

JACKSON CITY COUNCIL AGENDA

Regular Session

January 22, 2018

7:00 p.m.

Call to Order..... President Brown

Pledge of Allegiance..... Mr. Queen

Opening Prayer..... Mr. Hensler

ROLL CALL

VISITORS

Randy Evans to speak about City Employees and Police Contract.

APPROVAL OF MINUTES

January 8, 2018 Regular Session and January 16, 2018 Special Session

APPROVAL OF MONTHLY AUDITOR'S REPORT

December 2017

COMMITTEE REPORTS

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

ORDINANCES AND RESOLUTIONS

CORRESPONDENCE

OLD BUSINESS

SIGNED IN VISITORS TO SPEAK

NEW BUSINESS

ADJOURN

JACKSON CITY COUNCIL  
*Minutes From*  
JANUARY 8, 2018  
7:00 P.M.  
REGULAR SESSION

Jackson City Council met in Regular session on Monday, January 8, 2018 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. Aldrich. The Prayer was given by Mr. Hensler.

Roll call was taken as follows:

- Mr. Ondera-present
- Mr. Kitchen-present
- Mr. Aldrich -present
- Mr. Hensler-present
- Mr. Queen-present
- Mr. Elliott-present
- Mr. Foster-present

#### VISITORS

Reverend Terry Williams a Pastor of a church in Chillicothe spoke in favor of the resolution for the landfill at the Gaseous Diffusion Plant in Piketon. He said there have been many misstatements and errors in the documentation. He said we will be the ones who will bear the risk if the landfill is built. There will not be an option to have industry there if the landfill is built and fails. He is supporting the resolution that is against the landfill being built.

Gregory Kempton, Mayor of the City of Waverly also spoke against the landfill. The EPA sought another opinion. There is nothing definitive in any of the reports. It is very expensive to ship all of the debris offsite, so the cheaper way is to put it in the landfill. Approving the resolution will help to give leverage in the decision to reopen the record.

Scott Massie stated he is a resident of Jackson. He feels the best path forward is the current and best plan. The points in opposition are well taken. He said this is a billion dollar project, it is not a dump. It is very well designed. He said it is time to bring closure to the facility. Mr. Kitchen made a motion to extend Mr. Massie's time, seconded by Mr. Hensler. In a voice vote, all members agreed. Mr. Massie said the completion date to keep it onsite would be 2038. If they move it offsite, it will take a lot longer. He invited everyone to take a tour and get an idea of the scope of the project.

John Peters stated he is a resident of Jackson. He commented on some recently passed legislation. Ordinance No. 58-17 transfer out of funds in the amount of \$751,914.25.  
Ordinance No. 31-17 transfer out of funds in the amount of \$751,914.26.  
Resolution No. 15-17 the amount was \$751,914.25. It is just a penny difference, but it is a lack of attention on everyone's part.

Ordinance No. 32-17 says Right of Way Fund.  
Ordinance No. 71-17 says Right of Ways Fund. Are these 2 separate funds?  
Ordinance No. 74-17 says Right of Way Advance Out Fund.  
Ordinance No. 73-17 says Right of Ways Fund. Are all of these the same fund?

Ordinance No. 75-17 says Edwin Jones Fund.  
Ordinance No. 76-17 says Eddie Jones Investment Fund. Same fund numbers. Were there 2 transfers?

Ordinance No. 75-17 says Lillian Jones Museum Fund.  
Ordinance No. 77-17 says Lillian Jones Museum Trust Fund.

# JACKSON CITY COUNCIL

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REGULAR SESSION

Resolution No. 15-17- There was an amendment to the resolution to add the revised petition. No mention about amending the word "cemetery" in the minutes. It was crossed through and the word "city" written in.

Resolution 23-17 – This resolution was to accept the donation of Christmas decorations from the Jackson Area Chamber of Commerce. The Ohio Constitution strictly prohibits a municipality from supporting a private organization. The city took on debt of a private organization. What were the items worth? Now they have accepted the debt of taking the decorations down and putting them back and storing them and the citizens have lost the ability to say who is paying for the electricity for all of them. The Emergency Clause said it needed to be added to the insured property of the city in the event of a loss. Mr. Peters said how can it be added when you don't know what they are worth. They also left one of the decorations off the list. He asked that everyone pay a little more attention when they are voting on things.

Phil Howard spoke regarding the City Income Tax. He said what he was about to say was not an indictment against the Police Department, but more a judgement or perception of the Administration and the City's leadership. He said the Sheriff's Department has budget of \$670,000 and serves 33,000 people and the Police Department has a \$2.4 million budget and serves about 6,000. Mr. Howard said the budget for other cities about our size also have a smaller budget. He said the 1995-2000 audit stated the transfer from the Utility Fund to the General Fund was illegal. He said if they want to pass the income tax, they need to make a promise to the citizens, that if the income tax passes then they will lower utility rates. Mr. Howard said the timing of the raises that were given and the proposed police contract with 3% raises in 2 out of 3 years does not look good. He said Council and Administration need to be more fiscally responsible.

Mr. Reed pointed out that he has not had a raise.

Mr. Queen stated he has voted against the transfers just about every year.

## **APPROVAL OF MINUTES**

Mr. Hensler made a motion to approve the minutes from December 27, 2017 Regular Session and December 28, 2017 Special Session, seconded by Mr. Elliott. In a voice vote, all members agreed.

Mr. Brown stated he passed out the new 2018 committee assignments.

He also said they need to rehire the Sherry Barr as Council Clerk. The Clerk had asked how she is supposed to be paid for extra meetings and the time of preparing the minutes for these. Mr. Queen said they need to look at the ordinance to get clarification on this.

Mr. Kitchen made a motion to rehire Sherry Barr as Council Clerk, seconded by Mr. Elliott. In a voice vote, all members agreed.

Mr. Hensler asked for a breakdown on the \$4 million AMP purchase that was listed in the December 27<sup>th</sup> Board of Control minutes. Mr. Sheward said that was for more than one purchase.

## **COMMITTEE REPORTS**

**UTILITY**-No report.

Mr. Foster asked if there is any update on the AEP site. Mr. Sheward said it is shut down for the winter.

**BUDGET & FINANCE**-No report.

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Mr. Elliott said when the carryover is known by the Auditor's office, they can look at a permanent budget proposal.

Mr. Elliott said they have to have an income tax and they will also have to make cuts. He said if a new Mayor is elected, maybe they could have the option of working part-time for \$25,000.00 or full-time for \$50,000.00. This is something to consider.

**POLICE, FIRE, & TRAFFIC**

Mr. Hensler stated they held a Police, Fire, & Traffic committee meeting to discuss the Police contract. The majority of the people at the meeting were in favor of either keeping the current contract for another year or accepting the new contract for a year with the 0% increase and then re-negotiating at the end of the year. Mr. Hensler asked Mr. Kirby if they can either table the ordinance or vote it down. Mr. Kirby said they can do either one.

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

Mr. Foster said he had asked for a couple more "No Parking" signs to be put on Gay Street, but he hasn't seen them yet. People are still parking there.

He said Ed Henderson called him regarding the cemetery lots that had been discussed previously and Mr. Foster told him Mr. Sheward stated they weren't to that point yet.

Mr. Sheward said the Historical Society is going to get a plaque for Anthony Coyan to put up in Jamestown Cemetery. The city employees will install it.

Mr. Ondera asked about the area of freezing water across from the Middle School football field. He said it can be hazardous. Mr. Sheward said it comes from private lines. He said there is a small period of time it freezes.

**JAIL COMMITTEE-No report.**

Mr. Queen said they are building a new jail in Lancaster and thought they could see how they are funding it. Mr. Ondera said they have been there and they are funding it with casino money.

**CITY AUDITOR**

Mr. Reed said the answer to Mr. Hensler's question he had regarding the AMP purchase was that it was a Purchase Order. It was for several months. It is to have money in place to buy power.

Mr. Reed said on the question about the Clerk's wages, there is a rate set for extra time. Mr. Brown said he signs off on her timecard. Mr. Reed said it is up to Council how they want her to proceed with it.

**LAW DIRECTOR-No report.**

Mr. Queen asked Mr. Kirby about the wording in the contract where it talks about laying off across the board. Mr. Kirby said he emailed a response to his question. He said it is to be broken down across the departments that are paid out of the General Fund.

**MAYOR**

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The Mayor gave his State of the City speech which is attached.

Mr. Queen asked if we get any Sales Income Tax. Mayor Heath said they get about \$200,000.00. This goes into a separate dedicated account. It is called the Community Improvement Fund. Mr. Sheward said it is the only source of funds to do the match for some of the grants.

**SERVICE DIRECTOR**

Mr. Sheward said they have had some mess due to flooding since it is warmer. Take caution for the city employee when they are out working.

He passed out a corrected Police Contract.

Mr. Queen stated in the past he has said he will not vote on any ordinances that do not go three readings or any that are brought the same night as the first reading. They must be given to him at least 48 hours before the meeting.

**ORDINANCES AND RESOLUTIONS**

**ORDINANCE NO. 64-17**

**AN ORDINANCE REPEALING AND AMENDING ORDINANCE 11-93 SO AS TO REVISE THE RULES OF ORDER GOVERNING THE COUNCIL OF THE CITY OF JACKSON, SPECIFICALLY, RULE 2 AS IT GOVERNS THE MANNER BY WHICH PERSONS MAY BE HEARD BY COUNCIL.**

**Third Reading**

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

Mr. Queen made a motion to amend the day from Tuesday to Thursday, seconded by Mr. Kitchen. In a voice vote, all members agreed.

Mr. Ondera-yes  
Mr. Kitchen-yes  
Mr. Aldrich-yes  
Mr. Hensler-yes  
Mr. Queen-yes  
Mr. Elliott-no  
Mr. Foster-no

Ordinance No. 64-17 duly adopted.

**ORDINANCE NO. 67-17**

**AN ORDINANCE AUTHORIZING THE MAYOR OR SERVICE DIRECTOR OF THE CITY OF JACKSON TO ENTER INTO AN AGREEMENT WITH THE TEAMSTERS LOCAL UNION 637, THE BARGAINING UNIT FOR THE JACKSON POLICE OFFICERS, AND TO EXECUTE THE CONTRACT BETWEEN THE CITY AND TEAMSTERS LOCAL UNION 637 AS REQUIRED AND DECLARING AN EMERGENCY.**

**Second Reading**

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Mr. Queen made a motion to table the ordinance, seconded by Mr. Kitchen. In a roll call vote to table the ordinance, council voted as follows:

Mr. Ondera-no  
Mr. Kitchen-yes  
Mr. Aldrich-no  
Mr. Hensler-yes  
Mr. Queen-yes  
Mr. Elliott-no  
Mr. Foster-no

**Motion to able has failed.**

Mr. Reed asked if it is on the timeframe since it has been seen by council. There is a period of time that it has to be acted on. Mr. Kirby said if they don't act on it in the period of time, it could go into effect. Mr. Kirby will check on the dates of when the time started. Mr. Brown said they can call a Special meeting if they need to.

**ORDINANCE NO. 68-17**

**AN ORDINANCE OF THE LEGISLATIVE AUTHORITY OF THE CITY OF JACKSON, OHIO TO REQUIRE AUTHORIZATION OF THIS BODY FOR EXPENDITURES BY THE SERVICE-SAFETY DIRECTOR THAT EXCEED \$25,000.**

**Second Reading**

Mr. Elliott asked if when they are looking at the budget and there is a \$25,000 truck and they approved it to be purchased, why would they need to approve it again? Mr. Kitchen said it would give them a chance to review it again and see how finances are at the time, then they can decide if it still needs to be purchased.

Mr. Kitchen said something has to be done to show the citizens they are trying to make some cuts and get things in check. Mr. Hensler agreed with Mr. Kitchen on Council having the responsibility to vote these things up or down and they need to keep finances closer in check.

**ORDINANCE NO. 69-17**

**AN ORDINANCE OF THE LEGISLATIVE AUTHORITY OF THE CITY OF JACKSON, OHIO TO REQUIRE AUTHORIZATION OF THIS BODY FOR EXPENDITURES BY THE SERVICE-SAFETY DIRECTOR FOR PURCHASE OR LEASE OF AUTOMOBILES, TRUCKS, TRACTORS AND OTHER EQUIPMENT NOT USED TO MAINTAIN WATER PRODUCTION, SEWER PROCESSING OR REPAIR OF ELECTRIC SYSTEM.**

**Second Reading**

Mr. Ondera said he also agreed with what Mr. Kitchen said as far as having the extra oversight. He also agreed with what Mr. Elliott said as far as they are doing it twice, but it is not necessarily a bad thing.

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ORDINANCE NO. 70-17

**AN ORDINANCE OF THE LEGISLATIVE AUTHORITY OF THE CITY OF JACKSON, OHIO TO REQUIRE AUTHORIZATION OF THIS BODY FOR EXPENDITURES BY THE SERVICE-SAFETY DIRECTOR FOR CONSULTING SERVICES.**

**Second Reading**

**CORRESPONDENCE-None.**

**OLD BUSINESS**

Mr. Kitchen had a question on one of the Board of Control minutes for a Wesbanco purchase \$6,000.00. Mr. Sheward said they buy quite a few items that go through them.

**NEW BUSINESS**

Mr. Kitchen said he and Mr. Kirby had tried to come up with a way they can try to use the Rents and Right of Way funds like they were before. Mr. Kirby said they have to show their work as to why they are taking money from the Rents and Right of Way Fund. Mr. Kitchen said he feels they can get some of that money if they can just get it worked out.

Mr. Kitchen made a motion to have the clerk include her time of preparation of the minutes for Special meetings and Committee meetings, seconded by Mr. Elliott.

Mr. Kitchen recinded his motion and Mr. Elliott recinded his second. This will be discussed after council sees the ordinance that is currently in place.

Mr. Ondera made a motion to put the 1% income tax for the Police Dept. on the May ballot, seconded by Mr. Kitchen. In a voice vote, all members agreed. The ordinance should include an Emergency Clause. Mr. Kirby will check to see if this is all ok to do.

Mr. Ondera asked Council in lieu of the financial crisis and to show citizens they are trying to make cuts, he would recommend Council voluntarily cut their salaries back to a dollar a year. Mr. Brown asked the Law Director to check it out.

Mr. Hensler made a motion to go into Executive Session at 8:55 p.m. to discuss imminent litigation, seconded by Mr. Ondera.

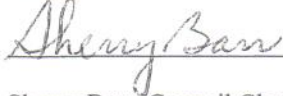
In a roll call vote, council voted as follows:

Mr. Ondera-yes  
Mr. Kitchen-yes  
Mr. Aldrich-yes  
Mr. Hensler-yes  
Mr. Queen-yes  
Mr. Elliott-yes  
Mr. Foster-yes

Mr. Ondera made a motion to return to Regular Session at 9:06 p.m., seconded by Mr. Elliott. In a voice vote, all members agreed.

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Mr. Hensler made a motion to adjourn at 9:07 p.m., seconded by Mr. Aldrich. In a voice vote, all members agreed.

  
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Sherry Barr, Council Clerk  
Date 1-22-18

  
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Eric Brown, Council President  
Date 1-22-18