

JACKSON CITY COUNCIL
Regular Session
March 28, 2016
7:00 p.m.

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

ROLL CALL

VISITORS

John Peters-Utility rates
John Cart-Garbage and Surface Water
Jerry Hollback-Garbage and Surface Water

APPROVAL OF MINUTES

March 14, 2016 Regular Session

COMMITTEE REPORTS

- Utility –Elliott (Chairman), and Foster and Odera
- Budget & Finance – Hensler (Chairman), Elliott, and Odera
- 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
March 14, 2016
7:00 p.m.
Regular Session

Jackson City Council met in regular session on Monday, March 14, 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 Mrs. Jones. 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

Brad Burnside from Jackson Area Festival & Events requested council approve certain streets be closed the 3rd full week of September for the years 2016, 2017, and 2018. See attached for the list of streets to be closed. Mr. Kitchen made a motion to approve the request for street closings, seconded by Mrs. Jones. In a voice vote, all members agreed.

APPROVAL OF MINUTES

Mr. Kitchen made a motion to approve the minutes from February 22, 2016 Regular Session, seconded by Mr. Hensler. In a voice vote, all members agreed.

COMMITTEE REPORTS

UTILITY

Mr. Elliott said the Utility Committee met on February 22nd to discuss several issues. The first one was the issue of utilities for the Apple Festival. He said the committee was satisfied with how the utilities are currently being billed. Currently they are charged a flat \$1500 fee for water, sewer, and garbage. There are 12 electric meters they are billed for.

He stated John Peters brought up the fact that citizens had not been properly notified in the past on how the utility costs are broken down. Mr. Kirby addressed this issue and said according to the current ordinance, there should be a breakdown of expenses given to customers. He said they should have this done by the end of the year. Mr. Kirby stated this information would come from an outside source. Mr. Sheward stated this was done years ago to satisfy an EPA loan, but they don't have that anymore. Mr. Kirby said if the ordinance states this, then it should be done. If it doesn't need to be done anymore, then they should amend the ordinance and take that part out.

Mr. Elliott stated the other issue that was discussed was the storm water fee. He said there was no response given to this idea, but he will continue to bring it up. He said this money would help maintain the creeks, storm water drains, and curbs. Currently there is no money available to do these things.

Mr. Queen stated some citizens are struggling to pay their bills now and they are talking about raising utilities, adding a storm sewer fee, and putting a levy on the ballot for the Memorial Building. They are going to have to stop somewhere, because people cannot afford this.

BUDGET & FINANCE-No report.

POLICE, FIRE, & TRAFFIC-No report.

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Mr. Foster commented there is a speeding problem on Ralph St. to Harris St. and Harris St. to Gay St. from 7-9 a.m. and 4-5 p.m. He said he would like to see 10 speeding and Stop sign violations before the next council meeting. Mayor Heath said he will talk to the Officers and let him know they need to patrol that area. Mr. Brown said there are more children in that area than there used to be.

Mr. Hensler asked if they could put speed bumps on Burlington Road where the speed limit changes. Another area is going out of town on South St. towards Hammertown Lake where the speed limit changes. Mayor Heath said he will set down with the Officers and see what they can do.

Mr. Queen stated the park side of Hammertown Lake has some holes that need patched.

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

Mr. Foster stated they had a Service Committee meeting prior to the council meeting to discuss the bid for windows for the Memorial Building.

CITY AUDITOR-No report.

LAW DIRECTOR-No report.

MAYOR

Mayor Heath wanted to remind everyone about the renewal Cemetery Levy that is on the ballot. They would really appreciate everyone voting "Yes" for this, since this is what is used to keep up the cemetery.

Recreation signups are underway. They have had about 100 in the first 2 signups. There will be 3 more signup sessions. March 15th, 6-8 p.m., March 21st, 6-8 p.m., and March 23rd, 6-8 p.m.

SERVICE DIRECTOR

Mr. Sheward said the sewer work on McCarty Lane should be done this week.

The bridges at Dickason and Huron streets are to be done this summer. Dickason St. bridge will be done first.

They are still having difficulty getting the guardrails done on the Harding Avenue bridge. The curved guardrail is causing a problem.

Mr. Sheward stated he was on an inspection with the State going over the roundabout on McCarty Lane. There are a few little issues that need be fixed. Mr. Brown stated there is a drain that is above the grade of the dirt on the south end of the roundabout.

Mr. Sheward said he spoke to Ted Witham of ODNR for the county regarding the vultures in town. He advised him they are not under ODNR, but under USDA. He contacted Thomas Butler of USDA and he said they are a winter congregation and should disperse when it gets warmer. He said they can scare them away, but they would just move somewhere else that might be more of a problem. He suggested waiting until about April and see what happens. Mr. Brown stated he noticed they are getting fewer as the weather is getting warmer.

Mr. Queen asked if they are putting taps in where they are putting in the new sewer lines. Mr. Sheward said only to the houses that are there. He said it is not hard to tap in if someone needs it in the future.

Mr. Queen asked if they are still pursuing the grant for the boat dock at Hammertown. Mayor Heath stated yes they are still looking into it.

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ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 13-16 "AMENDED"

AN ORDINANCE TO ENACT RULES AND REGULATIONS CONCERNING THE OPERATION OF GOLF CARTS INSIDE THE CITY OF JACKSON AND PENALTIES FOR THE VIOLATIONS OF SAID RULES AND REGULATIONS.

First Reading

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

Mr. Sheward said even though the ordinance doesn't have an "Emergency" clause, it would be nice to have it passed tonight since warm weather is approaching and people will be starting to use golf carts.

Mr. Brown asked if they could amend the ordinance to say in Section XXX.05 Special Festival Permit, "The Chief of Police or his designee may issue a special permit". This would be good in case the Chief of Police isn't available, then someone else can issue it.

Mr. Hensler made a motion to amend the ordinance to read, "Chief of Police or his designee", 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. 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-no

Ordinance No. 13-16 duly adopted as amended.

ORDINANCE NO. 14-16

AN ORDINANCE REPEALING AND REVISING ORD. 5-12 AND SECTION 945.03 OF THE CITY OF JACKSON CODE OF ORDINANCES SO AS TO INCREASE THE GARBAGE COLLECTION RATES FOR CUSTOMERS WITHIN AND OUTSIDE THE CITY LIMITS AND DECLARING AN EMERGENCY.

First Reading

Ordinance was not adopted the first time.

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The ordinance was revisited and Mr. Elliott made a motion to adopt the ordinance, seconded by Mr. Foster. In a voice vote, all of council was in favor except for Mr. Kitchen, Mr. Hensler, and Mr. Queen. In a roll call vote to adopt the ordinance, council voted as follows:

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

ORDINANCE NO. 15-16

AN ORDINANCE REPEALING AND REVISING ORD. 80-11 AND SECTION 945.031 OF THE CITY OF JACKSON CODE OF ORDINANCES SO AS TO INCREASE THE GARBAGE COLLECTION RATES FOR SENIOR CITIZENS WITHIN AND OUTSIDE THE CITY LIMITS AND DECLARING AN EMERGENCY.

First Reading

Ordinance was not adopted on the first reading.

Mr. Sheward spoke up and wanted to know where the money is going to come from for the new garbage truck and dumping fee. Mayor Heath stated the dumping fee basically tripled. Mr. Hensler suggested the Utility Committee have a meeting before they put an ordinance like this in the packet to be voted on. Mr. Brown said he has suggested in the past to have committee meetings first before bringing anything like this before council to vote on. Mr. Foster stated they had discussed the rate increase before then end of the year and thought they were going to have another meeting after that. Mr. Sheward said they talked about how much money they would need and that is what the increase will provide. Mr. Queen stated he felt the last truck they bought was too fancy. They need to check into leasing a truck.

Mr. Elliott asked if they can revisit the ordinances so they can at least bring it to the table for discussion.

Mr. Odera stated this was the first time he knew anything about these ordinances was when he picked up his packet. This was all discussed before he was elected to council.

It was agreed to set a Utility Committee meeting on Monday, March 21st at 7:00 pm. in Council Chambers.

Mr. Elliott asked that Council revisit Ordinance No. 14-16.

Mr. Elliott asked that Council revisit Ordinance No. 15-16 also.

Mr. Elliott made a motion to adopt the **Ordinance No. 15-16**, seconded by Mr. Foster. In a roll call vote, council voted as follows:

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

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ORDINANCE NO. 16-16

AN ORDINANCE REPEALING AND REVISING ORD. 6-12 AND SECTION 945.04 OF THE CITY OF JACKSON CODE OF ORDINANCES SO AS TO INCREASE THE GARBAGE COLLECTION RATES FOR BUSINESS CUSTOMERS WITHIN AND OUTSIDE THE CITY LIMITS AND DECLARING AN EMERGENCY.

First Reading

Mr. Elliott made a motion to adopt the ordinance, seconded by Mr. Foster. 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-yes

ORDINANCE NO. 17-16

AN ORDINANCE OF THE LEGISLATIVE AUTHORITY OF THE CITY OF JACKSON, OHIO TO ACCEPT THE BID OF CITY CONSTRUCTION CO., INC., AS IT WAS THE LOWEST AND RESPONSIVE BID SUBMITTED, FOR THE WINDOW REPLACEMENT PROJECT AND AUTHORIZE PAYMENT IN AN AMOUNT NOT TO EXCEED \$110,000.00 AND DECLARING AN EMERGENCY.

First Reading

Mr. Kitchen made a motion to adopt the ordinance, seconded by Mr. Elliott. In a voice vote all members agreed, with the exception of Mr. Ondera who voted no.

ORDINANCE NO. 18-16

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, OHIO TO ENTER INTO AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF JACKSON, OHIO AND JANICE L. MCKIBBEN TO OPERATE THE CITY CHIP OFFICE AND PROVIDE PROCESSING SERVICES AND TO DECLARE AN EMERGENCY.

First Reading

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

Mayor Heath stated the CHIP Program was overseen by Multicom previously, but they have discontinued their service. Jan McKibben has done a great job and needs to have a contract with the city. She has kept the program going. The money is coming from the same sources as it was before.

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

Mr. Ondera-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 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. 18-16 duly adopted.

ORDINANCE NO. 19-16

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

First Reading

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

Mayor Heath stated this is just appropriating the money so they can buy chemicals. The funds were inadvertently not included in the permanent budget for 2016.

RESOLUTION NO. 07-16

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF JACKSON OR HIS DESIGNATED AGENT TO FILE FOR AN APPLICATION WITH THE STATE OF OHIO FIRE MARSHAL FOR A GRANT FOR THE PURCHASE OF EQUIPMENT FOR THE JACKSON FIRE DEPARTMENT AND DECLARING AN EMERGENCY.

First Reading

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

Mr. Sheward stated this is a funding source they are applying for to purchase new equipment for the Fire Deparement.

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

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

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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-no

Resolution 07-16 duly adopted.

RESOLUTION NO. 08-16

A RESOLUTION AUTHORIZING EXPENDITURE OF FUNDS FOR PAYMENT TO BRENNTAG PURSUANT TO A "THEN AND NOW" CERTIFICATE IN THE AMOUNT OF \$6,424.59 AND DECLARING AN EMERGENCY.

First Reading

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

Mr. Reed stated they do not have record of receiving this invoice. It was supposedly e-mailed to them, but they did not receive it. It is a legitimate invoice. Brenntag shows it was sent on their end, but they do not know what happened.

Mr. Kitchen made a motion to suspend the rules, seconded by Mr. Ondera. In a roll call vote, 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. 8-16 duly adopted.

CORRESPONDENCE

JACKSON CITY COUNCIL

Minutes from

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7:00 p.m.

Regular Session

The Council Clerk read a Liquor Permit notice changing the name from SSC Stores Incorporated, dba Quick Stop to Seven South Stores Inc., dba Quick Stop. Mr. Brown stated if there were no objections, then it would be marked with no hearing needed and it would be approved.

OLD BUSINESS

Mr. Foster asked Mr. Sheward for an update on the burned house on Mound St. Mr. Sheward stated it is boarded up and the owner is going to remodel it.

NEW BUSINESS

Mr. Queen stated he feels if the utility rates are going up for the citizens, then they should be increased for the Apple Festival.

Mr. Brown asked for a moment of silence for Mr. Yelton, an employee of the city who passed away.

Mr. Queen made a motion to adjourn at 8:07 p.m., seconded by Mrs. Jones. In a voice vote, all members agreed.



Sherry Barr, Council Clerk



Eric Brown, Council President

Date 3-28-16

Date 3/28/16

To: City of Jackson

From: Jackson Area Festivals & Events

Date: 01/25/16

The Jackson Area Festivals & Events (a non-profit organization) respectfully request the follow streets sidewalk to sidewalk (including the sidewalks) for the 2016, 2017, 2018 years on the third full week of the month of September to put on the Apple Festival: Broadway St. From Walnut St. to Court St.; Pearl St. from Portsmouth St. to Church St.; Main St. from Portsmouth St. to Columbia St.; and the Church St. and Main St. intersection. Also the following streets are needed for Parade Line up on Wednesday and Saturday of the Festival: Broadway St. from Walnut St. to South St.; Broad St. from Portsmouth St. to Church St.; Portsmouth St. from Broad St. to South St.; Walnut St. from Portsmouth St. to Church St.; and Church St. from Walnut St. to the Alley between Coll Auto and Sperry Funeral Home. Jackson,Area Festivals & Events also request to reserve the Manpower Park (on Main St beside Walgreens) the Saturday of the Apple Festival to put on a Car show for the public. We thank you for your time and Consideration.

Service Director's Report

Ordinances 14, 15, 16-16

Garbage rate increase needed to cover the cost increases in dumping fees and purchase and finance of a new garbage truck over the next four years.

These fee increases, combined with increases in dumpster charges, will provide an estimated \$50,000 per year of additional income.

Ordinance 17-16

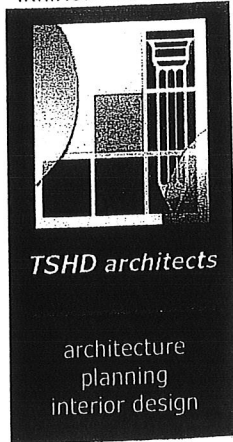
The City received bids from one (1) vendor, City Construction Co., Inc., for window replacement in the Memorial Building.

- General Contract \$58,500.00 (Front)
- Alternate 1 27,863.00 (West)
- Alternate 2 22,500.00 (East)

TOTAL \$108,863.00
Contingency 1,137.00

\$110,000.00 Line item #110-7750-54003

Recommend City Construction Co., Inc. as lowest and best bid.
Please add emergency clause.
See attached architect recommendation.



1010 Coles Blvd.
Portsmouth, Ohio
45662

p. 740.354.6621
f. 740.353.4322

March 3, 2016

Bill Sheward
Director of Public Service/Safety
City of Jackson Memorial Building
145 Broadway Street
Jackson, OH 45640

Re: Window Replacement - Memorial Building
Contractor Award Recommendation

Dear Bill:

We have reviewed the bid documents with City Construction Co., Inc. They assured us that they have included all of the work shown in the plans and specifications, and they are confident that their bid is adequate to cover all of the costs associated with the project, including prevailing wages.

They do not have any concerns about performing the work, nor do they have any concerns about the schedule. They have chosen to subcontract the lead paint abatement to Brock Industrial Services who will soon be applying for licensing in Ohio. See the attached letter from Brock.

City Construction has performed projects of similar scope and size for other public entities. I spoke with two former clients of theirs and they were both very satisfied and highly recommended City Const. I received a message from an Architect that had worked with them on previous projects and he was very complimentary of their work and attention to detail and highly recommended them also.

Their base bid of \$58,500.00 is well under the advertised estimate of \$95,000.00.

Based on the information we have received, we recommend that you award the contract, including both of the alternates if your budget allows, to City Construction Co., Inc.

Should you have any questions, please do not hesitate to call.

TSHD architects

Mark Holsinger, AIA, LEED AP BD&C
COO

Attachment

Mark E. Tanner (retired)
David F. Stone, AIA
Mark Holsinger, AIA
Kirk R. Donges, AIA