

JACKSON CITY COUNCIL

Minutes from
January 13, 2014
7:00 p.m.
Regular Session

Jackson City Council met in regular session on Monday, January 13, 2014 at 7:00 p.m. at Jackson City Council Chambers. President Ron Speakman called the meeting to order. The Pledge of Allegiance was 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
- Mr. Jones-present
- Mr. Hensler-present
- Mr. Queen-present
- Mr. Elliott-present
- Mr. Foster-present

Mr. Brown made a motion to hire Sherry Barr as the City Council Clerk for a two-year term, seconded by Mrs. Jones. In a voice vote, all members agreed.

Mr. Kitchen made a motion to elect Eric Brown as President Pro-Tem for a two-year term , seconded by Mr. Elliott.

Mr. Hensler made a motion to approve the minutes from the December 30, 2013 and January 6, 2014 meetings, seconded by Mr. Kitchen.

VISITORS

No visitors

COMMITTEE REPORTS

UTILITY- Mr. Brown read a letter in response to a Facebook post in which someone questioned if he should be allowed to vote on utility rates, since he has AEP electric. They also questioned if he should be allowed to be the Utility Chairman . The letter and copy of the Facebook post is attached. Mr. Brown requested the Law Director research the two issues and report back publicly at the next meeting, if possible.

BUDGET- No report.

POLICE, FIRE, & TRAFFIC – No Report

SERVICE –(STREET & ALLEY, RECREATION, BUILDINGS & GROUNDS) – No Report

CITY AUDITOR – Mr. Reed said Purchase Orders could start being turned in again now. They couldn't be turned in before now due to the end of the year closing.

Mr. Reed also commented on the letter to the editor that quoted the wrong figures that it was going to cost the city in wage increases. The figures were highly inflated. The letter said the information came from the auditor's office, but Mr. Reed stated it did not. He suggests that when someone has something to report, they should get the correct facts from the city before publishing the information.

LAW DIRECTOR – No report

MAYOR

Mayor Heath commented on the West Virginia water supply problem and said we are fortunate to have the utilities we have. He also requested an Executive session at the end of the meeting to discuss personnel issues.

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SERVICE DIRECTOR

Mr. Sheward wanted to make everyone aware of the AMP letter included in their packets. He commented on the severe weather we had recently and said there were no problems with the city water lines, just residential lines. He wanted to make everyone aware they should never turn off the water at the meters, because they take a chance on damaging the meter.

Mr. Brown asked if the salt was down and Mr. Sheward said it went from \$100/ton to \$50/ton. He also said there is a sufficient supply of salt for this year.

Mr. Elliott asked if the city is providing the electric for the water plant. Mr. Sheward said it is. He said there is a small purchase order they do for AEP.

ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 50-13

TO APPROVE THE EXECUTION OF AN EFFICIENCY SMART SCHEDULE WITH AMERICAN MUNICIPAL POWER, INC. AND DECLARING AN EMERGENCY.

Mr. Brown made a motion to remove this ordinance from the table. Seconded by Mrs. Jones.

ORDINANCE 02-14

AN ORDINANCE DECLARING A POLICY CONCERNING THE AVAILABILITY OF UTILITY SERVICES TO ALL CONSUMERS IN THE CITY OF JACKSON 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. Sheward said this ordinance is to prevent groups from selling utilities inside the city. Unless they have a franchise, they are not allowed to do it. This ordinance protects our own utilities. It was recommended that the utility committee research this and consider it at the next meeting.

ORDINANCE NO. 03-14

AN ORDINANCE OF THE LEGISLATIVE AUTHORITY OF THE CITY OF JACKSON AUTHORIZING THE MAYOR TO RATIFY THE INDIGENT DEFENSE CONTRACT WITH THE JACKSON COUNTY COMMISSIONERS THAT PROVIDED LEGAL COUNSEL TO INDIGENT PERSONS CHARGED WITH VIOLATIONS OF THE JACKSON MUNICIPAL CODE FOR THE SECOND HALF OF 2013 IN AN AMOUNT OF \$12,069.42.

First Reading

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

Mr. Reed said we were not billed for the second half of 2013. The money is still in the budget. Will be billed for first half of 2014 next.

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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. Hensler-yes
Mr. Queen-yes
Mr. Elliott-yes
Mr. Foster-yes

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

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

ORDINANCE NO. 03-14 DULY ADOPTED

ORDINANCE NO. 04-14

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 COMMISSIONERS SO AS TO PROVIDE LEGAL COUNSEL TO INDIGENT PERSONS CHARGED WITH VIOLATIONS OF THE JACKSON MUNICIPAL CODE FOR THE FIRST HALF OF 2014 IN AN AMOUNT OF \$12,069.42.

First Reading

Mrs. Jones made a motion to adopt the ordinance, seconded by Mr. Brown. In voice 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. Hensler-yes
Mr. Queen-no
Mr. Elliott-yes
Mr. Foster-yes

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

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

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ORDINANCE NO. 04-14 DULY ADOPTED

ORDINANCE NO. 05-14

**AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE WOOD AVENUE
SANITARY SEWER FUND: TRANSFER OUT AND DECLARING AN EMERGENCY.**

First Reading

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

Mr. Reed said the money has just been setting in the fund and they are just returning it to the sewer fund.

Mr. Kitchen 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. Hensler-yes
Mr. Queen-yes
Mr. Elliott-yes
Mr. Foster-yes

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

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

ORDINANCE NO. 05-14 DULY ADOPTED

ORDINANCE NO. 06-14

**AN ORDINANCE TRANSFERRING APPROPRIATIONS FROM THE WOOD AVENUE
SANITARY SEWER LINING FUND: TRANSFER OUT TO THE SEWER FUND: TRANSFER IN
AND DELCARING AND EMERGENCY.**

First Reading

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

Mr. Hensler asked if this money would be a surplus. Mayor Heath said it will not show up in the spending budget.

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

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Mrs. Jones-yes
Mr. Hensler-yes
Mr. Queen-yes
Mr. Elliott-yes
Mr. Foster-yes

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

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

ORDINANCE NO. 06-14 DULY ADOPTED

ORDINANCE NO. 07-14

AN ORDINANCE AMENDING AND REVISING SECTIONS 926.02, 926.13, 926.16, 926.18, 926.20, AND 926.24 OF THE CITY OF JACKSON CODIFIED ORDINANCES, AS ADOPTED BY ORDINANCE 10-24, AS REQUIRED BY THE CITY'S NPDES PERMIT AND THE OHIO EPA 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. Queen asked if this is something that has to be done. Mr. Sheward said it is updating for the EPA. Mr. Queen asked if it is really an emergency and the response was yes.

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

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

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

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

ORDINANCE NO. 07-14 DULY ADOPTED

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ORDINANCE NO. 8-14

AN ORDINANCE AUTHORIZING A WAGE INCREASE FOR THE POSITIONS OF PART-TIME DISPATCHER OF POLICE AND DECLARING AN EMERGENCY

First Reading

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

Mr. Sheward said they use part-time dispatchers and it is an important job. They have only been paying \$8.00/ hour. The Chief of Police requested an increase to \$10.00/hour.

Mr. Kitchen 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. Hensler-yes
Mr. Queen-yes
Mr. Elliott-yes
Mr. Foster-yes

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

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

ORDINANCE NO. 08-14 DULY ADOPTED

ORDINANCE NO. 09-14

AN ORDINANCE REPEALING ORD. 47-13 REGARDING AN ACCEPTANCE OF A BID FOR THE 13.2kV CIRCUIT 3 AND 3A CONVERSION PROJECT AND DECLARING AN EMERGENCY.

First Reading

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

Mr. Sheward said in coordination with the engineering consultants, they suggested not to go forward with the project. They want to re-bid the project. This needs to be done now. Mr. Kitchen wanted to know if this was the one that had the lowest bid and Mr. Sheward said it was.

Mr. Hensler 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

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Mrs. Jones-yes

Mr. Hensler-yes

Mr. Queen-yes

Mr. Elliott-yes

Mr. Foster-yes

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

Mr. Brown-yes

Mr. Kitchen-yes

Mrs. Jones-yes

Mr. Hensler-yes

Mr. Queen-yes

Mr. Elliott-yes

Mr. Foster-yes

ORDINANCE 09-14 DULY ADOPTED

RESOLUTION NO. 01-14

A RESOLUTION AUTHORIZING EXPENDITURE OF FUNDS FOR PAYMENT TO OMEGA JV5 PURSUANT TO A "THEN AND NOW" CERTIFICATE IN THE AMOUNT OF \$127,683.04 AND DECLARING AN EMERGENCY.

First Reading

Mr. Brown made a motion to adopt the resolution, seconded by Mrs. Jones. In a voice vote, all members agreed.

Mr. Reed said they did not have purchase orders in place due to the end of the year closing. They need council's approval. This will come out of this year's budget.

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. Hensler-yes

Mr. Queen-yes

Mr. Elliott-yes

Mr. Foster-yes

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

Mr. Brown-yes

Mr. Kitchen-yes

Mrs. Jones-yes

Mr. Hensler-yes

Mr. Queen-yes

Mr. Elliott-yes

Mr. Foster-yes

RESOLUTION NO. 01-14 DULY ADOPTED

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RESOLUTION NO. 02-14

A RESOLUTION AUTHORIZING EXPENDITURE OF FUNDS FOR PAYMENT TO PATRICK CONSULTING PURSUANT TO A "THEN AND NOW" CERTIFICATE IN THE AMOUNT OF \$3,693.51 AND DECLARING AN EMERGENCY.

First Reading

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

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. Hensler-yes
Mr. Queen-yes
Mr. Elliott-yes
Mr. Foster-yes

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

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

RESOLUTION 02-14 DULY ADOPTED

OLD BUSINESS

Mrs. Jones said the Tree of Heaven project is moving forward. They are trying to find out where the trees are.

NEW BUSINESS

Mr. Queen announced RSVP is taking donations of water, napkins, paper plates, etc., for the citizens of West Virginia. If anyone would like to donate just drop them off at their office.

Mr. Hensler made a motion to go into Executive session at 7:40 p.m. Mr. Brown seconded it. Mr. Hensler invited City Auditor Reed, Mayor Heath, and Law Director Kirby to remain in the meeting. In a voice vote, all members agreed.

Mr. Brown made a motion to go back into regular session at 8:00 p.m., seconded by Mr. Queen. In a voice vote, all members agreed.

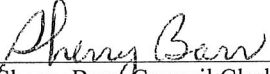
ADJOURN

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

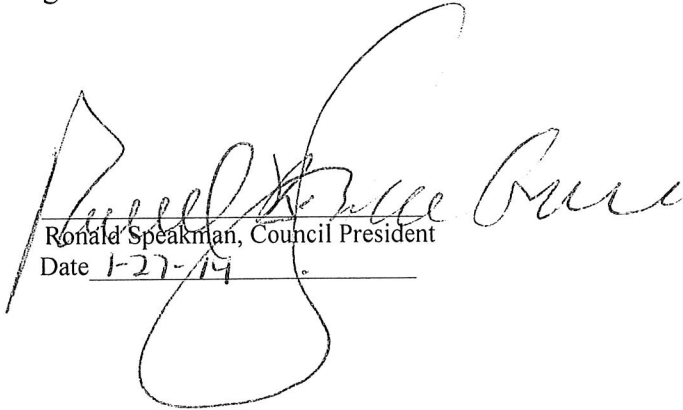
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Council adjourned at 8:01 p.m.



Sherry Barr, Council Clerk
Date 1-27-14



Ronald Speakman, Council President
Date 1-27-14

Jan. 13, 2014

After watching the recent news regarding water supply contamination affecting nine counties of West Virginia, that we should take time to appreciate the city utilities we take for granted every day.

I am confident in stating that for the past eleven years that I have served on City Council, it has been a priority for the City Administration and City Council to provide the citizens and businesses of the Jackson community secure utility systems that are both safe and dependable.

These utility systems can't be taken for granted and they don't come cheap. Although it has been many years in the works, it is now reported by The Columbus Dispatch that our electric rate is the least expensive in our area compared with Buckeye Rural and AEP.

This being said, as Utility Chairman, I was recently presented with a Facebook posting that questions if I should be permitted to vote on electric upgrades or electric rate increases since I live on Redondo Dr. and have AEP Electric.

The posting also goes on to question the Council President for selecting me to serve as Utility Chairman.

Although I am unable to validate the source of the posting positively, it appears to be from a fellow Councilman.. I have attached a copy.

I would like for City Law Director Joe Kirby to research these two issues and report back publicly at the next meeting if possible.

Eric Brown



Ron Queen

The chairman of the Utility committee , Eric Brown, votes on increases and updates on city electric , but lives on Redonda Drive and from what I have heard they have AEP electric . So he does not have city electric and I feel that is not right ... But I am the only council members that feels this way so I guess since it is up to council president to select the chairmen I have no say so in this fight .. I know if an increase on electric does not involve a person he should not be on utility committee in my heart .. Maybe he does have city electric ??

12 minutes ago · Like ·  1



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