

JACKSON CITY COUNCIL AGENDA

June 26, 2017

7:00 p.m.

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

ROLL CALL

VISITORS

APPROVAL OF MINUTES

June 12, 2017 Regular Session.

COMMITTEE REPORTS

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

ORDINANCES AND RESOLUTIONS

CORRESPONDENCE

OLD BUSINESS

NEW BUSINESS

ADJOURN

JACKSON CITY COUNCIL
Minutes From
JUNE 12, 2017
7:00 P.M.
REGULAR SESSION

Jackson City Council met in regular session on Monday, June 12, 2017 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. Kitchen. The Prayer was given by Mr. Ondera.

Roll call was taken as follows:

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

Mr. Kitchen made a motion to excuse Jon Hensler from the meeting, seconded by Mr. Ondera. In a voice vote, all members agreed.

VISITORS

Gary Keller from Jackson Metropolitan Housing Authority spoke to council regarding the Cambrian's parking issue. He said he has been the Director of the Housing Authority for 31 years and a resident of Jackson for 66 years. They provide low income housing for 600-700 residents. About half of them are elderly or disabled. They operate the Jackson County CHIP Grant. Jackson MHA has spent well over a million dollars over the last 20-25 years maintaining the Cambrian in partnership with the City of Jackson. They work very closely with the Fire Department and David Channel. They installed an intercom system for all of the residents. They appreciate the Police Department and the help they provide the residents. In regards to the parking policy, one small portion of the city will be treated completely different than the rest of the city. It appears that from the Radio Station to the Cambrian all cars parked in that area will be under a 365 day year/24 hour day/3 hour limit policy. They believe this policy is unfair due to the following reasons:

1. The Cambrian, other than the Police Station, is the only entity that is open 24 hours a day, 7 days a week. It affects the disabled and elderly people who live at the Cambrian more than anyone else in that area. It is a very busy place with a lot of traffic.
2. The residents have relatives who come and visit and sometimes they need to stay with a resident for a few days if they are sick and need help. Some have home health aides who come to help them for several hours a day.
3. One of the residents asked if the some of the downtown has different utility rates than other residents or if someone gets a speeding ticket on one street is it different than on another street. They feel it should be fair treatment by the city in all areas.
4. If you park in front of Arch and Eddies or somewhere else, you can park there Saturday evening and leave it there until Monday morning and not be ticketed. If you do the same in front of the Cambrian, you will receive a ticket. The residents just want to be treated equally.

They feel the current policy of 2 hours is not really enforceable or fair, because some business employees park their cars there for long periods of time and do not receive a ticket. A suggestion might be to increase the 3 hour limit to a 5 hour limit during the 6 days of the business hours. This will make it easier for the

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Police Department to enforce the policy. It will also make it easier for people who need to park there for longer periods. Another suggestion would be to allow the businesses that are having an issue with the parking, to put up signs on a couple of spaces just for that business. He appreciated the time council gave him to speak.

APPROVAL OF MINUTES

Mr. Elliott made a motion to amend the minutes from May 22, 2017, to read on page 6, "Mr. Kitchen made a motion to suspend the rules". Mr. Kitchen seconded the motion. In a voice vote, all members agreed.

Mr. Elliott made a motion to approve the minutes as amended, seconded by Mr. Ondera. In a voice vote, all members agreed.

COMMITTEE REPORTS

UTILITY- No report.

BUDGET & FINANCE-No report.

POLICE, FIRE, & TRAFFIC-No report.

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

The Service Committee meeting minutes are in everyone's packets.

Mr. Foster said if the grant isn't awarded to the City for the playground equipment at Manpower Park, the city could go ahead and pay for it out of the Recreation Fund to get it done.

Mr. Foster said currently the bond for street repairs when they have to cut the streets to put in new lines, etc. is \$1,000.00. He feels this amount should be increased. The streets are not getting restored back to the way they were. Mr. Brown said he feels they should either put a time limit on when the hole is fixed or increase the bond amount. The city has to take care of the pot hole until it is paved by the company. The next meeting they will review the ordinance that addresses the issue. Mr. Ondera asked who keeps track of who is making the cuts and who is responsible for repairing it.

Mr. Queen asked if they could go ahead and order the slide for Manpower Park and then if the grant isn't awarded, they could go ahead and pay for it out of the Recreation Fund. Mr. Woltz stated that if they go ahead and order it before the grant is awarded, there is a good chance they would not get the money for it. The Purchase Order date would be before the grant would be awarded and that would be the problem. The money was to repair and replace the equipment, a sidewalk over to the Gazebo and over to the asphalt, and the water issue. Mr. Queen asked if they could go ahead and get a price on a slide. Mr. Kitchen asked if they could use some of the money to upgrade the shelter house. They can look into it, if the grant is awarded.

Mr. Woltz stated the shelter house at the pool might be torn down and a new one built in the Fall.

Mr. Kitchen stated at the last Service Committee meeting, they talked again about the deplorable houses and sidewalks, but no action was taken. He said they don't have to fear what is doing the best for the city, but they should fear not doing what is best for the city. Several council members have no opponents running against them the next time, but Mr. Ondera, Mr. Kitchen, and Mrs. Jones have several opponents. This problem still needs addressed. A deplorable property on Bennett Ave. is being torn down, thanks to

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the help of Mr. Hensler and Mr. Kitchen working with the owner on this. It will be torn down sometime this week. They are getting some things done even without an ordinance.

Mr. Queen stated people have the attitude that if the city can't keep up their own property, then why do they have to.

JAIL COMMITTEE-No report.

CITY AUDITOR

Mr. Reed stated the Rents and Right of Ways has been brought up several times since he has been Auditor. He said they met with the State Auditor on June 8th to get their thoughts on the issue. They gave them some ideas. They will set up a separate fund so they will have a clear trail to see how the money is spent. They will continue to do the 5 %.

LAW DIRECTOR-No report.

MAYOR

Mayor Heath said the hot weather is bringing people out to the pool. They had 200 in attendance today.

This year is the 50th year of the Eddie Jones Field. The anniversary is July 7th. They will try to do a little celebration for it.

They are hoping to hear soon about the Ohio Department of Natural Resources grant.

Mayor Heath stated he wanted to thank some important people who are helping the city look very nice this summer. The Kiwanis Club is taking care of all of the flowers up town. Barbie McCathren is doing a lot up town and working at the Gazebo to make it look very nice. Also, thanks to Deanna Boggs for helping Barbie. Mr. Queen asked if they could get the slide before the grant is awarded. Mayor Heath stated the same thing as before, that the grant would be null and void if they ordered the slide before the grant is approved. If the grant is not awarded, the city will do this project themselves and pay for it out of the Tree Harvest Fund.

SERVICE DIRECTOR-No report.

ORDINANCE NO. 19-17

AN ORDINANCE REPEALING AND AMENDING ORD. 41-99 SO AS TO REVISE SECTION 353.03 OF THE CITY OF JACKSON CODE OF ORDINANCES SO AS TO INCREASE THE TWO HOUR PARKING LIMIT ON E. MAIN STREET TO THREE HOURS AND TO MAKE THE PARKING RESTRICTION ALL DAY AND EVERY DAY ON E. MAIN STREET BETWEEN BROADWAY AND CHURCH STREETS.

Second Reading

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

Ordinance No. 19-17 Tabled.

ORDINANCE NO. 20-17

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AN ORDINANCE REPEALING AND AMENDING ORD. 37-92 SO AS TO REVISE SECTION 353.99 OF THE CITY OF JACKSON CODE OF ORDINANCES SO AS TO MODIFY THE PENALTIES AND ABILITY TO REMOVAL OF VEHICLES FOR PARKING VIOLATIONS.

Second Reading

Mr. Woltz stated it does address the 3-hour parking. They can address this at the next meeting. Mr. Kitchen asked if there something addressing parking in a handicap spot. It currently states a \$25.00 fine will be assessed. He feels it should be more than this.

ORDINANCE NO. 24-17

AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE UTILITY DISTRIBUTION SYSTEMS FUND AND DECLARING AN EMERGENCY.

First Reading

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

Mr. Reed stated this is for material for the new substation. He said if they buy the material now, it will save them about 20%. Mr. Woltz said they could just take a first reading tonight.

ORDINANCE NO. 25-17

AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE GENERAL FUND: MECHANICAL DEPARTMENT, CEMETERY FUND, AND WATER DISTRIBUTION 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.

Mr. Reed stated this is for retirements that are due to them from the city. One of them is owed out right now.

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

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

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

Ordinance No. 25-17 duly adopted.

ORDINANCE NO. 26-17

**AN ORDINANCE TRANSFERRING APPROPRIATIONS WITHIN THE COMMUNITY
IMPROVEMENT FUND AND DECLARING AN EMERGENCY**

First Reading

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

This is to replace the equipment that was stolen at the cemetery, so they don't have to wait until the insurance money is received.

Mr. Ondera 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-absent
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-absent
Mr. Queen-yes
Mr. Elliott-yes
Mr. Foster-yes

Ordinance No. 26-17 duly adopted.

ORDINANCE NO. 27-17

**AN ORDINANCE OF THE LEGISLATIVE AUTHORITY OF THE CITY OF JACKSON, OHIO
TO ACCEPT THE BID OF TAM CONSTRUCTION, INC. IN AN AMOUNT NOT TO EXCEED**

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\$59,232.00 FOR THE FLORENCE AVENUE LIFT STATION PROJECT AS IT WAS THE LOWEST AND BEST RESPONSIVE BID SUBMITTED 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.

Mr. Woltz stated this is for the Florence Avenue lift station forced main from the Heights. This has caused problems for years. It will go across to the new gravity lines. The bids were within \$5.00 of each other. They can possibly start on it in as soon as 3 weeks.

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

Mr. Odera-yes
Mr. Kitchen-yes
Mrs. Jones-yes
Mr. Hensler-absent
Mr. Queen-yes
Mr. Elliott-yes
Mr. Foster-yes

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

Mr. Odera-yes
Mr. Kitchen-yes
Mrs. Jones-yes
Mr. Hensler-absent
Mr. Queen-yes
Mr. Elliott-yes
Mr. Foster-yes

Ordinance No. 27-17 duly adopted.

ORDINANCE NO. 28-17

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 SECOND HALF OF 2017 IN AN AMOUNT OF \$12,069.42 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.

Mr. Brown stated this is the second half of the 2017 fees for Indigent Counsel.

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ORDINANCE NO. 29-17

AN ORDINANCE APPROVING REIMBURSEMENT TO RIGHT OF WAY FUND FROM THE ELECTRIC, WATER AND SEWER FUNDS FOR THE PERIOD OF JANUARY 1, 2017 TO JUNE 7, 2017 AND DECLARING AN EMERGENCY.

First Reading

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

Mr. Reed stated this is taking the same procedure until June 7th. Starting June 8th they are putting everything into a single account to have a better audit trail. This is the recommendation of the State.

ORDINANCE NO. 30-17

AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE ADVANCE OUT FUNDS PURSUANT TO THE RIGHT OF WAY REIMBURSEMENT PLAN 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.

Mr. Reed stated this is setting up the second half of the year. It is the 5% of the funds.

ORDINANCE NO. 31-17

AN ORDINANCE APPROVING AN ADVANCE TO THE RIGHT OF WAY FUND FROM THE ELECTRIC, WATER, AND SEWER FUNDS FOR THE PERIOD OF JUNE 8, 2017 TO DECEMBER 31, 2017 AND DECLARING AN EMERGENCY.

First Reading

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

Mr. Reed stated this is just an advance out, not spending it. You have to have paperwork to get the money out of the account. If it is not used, it will go back into the Utility Fund.

ORDINANCE NO. 32-17

AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE RIGHT OF WAY FUND AND DECLARING AN EMERGENCY.

First Reading

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

This is a companion to the previous three.

RESOLUTION NO. 11-17

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF JACKSON TO ENTER INTO AN AGREEMENT WITH THE JACKSON COUNTY BOARD ON AGING, INC., OWNER OF OUT LOTS 52 AND 53 IN THE CITY OF JACKSON, TO ACQUIRE TITLE TO SAID LOTS AND DECLARING AN EMERGENCY.

First Reading

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

Mayor Heath stated this is in conjunction with the Neighborhood Revitalization Grant. They met with the Senior Citizens Board and they are going to allot the city a section of their lot for a dollar to put in a playground and maybe a shelter house.

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

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

Resolution No. 11-17 duly adopted.

RESOLUTION NO. 12-17

A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR OF THE CITY OF JACKSON, OHIO TO EXECUTE THE FINAL RESOLUTION REQUIRED BY THE OHIO DIRECTOR OF TRANSPORTATION FOR COMPLETION OF THE MCCARTY LANE PROJECT AND DECLARING AN EMERGENCY.

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First Reading

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

Mayor Heath stated this is some of the final paperwork needed in order to get the McCarty Lane project started.

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

Resolution No. 12-17 duly adopted.

CORRESPONDENCE

The Clerk wanted to make all council members aware of the letter from Ms. McClaskey that was in their packets.

OLD BUSINESS

Mr. Queen stated he has been in contact with the owner of the property on Summit Street. Mayor Heath said he thought Mr. Sheward has been in contact with the owner also. They are working on trying to get something done.

NEW BUSINESS

Mr. Kitchen stated June 14th is Flag Day. It is the anniversary of when the Army was started in 1775. They are going to have a flag burning ceremony at the Depot. There a lot of flags to burn. It will be at 11:00 a.m.

Mr. Queen made a motion to adjourn at 8:06 p.m., seconded by Mr. Kitchen.

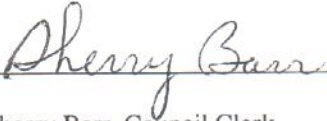
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Sherry Barr, Council Clerk

Date 6-26-17



Eric Brown, Council President

Date 6-26-17

Amendment

The rents and right of way issue has come up several times since I became City Auditor. It had been set up and used by previous administrations in different forms over the years. We had a meeting with the State Auditor's on June 8th to find out their thoughts and suggestions on the rents and right of way issues. The State Auditor's Office was very helpful. The ordinances you see tonight are to set up the rents and right of ways in an easy to follow form. Our goal is for it to be acceptable to the City of Jackson and the State Auditor's Office. As of the June 8th meeting date we will change the way we handle the rents and right of way money. The 5% right of way fee will now be placed in a right of way's fund and spent from there giving a clearer audit trail with better documentation for the expenditures.