

JACKSON CITY COUNCIL

Minutes From

September 28, 2020

7:00 P.M.

REGULAR SESSION

Jackson City Council met in regular session on Monday, September 28, 2020 at 7:00 p.m. in Jackson City Council Chambers. The Pledge of Allegiance was led by Mr. Coll. The prayer was given by Mrs. Colby. President Dan Fulks 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**

**APPROVAL OF MINUTES~** Mr. J. Peters made a motion to amend the September 14, 2020 minutes on page 6, under Ordinance 46-20 to show the roll call vote to adopt the Ordinance. All members voted yes. The official minutes will reflect this change. Mr. R. Peters seconded this motion. In a voice vote, all members agreed. Mr. Coll made a motion to approve the amended minutes with a second from Mr. J. Peters. In a voice vote, all members agreed.

**AUDITOR’S REPORT~** The August report was emailed to members. The June and July reports were included in the packets.

Mr. J. Peters made a motion to enter into executive session to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee. The motion included all council members, the mayor, service director, attorney, police chief, and auditor. Mr. R. Peters seconded the motion. A roll call vote was taken to approve the motion and enter into executive session. The results are as follows:

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

Council entered executive session at 7:04 PM

Council resumed regular session at 7:35 PM

**COMMITTEE REPORTS**

**UTILITY ~** There was a meeting tonight. However, there was not a lot of public interest. Committee decided to do a survey when people pay their bill. The customers will be asked if they want curbside recycling to resume and if they would be willing to pay to recycle. There will be a full report in next month’s minutes.

**BUDGET & FINANCE~** No Report

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

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**SERVICE** ~ Meeting on October 12, 2020 at 6:00 PM regarding the cat problem. Mrs. Biggs said she has been contacted by citizens with first-hand knowledge of some of the places we are going to look at and one of the citizens thinks she knows of some grants that might pay for this service. Mrs. Biggs invites the public to come share their opinion.

~~**CHRISTMAS COMMITTEE** ~ Mr. Bopp said he was unable to attend the last meeting, and asked Mrs. Biggs to run the meeting. He also asked Mrs. Biggs to take over as chair of this committee.~~

Mrs. Biggs said she will take over as chair, but as of now there are not any more meetings scheduled. At the last meeting, the committee decided to charge an annual fee of \$75. This fee will cover the cost to hang, take down, and store the ornament each year. The owner of the ornament must pay the \$75 by October 31<sup>st</sup>, or their ornament will not be hung.

The people who chose to not have their ornament hung will have to come to the icehouse on the announced date and time to pick up their ornament.

Mr. Reed said we have collected about \$5,000 from the community. This plus the \$75 per ornament should be enough to get the ornaments hung this year.

**56-19**~ N/A

**CITY AUDITOR/ TREASURER**~ Resolution 41 is on the agenda and needs passed tonight. This needs certified for the county. We should have had this done sooner. Please pass this tonight.

**CITY ATTORNEY**~ Someone from the city found the federal court order from 1989. Our shutoff procedure is part of this order. We cannot change the number of shut off days because we would be in contempt of the court order.

**POLICE CHIEF**~ No Report

**FIRE CHIEF**~ No Report

**MAYOR** ~ Wanted to again thank Erin Hench and Brittany Camp who are heading up the Citizens for Jackson. They ran the meeting last week in which they passed out signs and doorknockers and gave street assignments to volunteers. The election is 5 weeks from tomorrow. We know what will happen if the tax levy does not pass. We will have to cut the general fund by about one million dollars. There will be big cuts to the police department and we will not be able to make any improvements to the streets and sidewalks.

**SERVICE/SAFETY DIRECTOR** ~ Mr. Swackhammer said they had their first Community Advisory Board meeting tonight. He thanked the community members and council ward members. In the future, he will be meeting with individual wards. They will be reviewing current ordinances to see if they need updates or revisions.

Mr. Swackhammer said there are 52 parcels of land that were purchased by Fema and were given to the city. The city pays taxes on these. We can lease them, let neighbors use them, or let organizations or groups use and/or take care of them. However, we are not allowed to sell them.

Mr. R. Peters asked if we are maintaining and mowing them. Mr. Swackhammer said yes we do mow them if needed. Some are wooded and do not need mowed.

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Mrs. Biggs asked how we came to be responsible for these parcels of land. Mr. Reed said his understanding was that when the flood came in 1997, Fema purchased these properties and gave them to the city. The city accepted them. We have owned them and have been paying taxes on them. However, we are not allowed to build on them or sell them. We are very limited as to what we are allowed to do with the properties.

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The city would like to legitimately transfer these properties to a non-profit group so the city no longer has to pay taxes on them.

Mr. Bopp asked the status of 165 Broadway. Mr. Swackhammer said the front and sidewall was supposed to have come down over a week ago. He has personally reached out to the owner to see what needs to be done so the city can move forward.

Mr. Bopp is also concerned about the "junk yard" on David Ave.

**ORDINANCES AND RESOLUTIONS**

**ORDINANCE 38-20**

**AN ORDINANCE REDUCING APPROPRIATIONS IN THE MUNICIPAL SWIMMING POOL FUND AND DECLARING AN EMERGENCY**

**Third Reading**

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

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

**Ordinance 38-20 Duly Adopted**

**ORDINANCE 39-20**

**AN ORDINANCE MODIFYING APPROPRIATIONS IN VARIOUS FUNDS TO KEEP FROM EXCEEDING ESTIMATED REVENUE IN EACH AND TO MAINTAIN BUDGETARY COMPLIANCE AND DECLARING AN EMERGENCY.**

**Third Reading**

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

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

**Ordinance 39-20 Duly Adopted**

**ORDINANCE 41-20**

**AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE DOWNTOWN  
PARK & IMPROVEMENT FUND: PROJECT EXPENSE**

**Third Reading**

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

Foster	Yes
Coll	Yes
Colby	Yes
R. Peters	Yes
J. Peters	Yes
Biggs	Yes
Bopp	No

**Ordinance 41-20 Duly Adopted**

**ORDINANCE 42-20**

**AN ORDINANCE OF THE LEGISLATIVE AUTHORITY OF THE CITY OF JACKSON, OHIO  
TO CAUSE 23 PARCELS OF REAL PROPERTY LOCATED ON MITCHELL, COFFMAN AND  
WEST STREETS NOW OWNED BY THE CITY TO BE SOLD AT PUBLIC SALE TO THE  
HIGHEST BIDDERS.**

**Third Reading**

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

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

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Ordinance 42-20 Duly Adopted

**ORDINANCE 43-20**

**AN ORDINANCE OF THE LEGISLATIVE AUTHORITY OF THE CITY OF JACKSON, OHIO TO CAUSE REAL PROPERTY OWNED BY THE CITY OF JACKSON, OHIO KNOWN BY TAX PARCEL NUMBER C050010003900 TO BE SOLD AT PUBLIC SALE TO THE HIGHEST BIDDERS.**

**Second Reading**

**ORDINANCE 44-20**

**AN ORDINANCE TO REVISE THE CODIFIED ORDINANCES BY ADOPTING CURRENT REPLACEMENT PAGES THERETO AND DECLARING AN EMERGENCY.**

**Second Reading**

**ORDINANCE 48-20**

**AN ORDINANCE REZONING FROM BUSINESS (B-1) TO SINGLE AND TWO FAMILY RESIDENTIAL (R-3) THE PROPERTY LOCATED AT 63 SOUTH STREET IN THE CITY OF JACKSON, OHIO**

**Second Reading**

Mr. Foster made a motion to suspend the rules with a second from Mr. Bopp. A roll call vote was taken, 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 Ordinance, 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

**Ordinance 48-20 Duly Adopted**

**ORDINANCE 49-20**

**AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE WATER DISTRIBUTION UTILITY OFFICE, ELECTRIC UTILITY OFFICE, SEWER COLLECTION, ELECTRIC AND SCMR FUNDS: CASH IN PAY AND DECLARING AN EMERGENCY.**

**First Reading**

Mr. Coll made a motion to adopt the ordinance with a second from Mrs. Biggs. In a voice vote, there was a mixture of "I" and "nay" votes. A roll call vote was taken, and the results are as follows:

Foster	Yes
Coll	Yes
Colby	Yes
R. Peters	No
J. Peters	No
Biggs	Yes
Bopp	No

4- Yes 3- No Motion Passed

Mr. Coll asked what fund the SCMR was. It is the street and alley fund. Mr. Reed said these are cash-ins that are contracted for current employees. We must move money in order to pay the employees per their contract.

Mr. J. Peters said he realized this money belongs to the employees it is just bad timing. Delaying it to the end of the year might be a better idea. Mr. Reed said the employees have the ability to cash this money in whenever they want because they are leaving to another job within the city or retiring or leaving their job ect. We owe this money, and we have to pay them per their contract.

**RESOLUTION 39-20**

**First Reading**

**A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, OR HIS DESIGNATED REPRESENTATIVE, TO FILE AN APPLICATION TO THE STATE FIRE MARSHAL'S OFFICE FOR THE MARC'S RADIO GRANT AND DECLARING AN EMERGENCY.**

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

Mr. J. Peters asked could the fire chief sit down with the SD and see what else we need or can get to make sure that we get everything we can possibly get with this grant. We can be funded up to \$50,000. We should try to get every bit of the money we can.

Mr. Swackhammer asked that we pass this on emergency.

Mrs. Biggs made a motion to suspend the rules with a second from Mr. J. Peters. A roll call vote was taken, 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 39-20 Duly Adopted**

**RESOLUTION 40-20**

**A RESOLUTION OF THE LEGISLATIVE AUTHORITY OF THE CITY OF JACKSON  
AUTHORIZING THE MAYOR TO GIVE WRITTEN NOTICE OF THE CITY'S INTENT TO  
NOT RENEW ITS CONTRACT WITH THE INFORMATION TECHNOLOGY SYSTEMS  
ADMINISTRATOR AND DECLARING AN EMERGENCY**

**First Reading**

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

Mr. R. Peters said he wanted to confirm that we are not terminating the position, only stopping the renewing of the contract. Mr. Swackhammer said that is correct. This contract had a clause in it where it

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automatically renewed every 2 years unless, there was written notice at least 120 days in advance. They put together a new Technology package and Mr. Thacker was not interested in the position. They are honoring the last 2- year contract that renewed in December of 2019. However, this is the notice well in advance that the contract will not renew at the end of 2021. They hope Mr. Thacker will decide to take the new position next year, or they will have to hire for it.

Mr. J. Peters asked again for a master list of all the contracts with dates that they expire.

**RESOLUTION 41-20**

**First Reading**

**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.**

Mr. Coll made a motion to adopt the resolution with a second from Mr. R. Peters. In a voice vote, all members agreed.

Mr. J. Peters made a motion to suspend the rules with a second from Mr. Coll. A roll call vote was taken, 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 41-20 Duly Adopted**



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**CORRESPONDENCE**~ Mr. Fulks called attention to the letter placed in the packets from former Mayor Randy Heath.

**OLD BUSINESS**~ N/A


**SIGNED IN VISITORS TO SPEAK**~ None

**NEW BUSINESS**~ N/A

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

Meeting adjourned 8:26 PM.

  
Cindi Kuhn, Council Clerk

  
Dan Fulks, Council President

Date 10-12-20

Date 10/12/20

