - present
- Mrs. Jones - present
- Mr. Smith - present
- Mr. Queen - present
- Mr. Elliott - present
- Mr. Foster - present

Mr. Smith made a motion to approve the minutes from March 11, 2013 regular seconded by Mr. Kitchen. In a voice vote, all members agreed.

**VISITORS**

Mr. Mike Stroth, Community Development, was present in regards to Resolution 10-13, grant application, to answer any questions. Mr. Brown made a motion to read Resolution 10-13 out of order, seconded by Mr. Kitchen. In a voice vote, all members agreed.

RESOLUTION NO. 10-13

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF JACKSON TO SUBMIT AN APPLICATION FOR THE COMMUNITY HOUSING IMPROVEMENT PROGRAM (CHIP), AND EXECUTE ANY AND ALL DOCUMENTS CONCERNING THE CHIP, AND DECLARING AN EMERGENCY.

First Reading

Mr. Brown made a motion to adopt the resolution, seconded by Mr. Kitchen. In a roll call vote, all members agreed.

Mr. Brown asks if there were any drastic changes with state funding cuts. Mr. Stroth replied 20% deduction, was \$500,000, this year it will be \$400,000. Mr. Brown asks we are just requesting. Mr. Stroth replied we will know around August. Mayor Heath added this is very competitive, and Mr. Stroth agreed. Mayor Heath also noted the application is due April 5<sup>th</sup>.

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

Mr. Brown - yes  
Mr. Kitchen - yes  
Mrs. Jones - yes

Mr. Smith – yes  
Mr. Queen – yes  
Mr. Elliott – yes  
Mr. Foster – yes

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

Mr. Brown – yes  
Mr. Kitchen – yes  
Mrs. Jones – yes  
Mr. Smith – yes  
Mr. Queen – yes  
Mr. Elliott – yes  
Mr. Foster – yes

RESOLUTION 10-13 DULY ADOPTED

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**COMMITTEE REPORTS**

UTILITY -

Mr. Brown stated the meeting with AMP Ohio has been scheduled for April 3, 2013 at 7:00 p.m., they will be speaking on the gas fired peaking plant, and he invited full council and the public. Mr. Sheward that no information would be discussed that would require an executive session.

BUDGET & FINANCE - No Report

POLICE, FIRE & TRAFFIC - No Report

Mr. Smith asked if a committee meeting needs scheduled to discuss the Water Street left turn. President Speakman suggested a meeting. Mr. Smith scheduled a meeting prior to the next council meeting, April 8, 2013 at 6:30 p.m.

SERVICE - No Report

RAILROAD - No Report

BUILDING/RECREATION - No Report

Mr. Foster asked about the remaining bike path funds, \$77,000, can we use on one of the creek beds that is cleaned. Mayor Heath stated we can look into, would like the path to continue to somewhere. Mr. Foster stated it could run from Bridge Street to the park, not sure the condition of the railroad bridge. Mr. Sheward stated we need to make sure we own the property, some areas we had to get permission to clean the creeks. Mr. Smith stated he will schedule a meeting.

CITY AUDITOR - No Report

LAW DIRECTOR - No Report

Mr. Kirby requested an executive session to discuss pending litigation.

MAYOR

Mayor Heath stated he had just received word from the ORDC, RFP for operator of the rail line. This was put on their web page, May 3<sup>rd</sup> submit date. The new operator would take on May 1<sup>st</sup>, 2014. Mr. Sheward thought it was April 1<sup>st</sup>, 2014.

Mayor Heath stated summer signups are completed; children can still be signed up by stopping at the Mayor's office this week. Mr. Queen asks how much were paid in utilities from the Apple Festival to the city. Mayor Heath stated he will have to get that information. Mr. Elliott asks about the emergency call system.

SAFETY/SERVICE DIRECTOR

Mr. Sheward stated he talked to rural water, talked to the dealer, they did not think this was workable. He does have the name and number of the dealer, will contact and report later. He stated Mayor Heath spoke on the reverse 911, similar service. Mayor Heath stated the numbers are already established. Mr. Sheward stated the ordinances are needed to implement the budget, please pass. Mrs. Jones asks about plans to clean up around the city, the town looks bad. Mr. Sheward stated we haven't scheduled, usually in May. Mrs. Jones asks if it would be two days. Mr. Sheward replied usually all week. Mr. Kitchen suggested sending letters to the owners of bad buildings, knowing we have limited funds, some people don't want embarrassed. Mr. Kitchen stated in August, there will be three days of Civil War 150.

ORINANCES AND RESOLUTIONS

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ORDINANCE NO. 13-13

AN ORDINANCE TRANSFERRING APPROPRIATIONS FROM THE ELECTRIC UTILITY RESERVE FUND TO THE GERNEAL FUND FOR REIMBURSEMENTS IN ACCORDANCE WITH THE CITY'S RIGHT OF WAY REIMBURSEMENT PLAN AND DECLARING AN EMERGENCY.

First Reading

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

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

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

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

- Mr. Brown - yes
- Mr. Kitchen - yes

Mrs. Jones - yes  
Mr. Smith - yes  
Mr. Queen - no  
Mr. Elliott - yes  
Mr. Foster - yes

ORDINANCE 13-13 DULY ADOPTED

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ORDINANCE NO. 14-13

AN ORDINANCE TRANSFERRING APPROPRIATIONS FROM THE WATER FUND: TRANSFER OUT TO THE WATER IMPROVEMENT FUND: TRANSFER IN, WATER UTILITY OFFICE FUND; TRANSFER IN AND WATER DISTRIBUTION FUND: TRANSFER IN FUNDS AND DECLARING AN EMERGENCY.

First Reading

Mr. Kitchen made a motion to adopt the ordinance, seconded by Mr. Jones. In a roll call vote, all members agreed.

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

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

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

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

ORDINANCE 14-13 DULY ADOPTED

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ORDINANCE NO. 15-13

AN ORDINANCE TRANSFERRING APPROPRIATIONS FROM THE SEWER FUND: TRANSFER OUT TO THE SEWER UTILITY OFFICE FUND: TRANSFER IN AND SEWER COLLECTION FUND: TRANSFER IN FUNDS AND DECLARING AN EMERGENCY.

First Reading

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

Mr. Brown asks Mr. Reed are these requested from the Auditor. Mr. Reed stated we are just moving around funds.

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

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

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

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

ORDINANCE 15-13 DULY ADOPTED

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ORDINANCE NO. 16-13

AN ORDINANCE TRANSFERRING APPROPRIATIONS FROM THE GARBAGE FUND: TRANSFER OUT TO THE GARBAGE UTILITY OFFICE FUND: TRANSFER IN AND DECLARING AN EMERGENCY.

First Reading

Mr. Brown made a motion to adopt the ordinance, seconded by Mrs. Jones. In a roll call vote, all members agreed.

Mayor Heath stated this is what pays for operations of the utility office.

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

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

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

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

ORDINANCE 16-13 DULY ADOPTED

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ORDINANCE NO. 17-13

AN ORDINANCE TRANSFERRING APPROPRIATIONS FROM THE ELECTRIC FUND: TRANSFER OUT TO THE ELECTRIC REPLACEMENT FUND: TRANSFER IN AND DECLARING AN EMERGENCY.

First Reading

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

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

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

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

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

ORDINANCE 17-13 DULY ADOPTED

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ORDINANCE NO. 18-13

AN ORDINANCE TRANSFERRING APPROPRIATIONS FROM THE WATER, SEWER, GARBAGE, ELECTRIC, S.C.M. &R., CEMETERY, COMMUNITY DEVELOPMENT, RECREATION, FIRE LEVY AND VISITOR CENTER FUNDS TO THE GENERAL, COMMUNITY IMPROVEMENT AND S.C.M.&R.

FUNDS FOR REIMBURSEMENT IN ACCORDANCE WITH MAXIMUS COST ALLOCATION STUDY  
AND DECLARING AN EMERGENCY.

First Reading

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

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

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

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

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

ORDINANCE 18-13 DULY ADOPTED

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ORDINANCE NO. 19-13

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

First Reading

Mr. Brown made a motion to adopt the ordinance, seconded by Mrs. Jones. In a roll call vote, all members agreed.

Mr. Reed stated there were not enough appropriations, this is additional.

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

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



Mr. Foster - yes

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

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

ORDINANCE 19-13 DULY ADOPTED

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ORDINANCE NO. 20-13

AN ORDINANCE TRANSFERRING APPROPRIATIONS FROM THE ELECTRIC UTILITY RESERVE FUND TO THE GERNEAL FUND: TRANSFER OUT TO THE CEMETERY FUND: TRANSFER IN; SCMR FUND; TRANSFER IN; CEMETERY TAX LEVY FUND: TRANSFER IN; COMMUNITY DEVELOPMENT FUND: TRANSFER IN; AND THE RECREATION FUND: TRANSFER IN AND DECLARING AN EMERGENCY.

First Reading

Mr. Brown made a motion to adopt the ordinance, seconded by Mrs. Jones. In a roll call vote, all members agreed.

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

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

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

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

ORDINANCE 20-13 DULY ADOPTED

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ORDINANCE NO. 21-13

AN ORDINANCE TRANSFERRING APPROPRIATIONS FROM THE LILLIAM JONES MUSEUM TRUST FUND: TRANSFER OUT TO THE LILLIAN JONES MUSEUM OPERATING FUND: TRANSFER IN AND DECLARING AN EMERGENCY.

First Reading

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

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

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

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

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

ORDINANCE 21-13 DULY ADOPTED

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ORDINANCE NO. 22-13

AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE ELECTRIC OPERATING FUND: TRANSFER IN AND DECLARING AN EMERGENCY.

First Reading

Mr. Brown made a motion to adopt the ordinance, seconded by Mr. Kitchen. In a roll call vote, all members agreed.

Mr. Reed explained this is done every year, 6% for reserve fund.

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

Mr. Brown - yes  
Mr. Kitchen - yes  
Mrs. Jones - yes  
Mr. Smith - yes  
Mr. Queen - yes

Mr. Elliott - yes  
Mr. Foster - yes

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

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

ORDINANCE 22-13 DULY ADOPTED

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ORDINANCE NO. 23-13

AN ORDINANCE TRANSFERRING APPROPRIATIONS FROM THE ELECTRIC FUND: TRANSFER OUT TO THE ELECTRIC UTILITY RESERVE FUND: TRANSFER IN AND DECLARING AN EMERGENCY.

First Reading

Mr. Brown made a motion to adopt the ordinance, seconded by Mrs. Jones. In a roll call vote, all members agreed.

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

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

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

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

ORDINANCE 23-13 DULY ADOPTED

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CORRESPONDENCE

**OLD BUSINESS**

Mr. Sheward neglected to mention earlier, the digester is operational, pressed just short of one million gallons through our plant. Our plant will resume normal operations shortly.

**NEW BUSINESS**

President Speakman had requested a legal opinion, in regards who is responsible for new appointments receiving financial disclosure forms. It is Mr. Kirby's opinion that the appointing committee, Board of Elections and Secretary of State are responsible. Mayor Heath reminded council forms are due within two weeks.


Mr. Kitchen mentioned that a brass marker had been stolen from a veteran's grave, it was purchased at a local scrap yard, and it has been replaced.

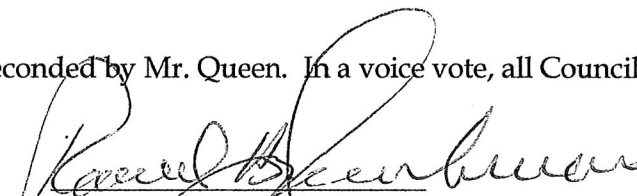
Mrs. Jones made a motion to discuss pending litigation with Rick Ross and US Rail, seconded by Mr. Kitchen. In a roll call vote, all members agreed. Council went into executive session at 7:40 p.m.

Mr. Brown made a motion to return to regular session, seconded by Mr. Smith. In a voice vote, all members agreed. Council returned to regular session at 7:45 p.m.

**ADJOURN**

Mr. Brown made a motion to adjourn, seconded by Mr. Queen. In a voice vote, all Council agreed. Council adjourned at 7:45 p.m.

  
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Tera Brown  
Clerk  
Date 4-8-13

  
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Ron Speakman  
Council President  
Date 4/8/13