

JACKSON CITY COUNCIL
Regular Session
December 30, 2014
7:00 p.m.

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

ROLL CALL

APPROVAL OF MINUTES

December 8, 2014 Regular Session

VISITORS

COMMITTEE REPORTS

- Utility – Brown, Elliott, and Foster
- Budget & Finance – Elliott, Hensler, and Brown
- Police, Fire, & Traffic – Kitchen, Queen, and Jones
- Service – (Street & Alley, Recreation, Buildings & Grounds) Foster, Queen, and Hensler
- City Auditor
- Law Director
- Mayor
- Service/Safety Director

ORDINANCES AND RESOLUTIONS

CORRESPONDENCE

OLD BUSINESS

NEW BUSINESS

ADJOURN

JACKSON CITY COUNCIL

Minutes from
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7:00 p.m.
Regular Session

Jackson City Council met in regular session on Monday, December 8, 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 by Mr. Brown.

Roll call was taken as follows:

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

Mr. Elliott made a motion to approve the minutes from November 24, 2014, seconded by Mr. Kitchen. In a voice vote, all members agreed.

VISITORS

Mike Bowman introduced Boy Scout Troop 48 who came to observe the council meeting.

COMMITTEE REPORTS

UTILITY- No report

BUDGET & FINANCE

Mr. Elliott stated they had a Budget and Finance Committee meeting on November 28th which was very productive. He stated Mr. Reed researched Ordinance 67-09 regarding Rents and Right of Ways and found out a percentage up to 5% of gross revenue from the Electric, Water, and Sewer funds can be transferred to the General fund each year. This would be another \$94,000 from Electric, \$171,000 from Sewer, and \$120,000 from Water. A total of about \$385,000 can be transferred to the General fund.

Mr. Elliott stated they also discussed the purchase of cruisers. Mr. Brown thought maybe they can avoid the purchase of a new cruiser this year, but would need to purchase one in 2016. Everyone present was in favor of this recommendation.

Ordinances 69-14 and 70-14 regarding the Maximus study were recommended to be passed, along with Ordinances 73-14 and 74-14 regarding Rents and Right of Ways recommended to be passed.

Mr. Elliott stated the Budget and Finance Committee and all council members decided to include in the 2015 budget a line item for \$50,000 for Curbs, \$50,000 in Memorial Building, and \$25,000 in Creek Cleaning.

Mr. Elliott stated these Ordinances need to be passed tonight.

POLICE, FIRE, & TRAFFIC

No Report

SERVICE –(STREET & ALLEY, RECREATION, BUILDINGS & GROUNDS)

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Mr. Foster stated a Service Committee meeting was held at 6:00 p.m. prior to tonight's council meeting. He said everyone was in agreement for the renovation of the Memorial Building. He requested Mr. Kirby do a resolution for this to be voted on at the next council meeting.

CITY AUDITOR

No report.

LAW DIRECTOR

Mr. Kirby addressed the dog problem and stated charges had been filed and were completed. The dog owner was visited by probation and he cooperated completely. They had gotten rid of about 20 dogs and there are 6 left in the house. The owner was fined, given a probation period of 2 years, and a suspended jail sentence. The situation should get better.

MAYOR

Mayor Heath wanted the newspaper to make note the park has a lot of Christmas decorations and a lot of electric wires. He wanted everyone to be cautious of this when walking around the park to avoid any accidents. He noted the City of Jackson is very lucky to have their decorations supported by community donations. He encouraged everyone to buy local. Mayor Heath wanted to thank everyone who has contributed to the Christmas decoration project.

SERVICE DIRECTOR

Mr. Sheward wanted to thank the Jackson Firefighters Association for breakfast with Santa. It was very successful this year.

He also wanted to make council aware the newest police cruiser has been out of service for over a month. It was fixed in the city's garage which saved money. They had a difficult time getting a fuel tank, but was finally able to get one direct from Ford. It is back in service now.

ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 67-14

AN ORDINANCE APPROVING ADDITIONAL APPROPRIATION IN THE ELECTRIC FUND AND DECLARING AN EMERGENCY.

Third Reading

Mr. Reed wanted to explain again what this ordinance is for. He said the city entered into an agreement with AMP on a project in Meigs County which failed. The city is carrying the debt which is currently at \$2,300,000.00 with a variable interest rate. There is still some pending litigation on this, but Mr. Reed stated they would still have to pay most of it back. The State of Ohio asked that the city come up with a payment plan, so that is what they did. Mr. Sheward stated he was appointed to the AMP committee that reviews the project. He said if there is any money due the city after the litigation is done, the city will get it back. He stated council is who approved the project in the beginning and they need to take care of the obligation. Mr. Brown also stated the debt needs to be paid. If they wait until later to pay it, they will end up paying more in interest.

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Mr. Queen asked if they are locked in with AMP. Mr. Sheward stated they have several long term contracts with AMP. They are not locked in, but it would be very costly to get out of the contracts. Mayor Heath stated they have had a lot of successful projects with AMP. Mr. Speakman noted they had some of the debt reduced by participating in the Freemont project.

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

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

Ordinance 67-14 duly adopted

ORDINANCE NO. 68-14

**AN ORDINANCE ESTABLISHING APPROPRIATIONS FOR JANUARY 1, 2015,
THROUGH DECEMBER 31, 2015, AND DECLARING AN EMERGENCY.**

Third Reading

Mr. Hensler made a motion to recommend the changes to Ordinance 68-14, seconded by Mr. Brown. In a voice vote, all members agreed.

In a roll call vote to adopt the ordinance as amended, 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

Ordinance 68-14 duly adopted

ORDINANCE NO. 69-14

**AN ORDINANCE TRANSFERRING APPROPRIATIONS FROM THE WATER,
SEWER, GARBAGE, ELECTRIC, S.C.M. & R. , CEMETERY, VISITOR CENTER
FUNDS TO THE GENERAL, COMMUNITY IMPROVEMENT AND S.C.M. & R FUNDS
FOR REIMBURSEMENTS IN ACCORDANCE WITH THE MAXIMUS COST
ALLOCATION STUDY AND DECLARING AN EMERGENCY.**

Second Reading

Mr. Reed stated this was the result of the Maximus study that was done this year by an outside firm.

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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. Hensler-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. Hensler-yes
Mr. Queen-no
Mr. Elliott-yes
Mr. Foster-yes

Ordinance 69-14 duly adopted

ORDINANCE NO. 70-14

AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN FUNDS SO AS TO COMPLETE REIMBURSEMENTS PURSUANT TO THE COST ALLOCATION PLAN ADOPTED BY THE CITY AND DECLARING AN EMERGENCY.

Second Reading

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-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. Hensler-yes
Mr. Queen-no
Mr. Elliott-yes
Mr. Foster-yes

Ordinance 70-14 duly adopted

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ORDINANCE NO. 72-14

**AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE
ELECTRIC FUND: ISSUANCE COST AND DECLARING AN EMERGENCY.**

Second Reading

Mr. Reed stated this is a bookkeeping thing for Administration for attorney's fees for the reissuance of the electric bonds. Mr. Hensler asked if this needs passed as an emergency. Mr. Reed said he would like to have it past before the end of the year.

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

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

ORDINANCE NO. 73-14

**AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE
ELECTRIC FUND: RIGHT OF WAY REIMBURSEMENT; SEWER FUND: RIGHT OF
WAY REIMBURSEMENT; AND WATER FUND: RIGHT OF WAY REIMBURSEMENT
AND DECLARING AND EMERGENCY.**

Second Reading

Mr. Brown wanted to make sure council understood that suspending the rules doesn't have anything to do with whether it is passed by emergency or not. They are 2 separate things.

Mr. Elliott made a motion to suspend the rules, seconded by Mrs. Jones. In a voice 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 73-14 duly adopted

ORDINANCE NO. 74-14

AN ORDINANCE TRANSFERRING APPROPRIATIONS FROM THE WATER, SEWER, AND ELECTRIC FUNDS TO THE GENERAL FUND FOR REIMBURSEMENTS IN ACCORDANCE WITH THE CITY'S RIGHT OF WAY REIMBURSEMENT PLAN AND DECLARING AN EMERGENCY.

Second Reading

This is a companion to Ordinance No. 73.14.

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. Hensler-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. Hensler-yes
Mr. Queen-no
Mr. Elliott-yes
Mr. Foster-yes

Ordinance 74-14 duly adopted

ORDINANCE 77-14

AN ORDINANCE OF THE LEGISLATIVE AUTHORITY OF THE CITY OF JACKSON, OHIO TO ACCEPT THE BID OF SOUTHERN OHIO TRENCHING & EXCAVATING, INC. FOR THE CHILLICOTHE PIKE WATER BOOSTER STATION PROJECT 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 they have been working on this project for several months with engineering. This was the lowest bid. They did receive another bid, but it was higher and in excess of the 10% limitation.

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Mrs. Jones-yes
Mr. Hensler-yes

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

Ordinance 78-14 duly adopted

ORDINANCE NO. 79-14

**AN ORDINANCE AUTHORIZING THE CONVEYANCE OF REAL ESTATE,
BEING COMMONLY KNOWN AS THE PRIDE PARK DEPOT, TO THE CITY OF
WELLSTON FOR THE PURPOSE OF ECONOMIC DEVELOPMENT.**

First Reading

Hensler 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, 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 vote 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 79-14 duly adopted

RESOLUTION 28-14

**A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNATED AGENT TO ENTER
INTO CONTRACTS FOR ENGINEERING AND FOR THE COMPLETION OF THE HARDING
AVENUE BRIDGE PROJECT AND DECLARING AN EMERGENCY.**

First Reading

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

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Mr. Sheward stated this resolution is required by the State of Ohio for the completion of the Harding Avenue bridge. The State pays 80% of the cost and the City pays 20% plus engineering, but the grants should cover the cost.

Mr. Hensler 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 vote 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 28-14 duly adopted

RESOLUTION 29-14

A RESOLUTION AUTHORIZING EXPENDITURE OF FUNDS FOR PAYMENT TO BRENNTAG PURSUANT TO A "THEN AND NOW" CERTIFICATE IN THE AMOUNT OF \$6,634.14 AND DECLARING AN EMERGENCY.

First Reading

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

Mr. Sheward stated they did not have enough money in the Chemicals line item for the Wastewater Treatment Plant. The invoice got lost and needs to be paid.

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

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

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

Resolution 29-14 duly adopted

CORRESPONDENCE

The Clerk read a letter from West Virginia Electric requesting the city not to re-zone for low income housing. (Letter attached)

The Clerk read correspondence from the Dept. of Commerce regarding the renewal of permits to sell alcohol which will expire on February 1, 2015. Mr. Sheward said there will be several coming to council for approval.

Correspondence from Liquor Control requesting Gillespies be transferred to Mason County E Corp. DBA Jackson Food Mart. Mr. Brown made a motion not to request a hearing, seconded by Mr. Elliott. In a voice vote, all members agreed.

OLD BUSINESS

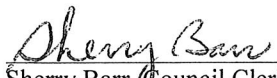
Mr. Kitchen requested Anthony Coyan be honored in some way for his hard work and dedication to fixing up the Jamestown Cemetery. Mr. Kitchen made a motion for Mr. Kirby to draw up a resolution to honor Anthony Coyan, seconded by Mr. Brown. In a voice vote, all members agreed.

Mr. Speakman stated in reference to flags not being flown at half mass on Pearl Harbor Day, the Governor of the State of Ohio says flags are to be flown at half mass only on government buildings.

NEW BUSINESS-None

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

Council adjourned at 7:49 p.m.



Sherry Barr, Council Clerk



Ronald Speakman, Council President *Pro tem.*

Date 12-30-14

Date 12/30/14

12/3/14

To Members of Jackson City Council:

Our company, W.Va. Electric Supply, has been in the Jackson area since 1991, a total of 24 years now.

We recently moved to another location in Jackson because our previous neighborhood began to deteriorate, and our "walk in" customer business literally disappeared!

So again, we have committed to the City of Jackson in a new neighborhood that was promised to us to be fully commercial!

We certainly would not have built in this location if it weren't zoned as fully commercial!

We are very confident that if the zoning remains the same as it is now, there will be commercial growth in the future. It's why we moved here! It's why we made a large financial investment here!

But using this property for low-income housing will act as a detriment to any future commercial growth.

Our future in Jackson is at stake here, and we are strongly against a change in the zoning to allow for low-income housing.

We strongly urge city council to maintain the property as strictly commercial. We want to grow with Jackson. We know it won't be overnight, but it will be worth the wait!

Very Sincerely,
Matt Colker
CEO



W.Va. Electric Supply Company