

JACKSON CITY COUNCIL  
Regular Session  
July 25, 2016  
7:00 p.m.

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

ROLL CALL

VISITORS

APPROVAL OF MINUTES

July 11, 2016 Regular Session

COMMITTEE REPORTS

- Utility –Elliott (Chairman), and Foster and Ondera
- Budget & Finance – Hensler (Chairman), Elliott, and Ondera
- Police, Fire, & Traffic – Kitchen (Chairman), Queen, and Jones
- Service – (Street & Alley, Recreation, Buildings & Grounds) Foster  
Chairman), 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*  
JULY 11, 2016  
7:00 P.M.  
REGULAR SESSION

Jackson City Council met in regular session on Monday, July 11, 2016 at 7:00 p.m. at Jackson City Council Chambers. President Eric Brown called the meeting to order. The Pledge of Allegiance was led by Mr. Hensler. The Prayer was given by Mr. Hensler.

Roll call was taken as follows:

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

## **VISITORS**

Michael Cook said he has been a resident of Globe Street for 30 years. Michael commented on how he doesn't see city worker's out like he did several years ago. He said they need to do a timeline and make sure employees are doing what they are supposed to. He also stated that council should take the decision of the City Income Tax off of them and let the people decide. Michael appreciated the Pledge of Allegiance and Prayer at the beginning of the meeting.

## **APPROVAL OF MINUTES**

Mr. Hensler made a motion to approve the minutes from June 27, 2016 Regular Session, seconded by Mrs. Jones. In a voice vote, all members agreed.

## **COMMITTEE REPORTS**

**UTILITY**-No report.

Mr. Foster stated people are ignoring the couch and bedding rules. Mayor Heath said when someone complains, Roy Hatten goes out and explains to the citizen what needs to be done with it. Mr. Sheward stated this is a new process and citizens are going to have to get used to it. He said if it is a rental and someone has moved out and left it, then it is the responsibility of the property owner to dispose of it properly.

## **BUDGET & FINANCE**

Mr. Hensler stated the Budget & Finance Committee had a public meeting on July 5<sup>th</sup> and the minutes are in the packets. There are 3 ordinances regarding the tax that will be read tonight; the first one is imposing the tax with an emergency clause, the second one is imposing without the emergency clause, and the third is placing it on the ballot. They are not numbered. They will be numbered if they are brought to the table to be discussed.

**POLICE, FIRE, & TRAFFIC**-No report.

Mr. Kitchen said the June fire report was handed out. Mr. Brown stated he had some complaints about the traffic light at Huron and Burlington not staying green long enough. Mr. Woltz was going to address this

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issue. He is not sure if he was able to change it or not. Mr. Hensler commented on the light at the corner by CVS. He said it stays red way too long and he usually has to make a right turn to get through. Mr. Sheward said they will check into this one too.

**SERVICE –(STREET & ALLEY, RECREATION, BUILDINGS & GROUNDS-No report.**

**CITY AUDITOR**

Mr. Reed said he had been asked what the 100% tax credit would do to the income from the tax. He said he spoke to RITA and they felt it would have little or no effect on the amount of income from the tax. They had found some other entities that would be contributing, so this would help. The estimated income is \$1.2 million dollars.

**LAW DIRECTOR**

Mr. Kirby stated he did not number the ordinances for the income tax. He said he had gotten some information from a local accountant regarding the City Income Tax. It dealt mainly with penalties involved with late filings. There is a 50% penalty for not withholding on time plus the IRS's 5%.

**MAYOR**

Mayor Heath commented on some of the statements Mr. Cook said. Mayor Heath stated the reason Speyside could move right in, was because the Merrillatt building was kept in great shape.

He said it is important to keep the city looking nice in order to attract new businesses to the area. This would be one of the benefits of the City Income Tax.

Mayor Heath addressed Mr. Cook's comment about the city employees. He said they have 6 fewer employees than they did when he became Mayor. He said Mr. Sheward does meet with Supervisors on a daily basis to go over projects and work going on.

Mayor Heath gave an update on the summer recreation. He said the baseball is just about over except for some Allstar tournaments. This was probably the most successful season they have had so far. He thanked Doug Hughes for coordinating everything. He also thanked Kaley Fulks for managing the City Pool. She and her employees do a great job. Jackie Lowe and Ally Irwin are the Head Guards and their leadership has been invaluable.

Mr. Kitchen asked if they could get an update on the labor negotiations in the near future. He also asked the Mayor to do something to commend the Osco Plant for purchasing the old dairy bar and tearing it down. The place next to it also needs attention. Mr. Queen said the house beside them needs attention also.

**SERVICE DIRECTOR**

Mr. Sheward stated they have received the Assistance to Firefighters Grant. This will allow them to purchase new gear. The grant is for \$51,243.00 with a match of \$2562.00. David Channell and Wendy Sexton were the two who helped apply for the grant. The gear is required to be replaced every 10 years.

They got final approval on a \$676,000 Grant/Loan for the McCarty Lane project. They are not required to use the loan part of the money.



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They are still waiting on the decision of the Small Cities Grant. The work they will be able to do on McCarty Lane will depend on the decision of this grant.

Mr. Sheward said they had the burned house on Logan St. removed. It was too much of a risk to the public to leave it standing. It cost the city \$3950.00 to have it torn down and they probably won't get any of that money back.

**ORDINANCES AND RESOLUTIONS**

**ORDINANCE NO. 33-16**

**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 COUNCIL TO INDIGENT PERSONS CHARGED WITH VIOLATIONS OF THE JACKSON MUNICIPAL CODE FOR THE SECOND HALF OF 2016 IN THE AMOUNT OF \$12, 069.42 AND DECLARING AN EMERGENCY.**

First Reading

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

Mr. Kirby stated this is the second half of the contract that we have been entering into with the county. It provides legal council for people who can't afford legal council and who have been charged with something higher than a misdemeanor. The Ohio Public Defender's Commission hired 5 public defenders and they are paid through the county and the Ohio Public Defender's Commission.

Mr. Kitchen made a motion to suspend the rules, seconded by Mr. Ondera.

In a roll call vote to suspend the rules, council voted as follows:

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

**Ordinance No. 33-16 duly adopted.**

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**ORDINANCE NO. 34-16**

**AN ORDINANCE CALLING FOR THE PLACEMENT OF THE BALLOT OF THE NEXT GENERAL ELECTION IN THE CITY OF JACKSON, OHIO, THE ISSUE OF ENACTING AN INCOME TAX AT THE RATE OF 1% FOR THE MAINTENANCE OF THE CITY'S STREETS, ALLEYS, BRIDGES AND SIDEWALKS AND FOR THE MAINTENANCE, RENOVATION, REPAIR AND CONSTRUCTION OF THE CITY BUILDINGS USED FOR MUNICIPAL PURPOSES FOR THE CITY OF JACKSON, AND DECLARING AN EMERGENCY.**

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

Ordinance No. 34-16 died.

**ORDINANCE NO. 35-16**

**AN ORDINANCE PROVIDING FOR AN INCOME TAX AT THE RATE OF 1% FOR THE PURPOSES OF MAINTENANCE OF THE CITY'S STREETS, ALLEYS, BRIDGES AND SIDEWALKS, AND FOR THE MAINTENANCE, RENOVATION, REPAIR AND CONSTRUCTION OF CITY BUILDINGS USED FOR MUNICIPAL PURPOSES FOR THE CITY OF JACKSON, AND DELARING AN EMERGENCY.**

Mr. Elliott made a motion to adopt the ordinance, seconded by Mr. Ondera. In a roll call vote council voted as follows:

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

Ordinance No. 35-16 died.

**RESOLUTION NO. 14-16**

**A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF JACKSON OR HIS DESIGNATED REPRESENTATIVE TO PARTICIPATE IN THE JACKSON CITY LIBRARY TO FILE AN APPLICATION FOR A LSTG GRANT FROM THE STATE LIBRARY OF OHIO FOR FUNDING TO PURCHASE TELEVISION WHITE SPACE AND FOR OTHER RELATED COSTS AND DECLARING AN EMERGENCY.**

First Reading

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

Mr. Sheward stated the Jackson City Library is applying for a grant from the State Library of Ohio to purchase Television White Space to provide internet access service to locations that might not normally have access to it. There were 5 locations selected based on areas where kids get free lunches at school, community gathering places, and economic need. These sites were as follows:

Main & Broadway Streets  
McKitterick Heights  
Jackson Heights area  
Main & High Streets  
Stanley Arthur Manpower Park

The city's portion is a 25% match or \$2500.00. The city's IT department will maintain the equipment. At the end of the contract, the city will own the equipment.

Mr. Ondera asked how much the equipment cost and Mr. Sheward stated about \$20,000. The lifespan of the equipment should be about 10 years.

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

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

**Resolution No. 14-16 duly adopted.**

**CORRESPONDENCE**

Ms. Barr stated she had received a renewal notice for the liquor permit for Pizza Hut of Jackson. Mr. Brown asked if there were any objections. None were stated.

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

**OLD BUSINESS**

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Mr. Queen asked the Mayor if he had heard anything about the grant for the boat docks at Hammertown. Mayor Heath said the grants were not available this year.

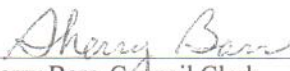
**NEW BUSINESS**

Mr. Elliott stated he was confused about the City Income Tax ordinances that were not adopted. Mr. Brown stated they needed 4 yes votes in order to bring any of them to the table for discussion. If anyone would like to bring any of them back to the table, they can, but they still have to have 4 votes in order to talk about them.

Mr. Reed stated any of them could have been brought to the table and then made changes.

Mr. Brown stated council needs to be more on the same page when they bring them back. Mr. Hensler asked how many times we have to meet over this. Mr. Elliott stated he is not willing to let it go, because there is work that needs done to the city. Mr. Brown said he feels the Committee needs to meet again and bring something back that can be put on the table for discussion.

Mr. Kitchen made a motion to adjourn at 7:52 p.m., seconded by Mr. Elliott.

  
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Sherry Barr, Council Clerk

  
\_\_\_\_\_  
Eric Brown, Council President

Date 7-25-16

Date 7-25-16



SPONSOR Elliott / Kitcher

**ORDINANCE NO. 39-16**

AN ORDINANCE AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF JACKSON, OHIO AND HUBER TECHNOLOGY, FOR A ROTOMAT PERFORATED PLATE SCREEN AND PARTS, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Jackson sewer treatment plant is in need of repair to its filter screen; and

WHEREAS, the screen is a proprietary part and is available only through Huber Technology, a sole source letter is attached hereto, and, as such, cannot be sourced elsewhere and any other replacement product will void any warranty on the system now in place and there is no purpose to be served by requiring the purchase be submitted to bid nor is this a matter that is amenable to the competitive bidding process; and

WHEREAS, it is necessary that the City replace or repair the screen for the continued use of the City sewer system and that the ability to do so constitutes an emergency and this action is necessary for the immediate preservation of the public peace, health, and safety of the City.

THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JACKSON, STATE OF OHIO, as follows:

**Section One.** The Service Director is authorized to enter into an Agreement between the City of Jackson, Ohio, and Huber Technology, for the purchase of a Perforated Plate Screen in an amount not to exceed \$67,000 to be paid from line item 414-7525-53064.

**Section Two.** This Ordinance is hereby declared to be an emergency Ordinance necessary for the immediate preservation of the public peace, health, or safety of the City of Jackson, in that it is necessary to enter into this agreement as soon as possible. Therefore, this Ordinance shall go into effect upon passage and approval by the Mayor, as provided in Ohio Revised Code Section 731.30.

**Section Three.** In the event this Ordinance receives a majority vote for passage but fails to receive the required number of votes to pass as an emergency, then this Ordinance shall be deemed to have passed but with no emergency clause and shall take effect at the earliest time permitted by law.

**Section Four.** It is hereby found and determined that all formal actions of this Council relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that the deliberations of this Council that resulted in such formal actions, were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

PASSED AND ADOPTED by the Legislative Authority of the Political Subdivision on this 25<sup>th</sup> day of July, 2016.

  
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President of Council



ATTEST:

Sherry Barr  
Clerk of the Legislative Authority

Approved this 25<sup>th</sup> day of July, 2016.

Randy Heert  
Mayor

July 17, 2016

Mike Gambino  
Superintendent  
Jacksonville, OH  
Wastewater Plant

Subject: Sole Source Letter

Mike,

This letter serves as a sole source document for products manufactured by Huber SE, HydroPress Huber AB and Huber Picatech AG.

Huber Technology, Inc. based in Huntersville NC is the only vendor of ROTOMAT® Perforated Plate Screen and parts for the ROTOMAT® Perforated Plate Screen.

Replacements parts for the ROTOMAT® Perforated Plate Screen manufactured by Huber SE are unique in design based on more than 20 years of application experience. Material selection is critical for the life expectancy of these parts and your ROTOMAT® Perforated Plate Screen. The proper parts design and parts manufacture ensures the lowest possible life-cycle cost for your ROTOMAT®.

Huber Technology Inc. is a subsidiary of the original manufacturer, Huber SE and the only source for the parts in the United States and Canada. Any warranty on your ROTOMAT® membrane unit is void if non-factory parts are used.

To the best of our knowledge, no other vendor manufactures and distributes these or similar items. In addition to supplying spare parts for your ROTOMAT® Perforated Plate Screen, Huber Technology, Inc. also offers full service and repair services for your ROTOMAT® Perforated Plate Screen.

Please let me know should you need further details.

Yours faithfully,

Lindsay Barnes

Aftermarket Sales Specialist

Central Region US