

JACKSON CITY COUNCIL

Minutes From

November 23, 2020

7:00 P.M.

REGULAR SESSION

Jackson City Council met in regular session on Monday, November 23 2020. The pledge was led by Mrs. Biggs, and the prayer was given by Mrs. Colby. President Pro Tem R. Peters called the meeting to order. Roll call was taken as follows:

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

Mr. J. Peters made a motion with a second from Mr. Coll to excuse Mr. Fulks from the meeting. Mrs. Colby made a motion with a second from Mrs. Biggs to excuse Mr. Foster from the meeting

VISITORS ~ No Report

APPROVAL OF MINUTES~ Mr. J. Peters made a motion to approve the minutes from November 8, 2020 with a second from Mrs. Biggs. In a voice vote, all members agreed.

AUDITOR'S REPORTS ~

COMMITTEE REPORTS

UTILITY ~ Mr. J. Peters said he is going to hold off on scheduling another meeting right now.

BUDGET & FINANCE~ Had a meeting this evening at 6:00 PM Made a couple of changes but still ready for 2nd reading tonight.

POLICE, FIRE, & TRAFFIC~ No Report

SERVICE ~ Mrs. Biggs said we had a meeting on the 16th. We decided to schedule another meeting for Dec 7th to include Diane Yates from the Humane Society, Melissa Kimmel will come to help us write grants. They have previous experience with writing and obtaining grant money. One of the grant deadlines is January 1, 2021. Also, looking into the inheritance that was left to the county commissioners to help with animals throughout the county.

Mr. R. Peters said we also covered a variety of topics. We have several codified ordinances that are not being enforced because they are outdated. We picked a couple to address. One of those is the food truck ordinances, which encompasses the ice cream truck ordinance. We also discussed the alarm ordinance. And the parade ordinance. Mr. Peters said he should have some information emailed to administration about the alarm ordinance within a week. Chief Potter had a couple of examples of applications for permits for the parade ordinance. Nothing was decided on that, and we are going to hold off on the parade ordinance for now. Other things need to be addressed first such as the cat situation, grant deadlines, and the food truck situation with the Covid problems.

Jail Committee ~ Jail Committee – No Report – Mr. Foster is absent – Mr. J. Peters said since Mr. Foster is absent he can't ask him, but wasn't sure about the committee. There hasn't been a report since the committee was convened. He said he didn't know what the rules were for keeping or dissolving a committee. Should we keep the committee? Mr. R. Peters said the President of council had the decision to

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create or dissolve committees. Mayor Evans said he felt there were 2-3 committees that probably could be dissolved. Mr. R. Peters said he wasn't sure the jail committee was one that should not be dissolved. He said there is the CASK group that was working on the alternate sentencing program. He said we should probably move on, until the president and Mr. Foster can be here to discuss this.

CHRISTMAS COMMITTEE ~ Wreaths & Décor are going up. Mr. Swackhammer said some are lighted and some non-lighted. Manpower Park needs volunteers to fluff bows.

Mrs. Biggs said there were 8-10 women who helped her and Mrs. Colby get Manpower Park ready and she wanted them to know it was much appreciated.

56-19~ Mr. Coll said he saw tanker trucks hauling waste out from Smith Bridge Rd. Still haven't heard anything on the tolling agreement. Should be by mid-December

CITY AUDITOR/ TREASURER~ Will be looking at closing the books over the next few weeks and need to scheduling the 3 readings at our next meeting.

CITY ATTORNEY~ No Report

POLICE CHIEF

FIRE CHIEF~ Chief Channel said there is a meeting next Monday, November 30th at 7:30 in Chambers for the Fire Department Dependency Fund Board. It is made up of two council members, two firefighters, and one Jackson city citizen, Ryan Peters and Brett Foster are the council members who are on the board. The two fire fighters who were elected are Mike Klingaman and Kida Newell. The citizen is John Smith They will be assigning a chair, and secretary at this meeting and it is open to the public. Chief Channel said they have had their annual tests done recently. They passed the testing on the pumps, lines, power, ladders, and air packs. Hose testing didn't get done. The company that has done it in the past were involved in an accident on their way here. He doesn't feel it will get done this by the end of the year.

MAYOR ~ December 5th will be the Christmas Events. The Parade and other events will be at 5:45PM The fireworks will be at 7:00 PM followed by the tree lighting in the park. Santa's House will be open until 8:30 PM Everything will be held according to the health commissioner Keith Aston.

SERVICE/SAFETY DIRECTOR ~ Mr. Swackhammer said thanks for all the help with the budget both internal and external groups.

Police and dispatch jobs are posted.

Have started issuing letters to some of the buildings that they have mentioned to have been nuisances in the past. Some of the buildings that we have previously issued letters to, are moving through the court process and we are doing clean-up work on them.

Mrs. Biggs said the citizens from her 3rd ward Citizens Advisory Board want to meet with him. Mr. Swackhammer said to pick a couple of dates that work and let him know

She also asked about one of her constituent's houses on Church St. with the electrical issue on her house. Mr. Swackhammer said they are looking into the options and will keep her posted.

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ORDINANCES AND RESOLUTIONS

ORDINANCE 50-20

AN ORDINANCE AMENDING AND REPEALING ORD 17-20 REGARDING UTILITY BILLING AND FINANCIAL RESPONSIBILITY OF A NON-RESIDENT PROPERTY OWNER/LANDLORD TO BE CODIFIED AS SECTION 919.031 AND DECLARING AN EMERGENCY.

Third Reading

Mr. Peters said he would like to say thank you to everyone who worked on this to try to make this right for the property owners. Thanks to the administration for listening to the citizens and working to gether to come up with a solution.

Mr. Coll asked Mr. Kirby about the last page of the ordinance where it eludes to the fact that we can't sue and can't be sued.

Mr. Kirby said basically we aren't imposing any liability on our self and we aren't creating a separate cause of action. The idea here is to implement the notice procedures.

Mr. Coll- can we expand that to say the landlord can't come back on us?

Mr. Kirby said it is both. An example could be, if we didn't get the notice to the landlord in time.

However, we are not creating cause of action where he can sue us. We aren't giving up any immunity that we have. The city has brought immunity under the Ohio Law.

Mr. Coll -If we pass this and it goes into effect immediately, are we still going to look into the Covid-19 problems. Such as the ability to collect the payments.

Mr. Reed said that is going to be more dictated to us from the state. This Ordinance does not affect that at all.

Mr. Coll -Are there any Care funds that will help with that?

Mr. Reed said yes, there is money for that. If there are still funds available, it was \$1000 per person. However, that does not have anything to do with this. It is handled through the South St. Office.

Mr. Coll -Did we officially approve the application? Mr. J. Peters said that is an internal document in the utility office and administration. We are approving the ordinance, and the application will be handled through them.

Mr. Coll- In the past we have never enforced this. Are we going to this time? Mr. Kirby said it would go into effect immediately. This is less burdensome than the one that is in effect now. It is probably more council's intentions to make this one to go in effect now.

Mr. Coll asked if we are going to partner with them this time.

Mr. R. Peters said the difference this time is that the tenant will now sign a waiver allowing the property owner to receive the billing information. They will know when it is delinquent and of shut off notices. This will allow landlords and the city to know about and stop repeat offenders.

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

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Foster	Absent
Coll	Yes
Colby	Yes
R. Peters	Yes
J. Peters	Yes
Biggs	Yes
Bopp	Yes

Ordinance 50-20 Duly Adopted

ORDINANCE 54-20

Second Reading

**AN ORDINANCE ESTABLISHING APPROPRIATIONS FOR THE YEAR 2021 BEGINNING
JANUARY 1, 2021 AND THROUGH DECEMBER 31, 2021 AND DECLARING AN
EMERGENCY.**

Mr. J. Peters made a motion to replace the budget by object attached to this ordinance as exhibit A with another budget by object containing new figures to be attached as exhibit A. The motion was seconded by Mrs. Biggs. In a voice vote, all members agreed.

ORDINANCE 55-20

First Reading

**AN ORDINANCE OF THE LEGISLATIVE AUTHORITY OF THE CITY OF JACKSON OHIO
TO AUTHORIZE THE PUBLIC SERVICE DIRECTOR TO ACCEPT THE PROPOSAL OF
POWER SYSTEM ENGINEERING, INC. TO PROVIDE ENGINEERING SERVICES RELATED
TO THE CIRCUIT SWITCHER UPGRADES AT THE LICK SUBSTATION AT A COST NOT TO
EXCEED \$120,000.00 AND DECLARING AN EMERGENCY**

Mrs. Biggs made a motion to adopt the ordinance with a second from Mr. Coll. In a voice vote, all members agreed.

Mr. Coll asked about the attachment. Mr. R. Peters said it was included in an email. The clerk explained to Mr. Coll and council that she receives the emails from the attorney in both a pdf format and word document files so she can edit the word files when needed. She prints the word files for council meetings, and did not open the pdf files. Therefore, she missed the attachments entirely because they were not attached in the word document emails. She made copies for Mr. Coll after the meeting, and said she would open both emails in the future to make sure all attachments were copied for the meeting.

Mr. J. Peter's pointed out that the Ordinance had a blank with part of the line item number missing. Section 1 – 731-75555 Last Year's budget would have been 53007?

Mr. Woltz said it should be 54005

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There was a discussion between Tom Woltz and Mr. J. Peters about the 2020 budget as they tried to decide what the remainder of the account number should be for the ordinance.

Mr. J. Peters made a motion to add the rest of the account number and make it. 731-75555-53007. Mrs. Biggs seconded. In a voice vote, all members agreed.

Mr. J. Peters had several questions about the project including travel fees and expenses, the city's coordination of details and daily management

He also asked is the company PSE reliable? Have we done work with them?

Mr. Woltz said we have used them 3 times since he had been here. This is the one he feels is the most competent. The other jobs were successful.

Mayor Evans said he asked these same questions last week about this engineer. He wants to make sure his design is just what we need and not more elaborate and we get the most cost effectiveness.

ORDINANCE 56-20

First Reading

AN ORDINANCE PROVIDING FOR THE VACATION OF THE ALLEYS ABUTTING AND BETWEEN LOTS 1,2,3, AND 4 OF THE R.C. HOFFMAN'S ADDITION AND OUT LOT 20 OF THE CITY OF JACKSON AND THE ALLEY ABUTTING AND BETWEEN LOTS 1,2, AND 3 OF THE R.C. HOFFMAN'S ADDITION OF THE CITY OF JACKSON.

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

Alleys associated with the future Dollar General Site Both parties have signed off and agreed to vacate the alleys. Lot 1 Blair Family; Lot 2, 3, and 4 Land Bank.

CORRESPONDENCE~

OLD BUSINESS~ The pavement has been cut on Hunt St. Mayor Evans said he will check on it. Is the grant writer that we hired on a regular basis or just as needed? Mr. Swackhammer said as needed. The Grant Writer is at no cost unless we use them.

We are getting ready to apply for a grant from ODNR for Chief Channel.

SIGNED IN TO SPEAK~ None

NEW BUSINESS~ Mr. Bopp said he would like for the Mayor and Service Director to pass along to the city workers that they are doing a great job on the sidewalks and everyone really appreciates it. The mayor said he appreciates that. They are tearing out the last section today. The employees have done that on top of their regular work and should be commended.

Mr. R. Peters asked if the sidewalk on the shopping center side of the park will be fixed. Mr. Swackhammer said they will be re-profiling to get the water drained to the correct side before ODOT

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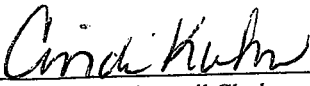
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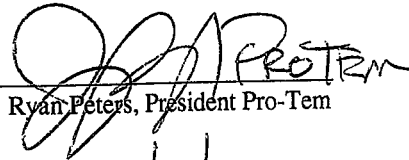
comes. But will be doing that closer to when they are paving next year. Mayor Evans said ODOT is repairing the walk bridge with pressure from us.

It was asked if the creek could be cleaned with all the sediment under the bridge causing standing water. Is there room in the budget to fix that? Mr. Swackhammer said no. There are a lot of EPA regulations. That would have to be outsourced.

Mrs. Colby made a motion to adjourn with a second from Mr. Coll. In a voice vote, all members agreed.

Meeting adjourned 8:07 PM


Cindi Kuhn, Council Clerk


Ryan Peters, President Pro-Tem

Date 12-14-20

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