

JACKSON CITY COUNCIL
Minutes From
May 26, 2020
7:00 P.M.
REGULAR SESSION

Jackson City Council met in regular session on Tuesday, May 26, 2020 at 7:00 p.m. in Jackson City Council Chambers. The Pledge of Allegiance was led by Mrs. Biggs and the prayer was given by Mrs. Colby. President, Carisa Edwards called the meeting to order. Roll call was taken as follows:

- Mr. Foster – Present
- Mr. Coll – Present
- Mrs. Colby – Present
- Mr. R. Peters - Present
- Mr. J. Peters – Present
- Mrs. Biggs – Present
- Mr. Bopp – Present

VISITORS:

Susan Rogers & Angie Eisnaugle-Advocates for keeping the Christmas Light Decorations in Jackson

They spoke of their long residency in Jackson and what the decorations meant to them. The lights and plaques honor family members and mean a lot to them and other residents. Susan pointed out that most cities decorate Main St., but few towns decorate the residential areas as Jackson does. This is what makes Jackson unique and charming. She and Angie have come to speak to council tonight to ask them to table this Resolution so that a committee can be formed of citizens, possible businesses, and council members to see what can be done keep this tradition alive in Jackson.

Ryan Shoemaker- Topic of Landlords

Ryan came to get clarity from council on the Ordinance regarding landlords being responsible for the utility bills when the tenants fail to pay their bills.

APPROVAL OF MINUTES

Mr. John Peters made a motion to amend the minutes from May 11, 2020 by striking the words “ had contacted her” on page 10, paragraph 5.

Mr. Ryan Peters made a motion to second this. In a voice vote all members agreed.

Mrs. Biggs made a motion to approve the minutes with a second from Mr. Peters. In a voice vote all members agreed.

ACCEPTANCE OF AUDITOR’S REPORTS

Mrs. Biggs made a motion to accept the Auditor’s reports from February, March, and April. Mrs. Colby seconded the motion. In a voice vote all members agreed.

COMMITTEE REPORTS

UTILITY~ Met May 18th with the committee members and Joan Waugh. Wrote up some changes to an ordinance to update the dumping cost per gallon so we would be consistent with surrounding areas. This Ordinance will be up for first reading tonight.

BUDGET & FINANCE~ No Report.

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POLICE, FIRE, & TRAFFIC~

SERVICE (STREET & ALLEY, RECREATION, BUILDINGS, & GROUND) ~

- Met with Administration on alarm ord. – Would like to meet again, and then have a service committee meeting in June.
- Tree planting permit – permit required for a right of way

JAIL COMMITTEE~ No Report

CITY AUDITOR/TREASURER ~n/a

CITY ATTORNEY~ Printed information that council had requested and placed in packets about sidewalks and right of ways. Also info on levies.

POLICE/FIRE CHIEF~ n/a

MAYOR~ Thanked the electric department. They were out on Memorial day working hard to fix the issue the city was having with the electric lines.

Update on general fund budget. – \$350K loss in Revenue of the \$2.9 Mil budget. 12% loss

SERVICE/SAFETY DIRECTOR~

- Covid -19- Updates Returning to a more standard schedule- Disinfecting – Blending crews back together
- Ball fields – still no organized events – Governor hasn't changed – so we haven't
- Big Diamond Club delayed organized ball until mid-July
- Due to time and cost of preparing to open the pool for the season, we will not be able to open this year.

Mr. John Peters asked about spraying around the playgrounds. Are the city workers using Roundup? Mr. Swackhammer said he wasn't aware they were using that. Mr. Peters said if they aren't using a natural product maybe they could put up a sign to make the citizens aware.

ORDINANCES AND RESOLUTIONS

ORDINANCE 16-20

AN ORDINANCE REPEALING AND AMENDING ORD. 40-08 AS CONTAINED IN THE CITY OF JACKSON CODIFIED ORDINANCES SECTION 919.03 AND DECLARING AN EMERGENCY.

Third Reading

A roll call vote was taken to adopt the Ordinance, and the results are below:

FOSTER	Yes
COLL	Yes

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COLBY	Yes
R. PETERS	Yes
J PETERS	Yes
BIGGS	Yes
BOPP	Yes

Ordinance 16-20 Duly Adopted

ORDINANCE 17-20

AN ORDINANCE REGARDING UTILITY BILLING AND FINANCIAL RESPONSIBILITY OF NON-RESIDENT PROPERTY OWNER/LANDLORD TO BE, CODIFIED AS SECTION 919.031 AND DECLARING AN EMERGENCY.

Third Reading

A roll call vote was taken to adopt the Resolution, and the results are below:

FOSTER	Yes
COLL	Yes
COLBY	Yes
R. PETERS	Yes
J PETERS	Yes
BIGGS	Yes
BOPP	Yes

Ordinance 17-20 Duly Adopted

ORDINANCE 18-20

AN ORDINANCE REPEALING AND REVISING ORD. 83-15, AS CODIFIED AS SECTION 929.07 OF THE CITY OF JACKSON CODE OF ORDINANCES SO AS TO REMOVE THE AUTOMATIC 3% ANNUAL INCREASE.

Second Reading

More discussion amongst members about doing a study to determine if we should be trying to lower water and/or sewer bills or focus on electric bills where we have done a study. Others reiterated that we can approve this now and always change it in the future. We are only removing the 3% annual increase.

It was asked if we could do an in-house study using the one from 2013 as a reference. Mr. J. Peters suggested they send a copy of that to the utility committee and they can look into it.

ORDINANCE 19-20

AN ORDINANCE REPEALING ORD. 33-12, AS CODIFIED AS SECTION 927.05 OF THE CITY OF JACKSON CODE OF ORDINANCES SO AS TO REMOVE THE 3% ANNUAL INCREASE OF THE CITY SEWER RATES AND TO INCORPORATE THE CURRENT SEWER RATES.

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Second Reading

Mr. J. Peters asked why we don't have an emergency fund/debt service reserve fund or a capital escrow fund for repair maintenance as it was recommended in our last RCAP review back in 2013.

Mr. Swackhammer said it was not a line item in the previous budget. They met with Mr. Strickland of RCAP a month ago. They are in the process of making a capital improvement project list so they can prioritize and line item these on the next budget. They will earmark funds, assign a period of time, and have those ready for the 2021 budget.

Mr. J. Peters said when you decide if it's going to be a debt service charge or a capital improvement escrow that it be included in the pie chart in the codified ordinance (927.05) that we are providing for the citizens where we are saying that a "certain percentage of their sewer bill is put here", "a certain percentage is here"... The codified section needs to be adjusted to show that escrow account.

ORDINANCE 20-20

AN ORDINANCE REPEALING ORD. 81-15 AND REMOVING SECTION 927.051 FROM THE CODIFIED ORDINANCES OF THE CITY

Second Reading

ORDINANCE 21-20

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

Second Reading

ORDINANCE 22-20

AN ORDINANCE TRANSFERRING APPROPRIATIONS FROM THE GENERAL FUND: TRANSFER OUT; WATER FUND: TRANSFER OUT SEWER FUND: TRANSFER OUT AND GARBAGE FUND: TRANSFER OUT TO THE TRANSFER IN FUNDS OF THE STREET C.M. & R; FUND; WATER UTILITY OFFICE FUND; WATER DISTRIBUTION FUND; SEWER UTILITY OFFICE FUND; SEWER COLLECTION FUND AND GARBAGE UTILITY OFFICE FUND AND DECLARING AN EMERGENCY

Second Reading

Mr. J Peters asked about one of the transfer numbers. He said he couldn't find it in the budget. Mr. Reed said he would look into it and get the information to him.

ORDINANCE 23-20

AN ORDINANCE TRANSFERRING APPROPRIATIONS FROM THE WATER, SEWER, GARBAGE, ELECTRIC, AND FIRE TAX LEVY FUNDS TO THE GENERAL, COMMUNITY

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**IMPROVEMENT AND ELECTRIC FUNDS FOR REIMBURSEMENTS IN ACCORDANCE
WITH THE MAXIMUS COST ALLOCATION.**

Second Reading

Mr. R. Peters said last time we discussed that if we didn't transfer these funds, then the budget can't operate. If we don't approve the transfer from the FD, can that money be appropriated from another fund rather than take money from the FD because later tonight we are going to discuss how the FD needs money for equipment. Mr. Reed said the Fire Tax Levy Fund is money you can take. Fire Contracts that are paid to us for going on calls from other fire departments in the amounts of \$83,850 go into the general fund. We have budgeted \$56,020 for the FD. So there is a surplus in the general fund from the contracts.

Mrs. Colby said that people are voting on these levies thinking that the money is going to help the fire department. It is not right to take that money for other things.

Mayor Evans asked Mr. Reed can the remaining money from the contracts be used for the FD to get equipment if the grants do not come through. Mr. Reed said absolutely.

Mr. J. Peters talked about the Levies that passed by the Jackson citizens.

The 1994 Levy ballot language specified providing and maintaining fire apparatus, appliances, buildings, or sites.

The 1996 Levy ballot language specified providing and maintaining fire apparatus and appliances or paying permanent, part-time, or volunteer firefighters to operate the same.

Mr. Reed said according to the Maximus study, council has the ability through cost allocations to take this \$28,000 from the fire department. However, council does not have to take any.

Mr. R. Peters said what council is asking is can they take the difference in the contract money given to us and the money that is already budgeted for the fire department and transfer the rest to the FD to be used as they need it. Mr. Reed said council can appropriate that extra money and not cause a problem with the budget that was already approved.

Mr. Coll pointed out there was still a \$10,000 discrepancy between the left and right columns on this ordinance. Mr. Reed said he didn't know how that happened. The email he sent Mr. Kirby was correct, but somehow when it was printed it was incorrect. It was a Scribner's error in the electric department amount. The dollar amount will be corrected.

Mr. J. Peters made a motion to get this error in the electric dollar amount corrected with a second from Mrs. Biggs. In a voice vote all members agreed.

ORDINANCE 24-20

**AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE CEMETERY:
STREETS, HIGHWAYS, AND SIDEWALKS AND DECLARING AN EMERGENCY**

Second Reading

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ORDINANCE 26-20

AN ORDINANCE REPEALING AND AMENDING ORD. 43-81. AS CODIFIED AS SECTION 927.09 OF THE CITY OF JACKSON CODE OF ORDINANCES FOR CHARGES FOR DISCHARGE OF SEPTIC TANK WASTE.

First Reading

Mr. John Peters made a motion with a second from Mrs. Biggs to adopt the Ordinance. In a voice vote all members agreed.

It was asked if there was still an old camping dump site near the city garage. Mr. Swackhammer said yes, but that is not part of this Ordinance.

RESOLUTION 12-20

A RESOLUTION AUTHORIZING THE CITY OF JACKSON TO APPROVE THE RETURN OF ALL CHRISTMAS OR HOLIDAY DECORATIONS AND PLAQUES, PURSUANT TO ORD. 53-19 AS CODIFIED IN THE ORDINANCES OF THE CITY AS SECTION 953.12.

Third Reading

Mr. R. Peters said he has personally fielded over 20 calls/emails/texts from people in favor of keeping Christmas décor, some even offering to pay. He agrees with Ms. Rogers, our speaker earlier, that we need to take a unique approach and find a way to work this out where the city isn't fitting the bill. Mr. Peters said we need to vote this down tonight or table it.

Mrs. Biggs said it isn't that she doesn't want to celebrate Christmas, but it isn't a city project and we can't fit the bill anymore.

Mr. Bopp said he understands that the city is going through a hard time financially now. But he feels like Christmas is for the kids. And we can't take this away from the kids. We need to get a committee together of citizens, council members, administration, the Chamber, or whoever is willing and figure out how to proceed.

Mr. R. Peters said he is on the Travel and Tourism board. They have some money to be appropriated. They have a meeting on the 15th. If we table this, it only gives the new committee one meeting to come up with something. He feels council should vote this down to give time to figure it out.

A roll call vote was taken to adopt the Resolution and the results are as follows:

FOSTER	No
COLL	No
COLBY	Yes
R. PETERS	No
J PETERS	No
BIGGS	No
BOPP	No

Resolution 12-20 ~ Duly Defeated

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8:32 PM

President Edwards called a 5 minute recess. She placed a sign-up sheet for the public interested in signing up for the joint committee with some council members to come up with a plan for the Christmas décor.

Council resumed at 8:38 PM

RESOLUTION 15-20

A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY TO FILE AN APPLICATION TO THE FIREHOUSE SUBS PUBLIC SAFETY FOUNDATION FOR A GRANT FOR FUNDS TO BE USED BY THE JACKSON FIRE DEPARTMENT AND DECLARING AN EMERGENCY

First Reading

Mr. John Peters made a motion to adopt the resolution with a second from Mr. Ryan Peters. In a voice vote all members agreed.

Mr. John Peters made a motion to suspend the rules with a second from Mrs. Colby.

A roll call vote was taken to suspend the rules and the results are as follows:

FOSTER	Yes
COLL	Yes
COLBY	Yes
R. PETERS	Yes
J PETERS	Yes
BIGGS	Yes
BOPP	Yes

A roll call vote was taken to adopt the Resolution and the results are as follows:

FOSTER	Yes
COLL	Yes
COLBY	Yes
R. PETERS	Yes
J PETERS	Yes
BIGGS	Yes
BOPP	Yes

Resolution 15-20 ~ Duly Adopted

RESOLUTION 16-20

A RESOLUTION OF THE LEGISLATIVE AUTHORITY OF THE CITY OF JACKSON, OHIO TO ENTER INTO AN AGREEMENT WITH OHIO FIRST RESPONDERS GRANTS, LLC TO WRITE AND SUBMIT APPLICATIONS FOR GRANT FUNDS TO BE USED BY JACKSON FIRE DEPARTMENT AND DECLARING AN EMERGENCY.

First Reading

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Mr. John Peters made a motion to adopt the Resolution with a second from Mr. Ryan Peters. In a voice vote all members agreed.

Mr. John Peters made a motion to suspend the rules with a second from Mr. Coll.

A roll call vote was taken to suspend the rules and the results are as follows:

FOSTER	Yes
COLL	Yes
COLBY	Yes
R. PETERS	Yes
J PETERS	Yes
BIGGS	Yes
BOPP	Yes

A roll call vote was taken to adopt the Resolution and the results are as follows:

FOSTER	Yes
COLL	Yes
COLBY	Yes
R. PETERS	Yes
J PETERS	Yes
BIGGS	Yes
BOPP	Yes

Resolution 16-20 ~ Duly Adopted

RESOLUTION 17-20

A RESOLUTION CREATING THE POSITIONS OF DEPARTMENT HEAD OF WATER TREATMENT, DEPARTMENT HEAD OF WASTEWATER TREATMENT, DEPARTMENT HEAD OF ELECTRIC, DEPARTMENT HEAD OF SERVICE, DEPARTMENT HEAD OF WATER DISTRIBUTION AND WASTEWATER COLLECTION, DEPARTMENT HEAD UTILITY BILLING; EXECUTIVE ASSISTANT OF PERSONAL MANAGEMENT/ HUMAN RESOURCES; EXECUTIVE ASSISTANT OF PROJECT MANAGEMENT, AND MECHANIC WORKING FOREMAN

First Reading

Mrs. Biggs made a motion with a second from Mrs. Colby to adopt the Resolution. In a voice vote all members agreed.

A roll call vote was taken to suspend the rules and the results are as follows:

FOSTER	Yes
COLL	Yes
COLBY	Yes
R. PETERS	Yes

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J PETERS	Yes
BIGGS	Yes
BOPP	Yes

A roll call vote was taken to adopt the Resolution and the results are as follows:

FOSTER	Yes
COLL	Yes
COLBY	Yes
R. PETERS	Yes
J PETERS	Yes
BIGGS	Yes
BOPP	Yes

Resolution 17-20 ~ Duly Adopted

CORRESPONDANCE~ n/a

OLD BUSINESS~ Mr. Coll said Jackson County has over \$3 million in delinquent taxes. \$620,000 of that is in the Jackson Corporation. Our 12.6% of that is \$75,000 which we could use if we could collect it. He has a meeting tomorrow morning in the county commissioner's office to see where we could go next. Another item he is working on is to increase our participation in the sales tax. It is based on population and road miles. He believes it was last reviewed in 2011 after the 2010 census.

SIGNED IN VISITORS TO SPEAK~ Deanna Bragg spoke in support of saving the Christmas decorations and lights. She also read a letter from a concerned citizen. *Cultivating our Future* is willing to do the upkeep on the decorations.

NEW BUSINESS~

Total Media- Contract with the city coming up in 2021 with automatic renewal. Would like this assigned to the correct committee, so they can look at this. President Edwards said we would assign this to the service committee.

Mr. R. Peters nominated Mrs. Biggs for the David Brook Jones Endowment Fund. Mr. J. Peters seconded the motion. In a voice vote all members agreed.

President Edwards also asked for 3 members to volunteer to be on the Ad Hock committee along with citizens to find a way to save the Christmas decorations without the city paying for it.

1. Pete Bopp – Chair
2. Dan Coll
3. Debbie Biggs

Mr. R. Peters made motion to adjourn with a second from Mrs. Biggs. In a voice vote all members agreed.

Meeting Adjourned at 9:04 PM



Cindi Kuhn, Council Clerk

Date 6-8-20



Carisa Edwards, Council President

Date 6-8-20