

JACKSON CITY COUNCIL

April 10, 2017

7:00 p.m.

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

ROLL CALL

VISITORS

Joel Wood to discuss bike path.

APPROVAL OF MINUTES

March 27, 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
MARCH 27, 2017
7:00 P.M.
REGULAR SESSION

Jackson City Council met in regular session on Monday, March 27, 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. 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

APPROVAL OF MINUTES

Mr. Hensler made a motion to amend the minutes from March 13, 2017 to read "Mr. Brown stated he appreciated Mrs. Sexton and Mr. Woltz filling in for the two **members of Administration** that were absent," seconded by Mr. Queen. In a voice vote, all members agreed.

Mr. Hensler made a motion to approve the minutes as amended from March 13, 2017, seconded by Mr. Ondera. In a voice vote, all members agreed.

COMMITTEE REPORTS

UTILITY-No report.

Mr. Brown asked if the 5-year forecast was finished yet. Mr. Woltz stated it is almost finished. He hopes to have it done by the next meeting. They will set a Utilities Committee meeting as soon as it is complete.

Mr. Foster thanked Mr. Woltz for taking care of the resident with the high voltage problem, although the resident still wants a follow up to see if someone is checking on this to make sure it does not happen again. Some of this resident's neighbors had some issues also. Mr. Woltz can follow up with them again to make sure all questions have been answered.

BUDGET & FINANCE-No report.

POLICE, FIRE, & TRAFFIC

Mr. Hensler stated there is a Police, Fire, and Traffic Committee meeting set for 6:00 p.m. on April 10th to discuss the 2 hour parking situation. He hopes they can get this issue resolved.

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

Mr. Foster stated they had a committee meeting at 6:00 p.m. prior to the council meeting to discuss various subjects, such as blighted properties, etc. Nothing has been decided as of yet on a way to move forward with these problems.

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Mr. Brown stated he had received a complaint about people dumping trash at 500 Pattonville Road, right past Holzer Clinic. Mr. Hensler requested a "No Dumping" sign be placed here.

Mr. Hensler stated he had some calls regarding the railroad tracks on Dickason St. They are very rough. Mayor Heath said he would contact the railroad and have them fix it.

Mr. Hensler said Barbie McCathren had contacted him and asked if her organization could get enough bricks to go around the gazebo at Manpower Park. She wants to have a plaque made commemorating where the bricks came from. Mayor Heath stated he would let everyone know about the bricks as soon as he figures it out.

Mr. Ondera asked if the alley behind Family Dollar could be patched, since it will be used during the detour. Mayor Heath said they would see if that could be done.

Mr. Brown asked if they could put an illuminated sign at the railroad crossing on Athens St. It is very dangerous. They either need to get a different sign or put up the cross bar. Mr. Woltz said he would check on the status.

JAIL COMMITTEE

Mr. Ondera stated they had a jail meeting last Monday night. They are trying to set a meeting to go to Batavia to look at their facility. Mayor Heath said a tentative date is April 7th.

CITY AUDITOR

Mr. Reed said the Auditor's office moved over on Walnut St. They are all on ground level now. It is a very good set up. He thanked the city and everyone who helped.

LAW DIRECTOR-No report.

MAYOR

Mayor Heath stated they completed all of the signups for the summer recreational program. They will have around 350 kids. All of the teams have been picked except for a couple.

They are beginning the work on the pool with a new roof and foundation.

Mayor Heath said channel WOUB out of Athens did a documentary on the City of Jackson. It was a very good production. Evan Shaw did a very good job with it. He thanked WOUB and Director, Tom Hodson and everyone who helped. Mr. Reed stated they are going to do a series of these on different cities.

There will be a roundtable meeting to learn how to grow or start your business out at the OSU Extension Center on April 5th from 6:30-8:30 p.m.

Main Street hill will be closed for about 60 days starting today. Please do not forget the businesses in that area while the construction is going on.

Mayor Heath, Bill Sheward, and George Kitchen attended a meeting about possibly starting a Land Bank here in Jackson County. The County Commissioners will possibly meet tomorrow to discuss this. It is for houses that are in disrepair. It is a semi-private organization, but privately operated. It gives them the tools

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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-yes

Resolution No. 08-17 duly adopted.

CORRESPONDENCE-None

OLD BUSINESS

Mr. Queen said he had asked Mr. Kirby to request an opinion in writing from the Attorney General regarding the transfers from the Utility and Rents and Right of Ways Funds. He wants to know if it is legal. Mr. Brown asked him to put something in writing, which he passed out to council. He also attached copies of ORC 5705.14 and 5705.16 for council. Mr. Queen said it states in the ORC that as an Officer of the City, he can personally request the information. Mr. Kitchen stated he thought this had been taken care of several years ago. Mr. Queen said some things had changed since then. They changed it from transfer to reimbursement. Mr. Reed asked Mr. Queen what the ORC states is illegal. Mr. Queen stated "transfers". Mr. Reed asked if he looked it up or Mr. Peters. Mr. Queen stated he did. Mr. Reed stated the information is available to anyone at any time. They use the Maximus study to determine the amounts reimbursed. Mr. Reed wanted to know what his end game is.

Mr. Kirby stated this is a request for an opinion. He said it is only an opinion. Only a court can decide if the transfers are legal or not. The fallout from an opinion effects whether council can go ahead and do it. If you do it and have an opinion, then they are giving the appearance they are doing something wrong and what the State Auditors are going to do. An opinion is something that council may want to request. Mr. Brown stated they have been down this road before. The Law Director asked them to set their procedures, which they did. They have not had a problem with it. Mr. Reed stated the first time they questioned the transfers, the State told them they needed more documentation. That is when they started with the Maximus study.

Mr. Brown gave Mr. Peters a chance to speak. He said he was very upset that he was "called out" during the meeting where he cannot speak out. He said Mr. Queen does not need coached. He can do it himself. Mr. Peters stated the ORC states if the State finds the reimbursements illegal, Mr. Reed is responsible.

Mr. Elliott stated he looked up Fund Accounting. An Enterprise Fund can only spend the money in these funds for costs related to the business. They are talking about bills that are due from the Enterprise Funds to the General Fund. It is a cost of doing business. He feels comfortable they are doing it correctly.

Transfers have to go through the court. This process can only happen one time. Mayor Heath said the State Tax Commissioner has to approve it too.

Mr. Queen said he would like to start voting yes for this, if he had something in writing telling him it is ok to do so.

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Mr. Kirby stated he represents the city. What he is asking for is for them to go back retroactively and look at what council has already passed. It is legal unless a court order says otherwise.

Mr. Reed said if they said it is illegal, the State would take over. The State would run the city and determine the utility rates and everything. The State Auditor reviews the audits every year.

Mr. Kitchen stated the house that burned on Water St. is dangerous, because there is nothing to keep people out. Someone could get hurt. He would like a chain link fence put up around it until it is torn down.

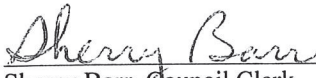
NEW BUSINESS

Mr. Kitchen stated someone had mentioned the new road on Main St. hill is being put over a 90-year old water line. Mr. Woltz stated they had looked at this and it is still in good shape, but he will have them check it again.

Mr. Kitchen stated the Service Committee is working on a strict ordinance to deal with blighted properties. Some of the stipulations of ordinance will be that it consist of a 3-person administration team to do a monthly inspection of the city and they will report to council. Council will then make comments and send it back to the city. Properties in violation will be sent a letter by mail or delivered by the police detailing the problems and will be given 30 days to fix them. If the repairs are not made by this time, they will be fined a minimum of \$10 per day. Mr. Kirby said they can publish names and properties as long as it they do it in a certain format and not target a certain person.

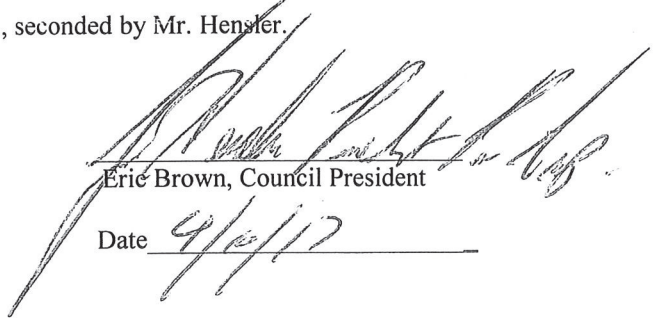
Mr. Reed apologized to Mr. Peters for his comments, which he would not accept. Mr. Reed asked him if he was against Rents and Right of Ways. Mr. Peters stated he is against anything that makes the utility rates higher for the citizens. Mr. Peters stated Mr. Reed is afraid of something and he stated he would find out what it is. He stated he is for the good of the city.

Mr. Elliott made a motion to adjourn at 8:14 p.m., seconded by Mr. Hensler.



Sherry Barr, Council Clerk

Date 4-10-17



Eric Brown, Council President

Date 4/10/17