

JACKSON CITY COUNCIL

*Minutes From*  
August 26, 2019  
7:00 P.M.

REGULAR SESSION

Jackson City Council met in Regular session on Monday, August 26, 2019 at 7:00 p.m. in Jackson City Council Chambers. President, Eric Brown called the meeting to order. The Pledge of Allegiance was led by Mr. Elliott, and the prayer was given by Mr. Ondera. Roll call was taken as follows:

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

**VISITORS-** Andrew Esposito from Clemans, Nelson, and Associates Inc. was present to discuss contract negotiations.

Mr. Kitchen made a motion to enter into executive session with everyone at the table except the chief of police to discuss contract negotiations with the representative hired from Clemans, Nelson, and Associates. Mr. Ondera seconded the motion. A roll call vote was taken, and the results were as follows:

- Mr. Ondera-Yes
- Mr. Kitchen-Yes
- Mr. Aldrich-Yes
- Mr. Peters-Yes
- Mr. Queen-Yes
- Mr. Elliott-Yes
- Mr. Foster-Yes

Council entered into executive session at 7:02 P.M.

Mr. Aldrich made a motion to enter back into regular session, seconded by Mr. Ondera.

**APPROVAL OF AUDITOR'S REPORT**

Mr. Elliott made a motion, seconded by Mr. Kitchen to approve the Auditor's report for July. In a voice vote all members agreed.

**APPROVAL OF MINUTES**

Mr. Peters made a motion to amend the minutes from the August 12<sup>th</sup> meeting under new business to read: Mr. Elliott made a motion to enter into executive session for possible pending litigation.

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

**COMMITTEE REPORTS**

**UTILITY-** No Report. Mr. Queen said that the owner of Best One Tire needs proof that council agreed to the new electric service to show to the contractor. Mayor Heath said we can give them a copy of the minutes from the meeting showing the approval.

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**BUDGET & FINANCE-** No Report Mr. Elliott said they are up \$28,000 from real estate taxes.

**POLICE, FIRE, & TRAFFIC-** No Report

**SERVICE – (STREET & ALLEY, RECREATION, BUILDINGS, & GROUND)**

- Utility Company bought the township garage on Longworth St. and tore it down, but hasn't mowed it all summer.
- Fairmont Rd. hasn't been mowed all summer.
- Water spigot isn't working at ManPower Park. Mayor Heath asked Mr. Riegel about it. He will look into it.
- There are posts that are cut off in the parking lot, of the old Ponderosa, on the way to ManPower Park which are sticking up. Barbie said they are being worked on currently.
- The white house on Water St. has a door open or missing.
- The house on Vine St. also has an open door or it is gone. These houses should be coming down soon. Possibly in November.
- Railroad on Vaughn is done. They have worked on it and made it better than it was. They have tried to smooth it as much as possible. The new rail was 2" taller than the other. And the line was not level. It needed to go up another 4". That is what has made the rail so much rougher than before.
- There are windows out of the Michael's Ice Cream building.

**JAIL COMMITTEE-** No report

**CITY AUDITOR-** No report.

**CITY ATTORNEY-** No Report The plans are to start tearing down 165 Broadway St. after Labor Day, Sept. 3, 2019.

**POLICE CHIEF-** No Report

**MAYOR:** We are already working on the High St. Project and will be doing the Broadway St. Project if approved. These projects come out of the 228 fund. There is about \$235,000 a year in this Community Improvement Budget (CIB) fund from county sales tax. We are also interested in the resurfacing projects that ODOT brought to us during our last meeting. We need a total of \$310.00 to do all projects. We will also have some money from the gas tax to help pay for this.

Mr. Ondera pointed out that this total doesn't include the curbs and sidewalks that we would also want done. After discussion it was determined that clarification is needed from ODOT on which curbs and sidewalks will be replaced.

When ODOT representatives brought the second resurfacing project to us, it was pointed out that much of the roadway they were covering was not in the city limits. After ODOT researched this, they estimated our matching funds to be about \$50,000 less. Mr. Peters was concerned that it only went down \$50k. Mayor Heath said that was an estimate and that our matching funds could be lower than that when all the research was finished.

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This is the only fund that they are able to do matches or emergency repairs so they can't spend all of it. The balance today is \$200,000. However, they need to replace a police cruiser and have other expenses before the years' end that should total nearly \$100,000.

**SERVICE SAFETY DIRECTOR** – The Railroad repairs are finished on Beaver Pike and it is being paved. They will be working on Dickason St. this week. Mr. Queen asked about the railroad on Broadway and how rough it is. They are unable to close that street and railroad because of the trucks coming to and from Bellisio. Until they can re-route the trucks, they are unable to close that part of the road. It will take 3 ½ days to one week to fix the railroad.

**ORDINANCES AND RESOLUTIONS**

**ORDINANCE 33-19**

**AN ORDINANCE AUTHORIZING THE MAYOR TO GRANT A SUPPLEMENTAL EASEMENT TO THE OHIO POWER COMPANY. A DIVISION OF AEP, ACROSS PROPERTY OWNED BY THE CITY OF JACKSON FOR PAYMENT TO THE CITY OF \$3,228.00, PURSUANT TO R.C. SECTION 723.121 AND DECLARING AN EMERGENCY.**

**Second Reading**

Mayor Heath asked where we are on the transfer. Mr. Kirby said the deed had been prepared but haven't gotten the parcels straightened out yet. There are three parcels from Jackson County. The parcels from Lawrence County and Vinton County are correct, but Jackson's are not. They must be corrected before they can be placed on the deed to do the transfer.

Mr. Peters expressed his concern that taking the money from AEP is unethical when the deed is being prepared for someone else to own the land. He does not support it.

Mr. Sheward said it is ethical. We have owned the land that the railroad is on for over 30 years. ~~Mr. Kirby said that AEP needs to do their project and they are not allowed to be granted the easement for free. The ORC doesn't want money from us. They are just taking back the railroad.~~

Mayor Heath said he doesn't see how we can turn it down. Mr. Sheward said we need to vote on this tonight.

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

ONDERA- Yes  
KITCHEN-Yes  
ALDRICH-Yes  
PETERS-No  
QUEEN-No  
ELLIOTT-Yes  
FOSTER-Yes

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**ORDINANCE NO: 35-19**

**AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE HARDING AVENUE BRIDGE REPLACEMENT FUND AND DECLARING AN EMERGENCY.**

**First Reading**

Mr. Elliott made a motion to adopt the ordinance with a second by Mr. Ondera.

Mr. Reed said this is just for the books. This closes and completes the project. Mr. Elliott made a motion to suspend the rules, with a second by Mr. Aldrich. In a roll call vote council voted as follows:

ONDERA- Yes  
KITCHEN-Yes  
ALDRICH-Yes  
PETERS-Yes  
QUEEN-Yes  
ELLIOTT-Yes  
FOSTER-Yes

Council voted to adopt Ordinance 35-19. In a roll call vote council voted as follows:

ONDERA- Yes  
KITCHEN-Yes  
ALDRICH-Yes  
PETERS-Yes  
QUEEN-Yes  
ELLIOTT-Yes  
FOSTER-Yes

**Ordinance 35-19 is Duly Adopted**

**ORDINANCE NO: 36-19**

**AN ORDINANCE OF THE LEGISLATIVE AUTHORITY OF THE CITY OF JACKSON, OHIO TO ACCEPT THE BID OF MEYER UTILITY STRUCTURES FOR THE JAMESTOWN CIRCUIT PROJECT STEEL POLES FOR A COST NOT TO EXCEED \$136,014.00 AS IT WAS THE LOWEST AND BEST RESPONSIVE BID SUBMITTED AND DECLARING AN EMERGENCY.**

**First Reading**

Mr. Ondera made a motion to adopt the ordinance with a second by Mr. Kitchen.

Mr. Sheward said this is to purchase steel poles to carry multiple lines out of the substation. The lines are going through swamp areas where there is no maintenance and the steel poles are more durable. Mr. Peters asked where this money is coming from. Was this money in the projected cost? Mr. Sheward said he believed this was an additional expense. One he feels is necessary. They are setting two transformers this week.

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ONDERA- Yes

KITCHEN-Yes

ALDRICH-Yes

PETERS-Yes

QUEEN-Yes

ELLIOTT-Yes

FOSTER-Yes

**Ordinance 37-19 Duly Adopted**

**RESOLUTION 27-19**

**A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR AND DECLARING AN EMERGENCY**

**First Reading**

Mr. Elliott made a motion to adopt with a second by Mr. Kitchen.

**RESOLUTION NO: 28-19**

**A RESOLUTUON AUTHORIZING EXPENDITURE OF FUNDS FOR PAYMENT TO THE TREASURER OF THE STATE OF OHIO, OHIO DEPARTMENT OF TRANSPORTATION, PURSUANT TO A "THEN AND NOW" CERTIFICATE IN THE AMOUNT OF \$35,387.80 FOR THE MAIN STREET PROJECT AND DECLARING AN EMERGENCY.**

**First Reading**

Mr. Ondera made a motion to adopt, with a second by Mr. Aldrich.

Mr. Sheward said the project on Main St. has been done for two years. ODOT is very slow in billing. He received a bill from ODOT for \$80,000 for inspections. We had already paid \$9,000 for inspections. Mr. Sheward talked with ODOT and got them to reduce to a lower figure. This will come from the 228 fund. It must be paid.

**RESOLUTION 29-19**

**A RESOLUTION AUTHORIZING EXPENDITURE OF FUNDS FOR PAYMENT TO CLEMANS, NELSON, & ASSOCIATES, INC PURSUANT TO A "THEN AND NOW" CERTIFICATE IN THE AMOUNT OF \$5699.75 AND DECLARING AN EMERGENCY.**

**First Reading**

Mr. Aldrich made a motion to adopt the ordinance with a second by Mr. Elliott.

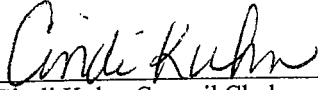
Mr. Reed said that when they did the budget they didn't allow enough to pay for negotiations.

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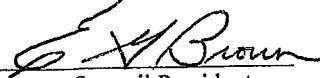
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Meeting Adjourned at 9:48 PM.



Cindi Kuhn, Council Clerk

Date 9-9-19



Eric Brown, Council President

Date 9-9-19