

JACKSON CITY COUNCIL AGENDA

Regular Session

November 27, 2017

7:00 p.m.

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

ROLL CALL

VISITORS

The following visitors will be speaking in regards to the Portsmouth Gaseous Diffusion Plan landfill.

John Markley
Scott Massie –Geiger Brothers
Greg Simonton-Fluor BWXT
Gary Workman - Insolves

APPROVAL OF MINUTES

November 13, 2017 Regular Session and November 20, 2017 Special 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
NOVEMBER ~~30~~¹³, 2017
7:00 P.M.
REGULAR SESSION

Jackson City Council met in Regular session on Monday, November 13, 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. Foster. 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-absent
- Mr. Foster-present

Mr. Hensler made a motion to excuse Mr. Elliott, seconded by Mr. Foster. In a voice vote, all members agreed.

VISITORS

John Markley spoke to council regarding the possible landfill at the Piketon Gaseous Diffusion Plant. Mr. Markley said he would not rehash what Ms. Lamerson said last week. He was educated in Chemical Engineering at Ohio University and practices Chemical Environmental Engineering here. He said many people have died as a result of the chemicals in this facility. Someone asked what benefits does the community have in making the landfill here. It benefits DOE because it saves them money. Mr. Markley said even the DOE says taking the waste off site would be the best long term solution. DOE says it is too dangerous to ship waste off site. He said they have put a price on everyone's lives, saying everyone is disposable. He would ask council to vote for the resolution that is for a total cleanup of the site, so the community can have something to be proud of.

Joel Bradburn with the DOE said he lives in Chillicothe and has a family. He said if he thought they were doing something wrong, he would not be part of it. Mr. Bradburn is on the cleanup part of the site. The cleanup is driven by regulation. They can fix the site up for optimum use in the future. They have shipped a lot of material already away from the site.

You can connect to the national grid in 5 independent locations. It has its own water and sewage departments. It is an incredible infrastructure. That is how they integrated the community and that is where there was a conditional acceptance. Consolidation landfills and plumes was the only way anybody was interested in having an onsite disposal.

Mr. Hensler made a motion to let Mr. Bradburn continue speaking, seconded by Mr. Queen. In a voice vote, all members agreed.

Mr. Bradburn invited everyone to visit the site. They still have the presence of security due to classified information still at the facility. Safety is part of their culture at the site. They have to prepare a report annually. They work with the high schools in the area and put the reports in their own words.

Mr. Queen asked why they are not hauling it off to another site. Mr. Bradburn said there is a lot of material and it is very costly. About \$.70/\$1.00 goes to transporting it. After the cleanup is finished, it will be turned over to Legacy Management who will monitor the site. Mr. Ondera asked if this is already underway and he said yes it is. Mr. Ondera asked if any offsite material can be brought in. Mr. Bradburn

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said no, just the waste at Portsmouth. There are restrictions on what can be put in the disposal site. The bulk of material is building rubble. Mr. Brown asked why aren't they recycling a lot of the building material. Mr. Bradburn said they do recycle what they can and SODI takes the money they get and gives it back to the commerce community.

Dr. J. D. Chu, Director of Remediation at the site, said his job is to find a safe way to dispose of the material. They have researched to find the best location and the best kind of structure to hold the material. People want to know the acceptance waste criteria. He passed out a sheet to show this. They have been the biggest shipper in the last 5 years. He has been working to clean up radioactive waste since 1988. He said this is at least an option they have to clean up the site.

APPROVAL OF MINUTES

Mr. Hensler made a motion to approve the minutes from October 30, 2017 Regular session, seconded by Mr. Foster. In a voice vote, all members agreed.

COMMITTEE REPORTS

UTILITY

Mr. Foster said there will be an ordinance presented tonight to award the contract for the site work for the new substation.

Mayor Heath said last month the cost of electric was about 2/3 generation and 1/3 transmission by AEP. AEP has been granted a request to increase their transmission cost by 28%. This will have an affect on our electric cost.

Mr. Sheward informed everyone that AEP will be increasing transportation charges for electric by 28%. This will be \$3.03 on top of the \$91.50 cost. The Federal Electric Regulation Comission granted it. This will affect everyone starting 1-1-18.

BUDGET & FINANCE

Mr. Kitchen said they are ready for the budget. Mayor Heath said they cannot do anything until they see if the transfer is approved.

POLICE, FIRE, & TRAFFIC-No report.

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

Mr. Foster said people are parking along the cemetery on Gay Street. He said maybe they can put some posts up to help this issue.

Mr. Foster wanted to know the status of the Bocce Court. Mayor Heath said they are going to do away with the sand valleyball court. They will put in a new shelter house here and part of it will be the Bocce Court. They are going tear down the old shelter house to make more parking.

The timer needs changed on the basketball court.

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Mr. Hensler said there were some headstones moved around at Fairmont Cemetery when they were mowing. This needs to be addressed.

JAIL COMMITTEE-No report.

CITY AUDITOR

Mr. Reed said the transfer has not been approved yet. If it goes through, it will make the General Fund for next year within \$100,000. Starting 2019 there will not be a carryover. There will be a \$1.8 million carryover this year if the transfer goes through.

He said if they were to get a city income tax, the first year they would only get about 40% return.

They cannot do the budget until they know if the transfer is going to go through or not.

If the transfer is done this year, it should leave us about \$4,000,000 in the Electric Fund.

Mr. Queen asked how much they are required to keep in the Electric Fund. Mr. Reed said he was not sure, but they are in their requirement.

LAW DIRECTOR

Mr. Kirby said they are close to the 10 days to here from the Tax Commissioner. He said he gave everyone a letter of items they are requesting before they make a decision.

Mr. Kitchen said he would like to have Mr. Kirby's opinion of ORC 735.02. He wants to know if they are held to the ordinances and what they say. Mr. Kitchen wants to know if they are held to state laws. Mr. Kirby said it depends on funding. Mr. Kitchen wants to know if the Mayor and Service Director are responsible for keeping up the buildings, sidewalks, etc. He said it states the duties of Mayor and Service Director, but it does not impose on him a certain obligation that he has to maintain buildings to a certain standard. He is not violating a state law if he doesn't meet a certain standard.

MAYOR

Mayor Heath said he would follow up on some of Mr. Reed's points. They need to address 2019 now and not wait until then. If the Tax Commissioner does not approve the transfer, the city will be hurting. Mr. Reed said it takes about 3 years to get full return on an income tax.

Mr. Reed said you are required to have 6 months of operating expenses in the Electric Fund, not including purchased power.

Mr. Kitchen said he is not against an income tax, as long as council has more input on the budget and they have a line item budget for the General Fund.

Mayor Heath said they can get a line item budget. They have gone over it line by line with council the last few years, so he doesn't know why Mr. Kitchen says they have to input. Mr. Reed said it is council's responsibility what they do with the budget. Mayor Heath said they need to have a Budget and Finance Committee meeting to plan for the city's future financial situation. Mr. Queen said if they had put an income tax on the ballot for the Police Dept. only, it should have been on the November ballot.

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Mr. Reed said it doesn't matter if you cut in all departments of the city or not, it still doesn't move the money to the General Fund. The General Fund is mainly paying for the Police Dept. There are 3 ways to get money into the General Fund:

The transfer they are trying to do currently.

Cost Allocations which are charges allowable by the State.

Rents and Right of Ways charging the funds for use of the city property. By ORC, it should be used to maintain city property.

Mr. Kitchen brought up about Ordinance 67-09, which left out everything about the Police Dept. It did say it was for the maintenance of the streets, sidewalks, etc. Mr. Reed said this ordinance was set up to keep the Police Dept. going and their reasoning was the Police Dept. helps maintain the city's property and right of ways. It has been done this way for 8 years and was never a problem. The State said they would rather they do it through the Maximus study. The State said they could transfer the money up to a certain point, but not after that.

Mr. Kitchen said when the Budget and Finance meeting is scheduled, state that it is for any and all items pertaining to the budget. The meeting was scheduled for Monday, November 20th at 7:00 p.m.

SERVICE DIRECTOR

Mr. Sheward stated there is a request from Devon Lloyd for a new water meter service at 3590 Mount Zion Rd. Mr. Ondera made a motion to approve the request, seconded by Mr. Hensler. In a voice vote, all members agreed.

There was a Public Hearing to discuss a Planning Commission proposal. Mrs. Jones said the zoning change is for property located on Veterans Drive. It was requested by Robert McCarty. The change is from Agricultural to Industrial. Bob Sturgill was against the change. Twelve letters were sent out to residents in the surrounding area. Mr. Sturgill stated his concern was due to the crime in the area. There will be lights and cameras up to help with this. It is going to be an impound lot. The change is actually to Commercial. Mr. Ondera asked Mayor Heath if they could increase the security in that area. Mayor Heath said there are also people walking along the railroad tracks, which is illegal. So they need to watch this also. Mr. Ondera made a motion to approve the change, seconded by Mr. Kitchen. In a voice vote, all members agreed.

ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 57-17

AN ORDINANCE OF THE LEGISLATIVE AUTHORITY OF THE CITY OF JACKSON, OHIO TO ACCEPT THE BID OF ALLARD EXCAVATION, LLC, AS IT WAS THE LOWEST AND BEST RESPONSIVE BID SUBMITTED, FOR THE EXCAVATION PORTION OF THE JAMESTOWN SUBSTATION PROJECT AND AUTHORIZE PAYMENT IN AN AMOUNT NOT TO EXCEED \$381,559.78

First Reading

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

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Mr. Sheward said bids came in lower than expected. They are having to spend a little more due to fatty clay. AEP will pay about \$64,000 of the cost. They are hoping to complete the project by February.

Mr. Hensler asked if the city owns the property this is on and Mr. Sheward said yes. They will deed part of it to AEP for the part their equipment sits on.

Mr. Foster 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-no
Mrs. Jones-yes
Mr. Hensler-yes
Mr. Queen-no
Mr. Elliott-absent
Mr. Foster-yes

Mr. Sheward said this project has been going on for a long time and doesn't understand why they are not passing it. Mr. Queen said he doesn't like passing legislation on the first reading.

ORDINANCE NO. 58-17

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

First Reading

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

Mr. Reed said he would prefer just taking a first reading on this.

ORDINANCE NO. 59-17

AN ORDINANCE TRANSFERRING APPROPRIATIONS FROM THE WATER, SEWER, GARBAGE, AND ELECTRIC FUNDS TO THE GENERAL, COMMUNITY IMPROVEMENT AND ELECTRIC FUNDS FOR REIMBURSEMENTS IN ACCORDANCE WITH THE MAXIMUS COST ALLOCATION STUDY AND DECLARING AN EMERGENCY.

First Reading

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

Mr. Reed said the Maximus study was re-calculated this year. You will need it for the budget.

Mr. Reed said this cannot be passed without Ordinance No. 60-17.

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ORDINANCE NO. 60-17

AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE WATER FUND: REIMBURSEMENT SERVICES & MATERIALS AND SEWER FUND: REIMBURSEMENT SERVICES & MATERIALS 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.

This is a companion to Ordinance No. 59-17.

RESOLUTION NO. 19-17

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ACCEPT A DONATION OF A 2013 FORD F-250 SUPER CREW PICKUP TRUCK FROM THE JACKSON FIREFIGHTERS ASSOCIATION.

First Reading

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 Firefighters Association is providing this equipment for use.

RESOLUTION NO. 20-17

A RESOLUTION TO OPPOSE THE CONSTRUCTION OF AN ONSITE WASTE DISPOSAL FACILITY AT THE US DEPARTMENT OF ENERGY'S PORTSMOUTH GASEOUS DIFFUSION PLANT IN PIKETION, OHIO.

First Reading

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

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

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RESOLUTION NO. 21-17

A RESOLUTION AUTHORIZING EXPENDITURE OF FUNDS FOR PAYMENT TO BRENNTAG PURSUANT TO A "THEN AND NOW" CERTIFICATE IN THE AMOUNT OF \$3,117.75 AND DECLARING AN EMERGENCY.

First Reading

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

Mr. Sheward said this is for aluminum sulfate for use in the Sewer Dept. They ran short of money. This invoice needs paid.

Mr. Hensler 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-absent
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-absent
Mr. Foster-yes

Resolution No. 21-17

RESOLUTION NO. 22-17

A RESOLUTION AUTHORIZING EXPENDITURE OF FUNDS FOR PAYMENT TO THE TREASURER OF THE STATE OF OHIO PURSUANT TO A "THEN AND NOW" CERTIFICATE IN THE AMOUNT OF \$3,754.07 AND DECLARING AN EMERGENCY.

First Reading

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

Mr. Sheward said they deposited \$80,000 to cover the Harding Ave. bridge project. They received a bill last week. They are paying 20% of the excess charges.

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

Resolution No. 22-17 duly adopted.

CORRESPONDENCE

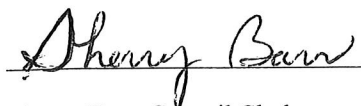
The clerk said she received a notice from the Department of Commerce stating the liquor licenses will expire February 2018. There will be renewal notices sent out soon.

OLD BUSINESS

Mr. Queen requested a copy of Ordinance 11-93 to be given to all council for the next meeting.

NEW BUSINESS

Mr. Hensler made a motion to adjourn at 9:01 p.m., seconded by Mr. Ondera. In a voice vote, all members agreed.



Sherry Barr, Council Clerk
Date 11-27-17



Eric Brown, Council President
Date 11-27-17

Waste - What Stays, What Goes?

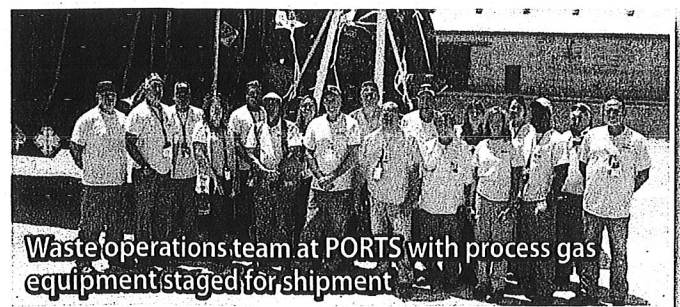
The Records of Decision and the Ohio EPA approved waste acceptance criteria (WAC) establish the proper disposal path for each waste stream from the project. All items for on-site disposal must meet the WAC.

D&D Waste Streams

Waste Inventories	Off-site Disposal	On-site in OSWDF
Depleted uranium oxides from DUF6 Conversion Facility	✓	
Natural and enriched uranium in cylinders	✓	
Legacy Inventories of containerized hazardous waste	✓	
Pure uranium compounds from Fernald and other sources	✓	
Refrigerants, acids, lab chemicals, bulk chemicals, oils	✓	
Compressed gas cylinders (chemical)	✓	
Empty Uranium (UF6) cylinders		✓
Highly enriched uranium compounds removed from processing systems	✓	

Soils, Plumes & Landfills	Off-site Disposal	On-site in OSWDF
Contaminated soil (exceeding soil cleanup levels)		✓
Chemically contaminated soil excavated from plumes following any required treatment		✓
Soil and debris meeting WAC exhumed from old landfills		✓
Materials excavated from landfills not meeting WAC (batteries, bulk liquids, etc.)	✓	

Demolition Waste	Off-site Disposal	On-site in OSWDF
Process gas equipment from higher enriched operation (X-326)	✓	
Process gas equipment from lower enriched operations (X-330 & 333)		✓
Nickel bearing materials from lower enrichment equipment (X-330 & 333)	✓	
Bulk organic materials like wood pallets and telephone poles	✓	
Specific regulated building debris including accessible fluorescent light bulbs, batteries, circuit boards (recoverable), etc.	✓	
Non-contaminated spare parts, wire, equipment	Recycle	
Non-contaminated office waste and debris	✓	
Debris from buildings and support facilities including piping, wiring, structural steel, transite, etc.		✓
Size reduced metal shells from equipment segmented for volume reduction and nickel recovery		✓





**Department of
Taxation**

Tax Equalization
30 East Broad St.
Columbus, Ohio 43215
(614) 466-5744 Fax (206) 984-1951
tax.ohio.gov
Equal Opportunity Employer

November 13, 2017

Joseph D. Kirby
Attorney for City of Jackson
227 E. Main Street
Jackson, Ohio 45640

Re: City of Jackson Fund Transfer Petition

Dear Mr. Kirby,

This department received your petition on November 8, 2017, regarding the City of Jackson's petition for the transfer of funds pursuant to R.C. 5705.15 - 5705.16. Upon review, the Tax Commissioner needs the following additional information:

1. What are the rates the City of Jackson has charged to consumers (include residential, commercial, etc.) for electricity for each of the past 10 years?
 - a. Please include copies of any ordinances that authorize the rates.
2. Please include any mandatory fees for electric service charged to consumers (include residential, commercial, etc.), as well as the frequency of these fees.
 - a. Please include copies of any ordinances that authorize these fees.
3. When is the last time that the City transferred money from the Electric Fund to any other fund?
4. Please provide a copy of the ordinance establishing the Electric Fund, any other ordinances from the last 10 years that affect the Electric Fund, and the ordinances supporting the annual payments for rent and right-of-way for the last 10 years.
5. You stated in your application that the City has been in a state of fiscal caution, watch, or emergency. Please provide details about the key issues that caused the city to enter a state of fiscal watch in 2002-2005.
6. Does the city have a policy on utility enterprise cash reserves? If so, please provide a copy.
7. Are you the sole provider of electricity for the City of Jackson? If no, who are the other provider(s) and what percentage of residential and commercial entities in the city of Jackson have another electric provider option?
8. Please explain your rate structure and provide sample residential and commercial electricity bills with identifying information redacted.

Please send this additional information to me at your earliest convenience via email at jacqueline.werman@tax.state.oh.us, or fax the information to my attention at (206) 984-1951. If you have any questions, please contact me at (614) 466-4959.

Robin Poetker

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From: Devon Lloyd [lloydboring@yahoo.com]
Sent: Monday, November 06, 2017 5:21 PM
To: rbissell@jacksonohio.us
Subject: Request for a new water service.

I am writing this email to request a new water meter service at 3590 Mount Zion Rd. If you need anymore information or have any questions you can reach me at 740-418-2563. Thanks, John Lloyd

Sent from Mail for Windows 10