

JACKSON CITY COUNCIL

Minutes From

April 27, 2020

7:00 P.M.

REGULAR SESSION

Jackson City Council met in regular session on Monday, April 27, 2020 at 7:00 p.m. in Jackson City Council Chambers. The Pledge of Allegiance was led by Mr. Ryan Peters, and the prayer was given by Mrs. Biggs. 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

APPROVAL OF MINUTES

Mr. R. Peters made a motion with a second from Mr. J. Peters to approve amended minutes to show on pages 4 & 5 Ordinance 8-20 be changed to 08-20. All members were in agreement.

COMMITTEE REPORTS

UTILITY~ Mr. J. Peters is planning a meeting for the 18th of May.

BUDGET & FINANCE~ No Report.

POLICE, FIRE, & TRAFFIC~ Mrs. Colby set a meeting for Monday, May 4th in council chambers at 600 PM to discuss the Automatic Aid Agreement and a couple of grants.

SERVICE (STREET & ALLEY, RECREATION, BUILDINGS, & GROUND) ~ Mr. R. Peters said he has been rewriting the alarm ordinance from 1989; He has a rough draft and has shared with the other committee members. Once he gets that back he will have a meeting and then have a final copy to propose to council.

Mr. Coll expressed his concern about the money spent every year to dig 100 graves and the lawn care of 82 acres. It is \$250,000.

Mrs. Biggs pointed out there is a lot of things on the graves and head stones, and she doesn't know how they even mow or weed eat around them. We could cut down on the cost of the lawn care if they didn't have to move things from the headstones to mow and weed eat. She suggested we come up with what is allowed to be placed on them.

There is also still over \$900,000 in uncollected lot fees.

Mr. R. Peters suggested we move this topic to committee.

JAIL COMMITTEE~ No Report

CITY AUDITOR/TREASURER~ Mr. Reed said because the interest rates are so low the general fund will be down \$300k. We will have to look at the budget because of this.

JACKSON CITY COUNCIL

Minutes From

April 27, 2020

7:00 P.M.

REGULAR SESSION

Mr. Coll asked about the \$399,000 income tax carry over. Mr. Reed said it is being spent this year paying the benefits for the police department. It will be gone after this year. The Police Dept benefits will be a general fund item after this year. This is the third year in a row that the income tax has been used for that purpose and it will be gone after this year.

Mayor Evans emphasized that our general fund is really in trouble. Find more money or cut more cost.

Mr. R Peters asked about the Board of Control Minutes April 13, 2020 Item #2 Electric for Stump Removal cost \$6,000. He asked would it be better to buy a stump grinder rather than rent one? Mayor Evans said they looked into the purchase of one they need and it is about \$40k. Mayor Evans said we do need to look into it, because we will need them in the future, but we can't buy one this big. Mr. Coll asked why this is the electric department. Mayor Evans said our electric department is doing the work. We rented from Sexton's. Mr. J Peters said a heavy duty one on line is \$5-6000. Mayor Evans said that is what we started with from Wagner Tool Rental and it couldn't get the job done. These are the trees that are in concrete up town. We need to get 6-8 inches down. Mayor Evans said they used it for 55 stumps and it is up to a one month rental.

Mr. R Peters asked about April 15, 2020 Board of Control minutes in which we spent \$10k for legal services. According to Resolution 10-18 we have a contract signed with Mr. Riepenhoff's firm that says it will automatically renew every 30 days unless one side cancels. We hired Esposito's group to do our negotiating. We interviewed Mr. Riepenhoff's group about doing this work. And we already had an agreement with them. Why did we interview them again, and why did we hire a second group. Do we know what contracts we have floating around out there?

Mrs. Biggs did we cancel or are we still paying \$10k every year?

Mr. Kirby said no we aren't paying that. Those contracts are written in a way that if you aren't using them, then you aren't paying them. Mr. Riepenhoff's firm has agreed to keep the same fees now as they had agreed to back in 2018. You interviewed them because it was for a different manner.

Mr. J. Peters said according to the Ohio Revised Code 731.48 contract restrictions "The legislative authority of a municipal corporation shall not enter into any contract which does not to go into full operation during the term for which all the members of such legislative authority are elected." How do they get canceled if they have to go into force during the elected period? How do they get policed?

Mr. Kirby said those are not contracts that carry over for work. There are fee agreements – payment schedule, how they bill.

Mr. J. Peters. Board of Control Minutes March 23, 2020 Gas Prices for the filling stations. Are we paying contract price or market price? It has dropped dramatically. Mayor Evans said we are paying contract prices but we will look into it.

Mr. Coll suggested we look into putting in our own pump at our city garage and buy our fuel whole sale and save a ton of money. Mr. J. Peters said at his previous employment he had experience with this. He had a free standing tank. They ended up paying more because of the rules and regulations of underground and above ground tanks...ect

Mr. J. Peters asked about the March 25, 2020 Board of control minutes also. It said we paid our portion of the indigent council for the 60-2019. He is interested in the number of cases that were adjudicated under the municipal code verses the state code. Were they on house arrest, probation, not probations...etc? Did we get our money's worth?

JACKSON CITY COUNCIL

Minutes From

April 27, 2020

7:00 P.M.

REGULAR SESSION

Mr. Kirby wouldn't be tied to the jail. County entered into a contract with the public defender's office and it broke it down with Oak Hill, Jackson, Wellston and Coalton. They bill us twice a year. The amount they are being asked to defend is much less. Jackson was the highest with Wellston right behind us. He thought the county could ask to negotiate a lower price or possibly to contract with someone directly. The administration would have to negotiate it.

Mr. Peters asked about the Board of control minutes for March 27, 2020. It says we paid Amp 10 million for "purchased power". Does this mean we paid 10 mil from Jan 1 to March 27? Mr. Reed said normal is 1.1 to 1.3. This is a purchase order. Then they do a requisition every month. This amount covers transmission, PCA, administration cost. This is the total cost to the city. The cost that the city of Jackson incurs is added to this when they bill the city customers.

March 31, 2020 McDaniel Electric – Lift Station Project – Is this underway? Mayor said it is approved, but not started. Money is in the account for when it is started.

April 1, 2020 – #4 shows cost that includes a PO Box. Does the Utility Department have a PO Box?

#5 Sexton's brush disposal – for them to split and sell it.

It is brush why can we not chip it up ourselves. If it is wood, why can't we cut and sell it.

Mrs. Biggs said we don't need to be adding anymore jobs. However, if someone else wants to do this for free, that would be fine. Mayor Evans said a lot of our cost is hauling the chips of wood to their land to dump. We have looked for a site in the city. We don't have an approved site to dump it currently. It has to be an EPA approved site.

Mr. Swackhammer said you must be licensed or certified to do this, and then would we make it available for citizens to make it a dumping yard. Also, we have city ordinances that require us to pick up the branches and brush that customers cut down. We do not have the equipment to do large volumes.

April 6, 2020 Board of Control minutes

#1 City Utilities- Lift station June 2020, is that the end date? Mayor said we would have to look into it.

SERVICE/SAFETY DIRECTOR~

New Recycling location is up and running on Harding Ave. Both locations have 4 bins. Harding Ave is dumped on Tuesday and Friday. The bins at the garage are dumped on Monday and Thursday. Wednesday is the only day that neither site is dumped.

President Edwards asked if there is a sign at the garage site to let people know about the other site. Mr. Swackhammer said no, but it is on the website, Facebook, and the media has shared it.

Mr. J. Peters said the recycling pick up schedule should be removed from the website.

Mr. Swackhammer also talked about the records retention program. Have asked all the department heads to have information back by the end of April so they can send it to the Historical Society for approval. Many are way beyond the expiration date. Have close to 200 boxes that need to be disposed of.

Reviewed the Cintas Contract. Looked into what services we do need. The contract was new in February of 2019. Still have 4 years left on it.

JACKSON CITY COUNCIL

Minutes From

April 27, 2020

7:00 P.M.

REGULAR SESSION

Citations and notices have been brought to their attention that they need to address. Over the past month we've issued 6 new citations; 1 for Littering, 2 for putrid substances, and 3 for unsafe buildings. Also, reviewing some old ones.

First responders LLC is a Grant Writer that we would like to go into agreement with to help get grants. Committee and Fire Chief need to meet and bring this to council.

SD & City Auditor met over the phone with individual from OVRDC about some grant opportunities and criteria. Set up a meeting with Kurt Strickland from RCAP (Rural Community Assistance Program) to help us support some activities with infrastructure. Need to address the ODOT project 2021-2022. It begins July 1 of this year.

ORDINANCES AND RESOLUTIONS

ORDINANCE 15-20

AN ORDINANCE OF THE LEGISLATIVE AUTHORITY OF THE CITY OF JACKSON AUTHORIZING THE MAYOR TO ENTER INTO THE INDIGENT DEFENSE CONTRACT WITH THE JACKSON COUNTY COMMISSIONERS SO AS TO PROVIDED LEGAL COUNCIL TO INDIGENT PERSONS CHARGED WITH VIOLATIONS OF THE JACKSON MUNICIPAL CODE FOR THE SECOND HALF OF 2020 IN AN AMOUNT OF \$12,069.42 AND DECLARING AN EMERGENCY.

First Reading

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

Mr. J Peters said he would like to reduce the amount.

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.

First Reading

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

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.

First Reading

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

JACKSON CITY COUNCIL

Minutes From

April 27, 2020

7:00 P.M.

REGULAR SESSION

Mr. J. Peters made a motion with a second from Mrs. Colby to amend the Ordinance so that in the first paragraph it says "found in sections 921.12" rather than 921.012. In a voice vote all members agreed.

Mrs. Biggs said she wanted all the citizens of Jackson to know they are trying to reduce bills. The way it stands now when renters leave or are evicted, the city picks up the outstanding utility bills. It cost the city of Jackson \$50,754 in 2017, \$74,043 in 2018, \$61,995 in 2019, and from January through March of 2020 it has already cost the city \$17,795.

Mr. R. Peters asked why we are letting the bills get so far behind. While the owners are trying to evict the tenants, the meter is still running. In the past didn't we put an unpaid utility lien on the property?

Mr. Kirby said the new form needs to be clear that it is a lien on the property and the tenant needs to consent that we let the landlord know when the account is delinquent.

Some problems the city has faced in the past is that people put utilities in their child's name and social security number or use a fake one. They might put it in a boyfriend/girlfriend's name. Need to show ID.

Another problem is that people in the same house can put the utilities in their name. If one is delinquent then another can use his/her name. When they become delinquent then another can use their name.

The city goes to a property multiple times before disconnecting service. Jackson County Water goes once. If they go to the house the water is being turned off. People know that the city will come to them multiple times and they wait until the last minute to pay the bills.

Mr. Coll suggested the landlord do a credit check. If the landlord sees the credit check and then chooses to accept the tenants, then it becomes the problem of the landlord.

This Ordinance would encompass the garbage as well.

RESOLUTION 12-20

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

First Reading

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

Mr. Coll presented council with a copy of a letter from former Mayor Heath. The letter described how the Christmas décor for the city had begun and how it has grown over recent years.

Mrs. Biggs said it cost the city \$13,000 to put up and take down the Christmas decorations. She said the employees are paid time and a half for labor and that doesn't include the actual electric cost of having them lit through the holiday season.

Mr. Coll said he likes the one he purchased because it has a memory sign with it. He asked what we will do with the signs/plaques.

JACKSON CITY COUNCIL

Minutes From

April 27, 2020

7:00 P.M.

REGULAR SESSION

Mr. R. Peters made a motion with a second from Mr. J. Peters to add the phrase "and Memory Plaques" to the Resolution description and also in Section 1. In a voice vote all members agreed.

Mr. Bopp said he has one in front of his business. When he bought it, it was run by Chamber of Commerce. When did this change to be the city's responsibility?

RESOLUTION 13-20

A RESOLUTION AUTHORIZING THE FORMATION OF A PARTNERSHIP WITH JACKSON COUNTY AND AUTHORIZING JACKSON COUNTY TO ACT AS THE OFFICIAL GRANTEE FOR THE PY 2020 COMMUNITY HOUSING IMPACT AND PRESERVATION PROGRAM AND DECLARING AN EMERGENCY.

First Reading

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

Mr. J. Peters asked what CHIS stood for. The council clerk did not know, she just typed it the way it came to her.

Mr. Coll asked if someone from the city had to oversee this. Mr. J. Peters asked if there is a timely need on this.

RESOLUTION NO. 14-20

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF JACKSON, OHIO WITH SUEZ, FOR A MEMBRANE TRAIN REPLACEMENT CASSETTE FOR AN AMOUNT NOT TO EXCEED \$290,745.00 AND DECLARING AN EMERGENCY.

First Reading

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

Mr. Coll asked if we have this in our budget. Mr. Swackhammer said yes, the plan is to install in August. There is a 3+ month lead time on this, so need to get approval soon. Mr. J. Peters asked if the unit is working now. Mr. Swackhammer said it is, however it is 3-4 years past its life expectancy. We will need to buy 3 more of these in the next few years, so the city is trying to stagger the replacement of these so they don't have to do all of them at once.

Mr. J. Peters made a motion to suspend the rules, with a second from Mr. Foster. 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

JACKSON CITY COUNCIL
Minutes From
April 27, 2020
7:00 P.M.
REGULAR SESSION

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

Resolution 14-20 Duly Adopted

CORRESPONDANCE~ n/a

OLD BUSINESS~ Mr. R. Peters said someone asked if we could apply for a boat ramp at Hammertown Lake.

Mr. Coll asked about the newspaper article from Jan 11th. City of Jackson had \$80,000 reported in the paper regarding delinquent taxes. 2 parcels account for \$30k of the \$80K. How do we pursue this? Mr. Kirby said county has to collect those. The city can pursue a tax foreclosure, if we put down a special assessment on the property because we mowed the grass or tore down a building. Mr. Kirby said he would look and see if we have the authority to put a lien on the property just for unpaid taxes. He believes only the county has that authority. The ones we are seeing in the paper are too early to pursue. It has to be a minimum of 2 years.

Mr. Reed said the delinquent taxes are only reported the first time. It isn't printed again until they foreclose on it.

Mrs. Colby asked Mr. Kirby to bring 2 Ordinances to the next meeting. Ordinance 83-15 gave the city the authority to increase the water rates 3% and to continue this each year. Mrs. Colby would like for this 3% to be removed. The citizens are suffering financially right now with all the Covid-19 circumstances and she wants to help.

Ordinance 81-15 is for sewer. It is the same as the 83-15. She would like for Mr. Kirby to also bring an ordinance to remove the 3% from the sewer as well.

Mrs. Colby made the motion with a second from Mr. R. Peters. The voice vote was not unanimous. The roll call votes are as follows.

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

Mr. J. Peters. Codified 921.04 Announcement to public; all electric home customers have a start-up date of May 1st for obtaining a budget. The budget would begin July 1, 2020. Not all electric homes must petition

JACKSON CITY COUNCIL

Minutes From

April 27, 2020

7:00 P.M.

REGULAR SESSION

the electric committee for a budget plan for their home. Mr. Peters asked that all customers contact the utility office for information.

Mrs. Biggs said the 3 hour meetings are too long. She recommends that we read the information before coming tonight. We need to ask questions ahead of time. We need to not ask these questions during the meeting. She said half of the questions would have been answered if they had looked into it before now.

Mr. J. Peters made a motion for the administration and IT people to find the clerk a laptop computer and a printer with a scanner capability. Whether we have that in house and need to purchase. He feels the clerk needs to have these things in order to do her job.

Mr. J Peters made a motion to for the administration work with the IT department to find the clerk a laptop and a printer with scanner capability. Mr. R. Peters seconded the motion. In a voice vote all members agreed.

Mayor Evans said for 2019 the sewer fund lost \$195,000 and the water fund only made \$45,000. He just wanted everyone to know this information in regards to the Ordinances removing the 3% increase on these funds. He said he isn't against cutting rates and hopes to bring a proposal next month for a reduction in eclectic rates. He just wanted everyone to be aware of the financial situation regarding the water and sewer rates. Have to cut costs before you can cut revenue.

President Edwards said she was contacted from a concerned resident that some residents looked like they were allowing people to come in and eat. She contacted the restaurants and found the people were placing orders in person, and the businesses are backed up, so they are going outside and waiting on food in the cars. This is why some parking lots appear to have several people inside.

SIGNED IN VISITORS TO SPEAK

NEW BUSINESS- Planning commission approved for Angela Hale to have her city utilities at addresses 1A & 1B Walter St. in Jackson approved.

Mrs. Biggs said she thought the customer had to be here to be approved. President Edwards said she has been waiting 10 weeks, and she isn't allowed to appear before council at this meeting because of the Covid-19 restrictions.

Mr. R. Peters made a motion to approve the utilities, 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

Mr. R Peters said that other councils are having what they are calling "Work Sessions". This is where public is invited and the council can discuss things. No Legislation is brought to this meeting. It is just a time for discussion. This could be scheduled on the opposite Monday(s) of council meetings and would

JACKSON CITY COUNCIL

Minutes From

April 27, 2020

7:00 P.M.

REGULAR SESSION

allow to shorten the meetings. Would like council to consider this. He said he would forward the information to Mr. Kirby to make sure it is all legal. He believes there does need to be a quorum. This would definitely shorten the regular meetings.

Mrs. Biggs made a motion to enter executive session to conference with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action, with everyone present including the attorney Reipenhoff, but excluding Mr. John Peters. Mr. Foster seconded the motion.

It was asked whether Ryan should be allowed to stay. He said he was a party to the lawsuit as a council member in 2019. He was in for the executive sessions regarding this, and felt he should stay. After discussion it was decided he would stay and Mr. Biggs said her motion stands. A roll call vote was taken and the results are as follows:

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

Council went into executive session at 9:25PM. Mrs. Biggs made a motion to resume regular session and it was seconded by Mr. Bopp. In a voice vote all members agreed.

Council resumed regular session at 10:11 PM

Council took a 5 minute recess.

Mr. R. Peters made a motion to enter into executive session to consider discipline of a public employee with everyone in the room included for session. Mrs. Biggs seconded the motion. 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

Council entered into executive session at 10:16 PM

Mrs. Biggs made a motion to resume regular session and it was seconded by Mr. R. Peters. In a voice vote all members agreed.

Council resumed regular session at 10:27 PM

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

Meeting Adjourned at 10:27 PM

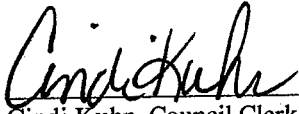
JACKSON CITY COUNCIL

Minutes From

April 27, 2020

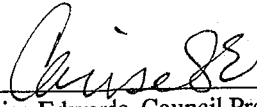
7:00 P.M.

REGULAR SESSION



Cindi Kuhn, Council Clerk

Date 5-11-20



Carisa Edwards, Council President

Date 5-11-2020

100
100