

# JACKSON CITY COUNCIL

## *Minutes From*

June 8, 2020

7:00 P.M.

## REGULAR SESSION

Jackson City Council met in regular session on Monday, June 8, 2020 at 7:00 p.m. in Jackson City Council Chambers. The Pledge of Allegiance was led by Mr. Bopp and the prayer was given by Mrs. Biggs. President 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:** Missy Collins – Owner of Apple Village Apartments. –Spoke against Ordinance 17-20 regarding utility billing and financial responsibility of non-resident property owner/ landlord to be, codified as section 919.031.

She said that as a landlord she does her best to vet her possible tenants and does background checks. But this Ordinance hurts small business owners by making them responsible for months of bills that tenants are leaving unpaid. She also pointed out that the tenants who aren't paying their utilities are also the tenants who aren't paying their rent. The landlords are losing money because of this as well as they try to evict these tenants.

Robert Bender – Owner & Manager of Apple Hill Apartments – Spoke against Ordinance 17-20 as well.

Mr. Bender said he thought this Ordinance was passed under emergency and asked why the landlords in the city of Jackson weren't notified about this Ordinance in advance. He said there has been a lack of guidance from the utility department when they have tried to get information on this. He also said as Landlords, they aren't allowed to go back on a tenant for a back due utility bills once 30 days had passed. This is the problem because the landlords aren't notified of a delinquent utility bill until at least 45 days.

Landlord/tenant law says they can't shut off the water/sewer service. Asking council to put a stay on this; have a work meeting and repeal it.

Mr. J. Peters commented- We did do 3 readings on the Ordinance. It didn't go through as an emergency. ~~The one Ordinance removed the line at the bottom of the Ordinance that said the landlord would come in~~ with the tenant as a co-signer and have to pay the deposit. The other Ordinance we changed so that the Landlord is made aware of late notices. The intention was that you as the landlord would be notified within that 30-45 day billing cycle that the tenant was delinquent.

Mr. Bender said he didn't know if council was familiar with the Landlord-Tenant Law but it makes it very difficult to collect these delinquent amounts.

Missy Collins spoke up and said she didn't understand what Mr. Peters was talking about when he says the landlord is no longer a co-signer, because the utility office was forcing the landlord to come into the office with the tenant and sign right along beside then as the co-signer making them responsible for the utility bill.

There was a codified ordinance from 1979 that said if they signed as the co-signer they were waiving the deposit. She asked where the Ordinance is that takes that out. Mr. Peters said it was signed recently. President Edwards said they would find it for her after the meeting.

She also said the utility office didn't have the capability to do dual billing.

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Marvin Dearing - Resident of Starr Place- Spoke on behalf of the neighborhood and the problem with cats. Large number of cats, climbing trees, getting on houses, getting on cushions and tearing them up, using the bathroom in the landscaping. Mr. Dearing brought 12 signatures from his neighbors agreeing with the problem with the cats. Mrs. Colby and Mrs. Biggs agreed there is a problem in town with feral cats. Chief Potter said there isn't a lot he can do because he can't find an owner of the cats. There isn't a pound for cats like there is for the dogs. It was decided to send this to the service committee.

Harold Howell – Concerned Landlord- Mr. Howell is also a landlord of properties in Jackson. Would like to have all information and notices at the same time that the tenant gets them. Wants to be able to call in and get the information. Is the system capable of notifying both the tenant and the owner? Can IT handle it? And, is there something in place to measure the success.

Also heard that some council members were wanting to shut off lights in the alleys. He wanted to warn against it. There are a lot of theft and drug deals that happen in dark areas.

**APPROVAL OF MINUTES**

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

**COMMITTEE REPORTS**

**UTILITY~** We have a couple of ordinances for tonight. Planning a meeting and would like for the public to attend. Will announce the day and time of the meeting when it is decided.

**BUDGET & FINANCE~** No Report.

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

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

- Meeting scheduled June 22, 2020; 6:00 PM at chambers before regular scheduled meeting. Public invited.
- Discussing cemetery levy up for renewal
- Total Media contract needs renewed
- Issue with the cats at Starr Place

**JAIL COMMITTEE~** No Report

**CITY AUDITOR/ TREASURER~** Cemetery and fire levies –Needs to be looked at quickly to get on the ballot.

**CITY ATTORNEY~** No Report

**POLICE/FIRE CHIEF~** Call Records

May	2019	2020
	523	439

<u>Incidents</u>		
May	2019	2020
	130	101

Crashes

May	2019	2020
	19	10

<u>Arrests</u>		
May	2019	2020
	85	65

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Chief Potter said there has been a rash of incidents with things being stolen out of vehicles. He asked that people not leave things of value in their vehicles. Also, there are a lot of people out walking and biking with the warm weather. He asks all people to be watching and be careful.

**MAYOR-**

- There are 2 groups of people protesting in the park this weekend. Should be peaceful gatherings. One is the Black Lives Matter Group. The other is the Free Ohio Group. One has reserved the Shelter House in the park.

-Mr. Coll asked if there would be a greater police presence due to the protests. Chief Potter said the last protest was a peaceful gathering and there was no indication that this one would be any different. Some showed concern, because there are two groups not just one, in the same location.

- Administration has been working on the re-organization of the jobs for the city, including the job descriptions and benefit packages. Planning to start filling those positions.
- Mayor Evans also addressed an article that Pete Wilson had written in regards to an income tax. They have cut 2 million from the budget this year, they will likely removed the 3% sewer and water increase tonight, plan to cut electric rates, and are restructuring jobs to save money. All of these cuts are helping us. But we can't cut ourselves out of these problems. The state auditor expects us to generate general fund revenue with an income tax. The Covid pandemic has caused an economic crash which is causing us to have \$300k less in our budget this year. We have to come up with something to generate some money for our general fund.

**SERVICE/SAFETY DIRECTOR~**

- Been updating the personnel and procedures manual. Haven't been updated since 2008.
- Been comparing the verbiage of our benefit package with that of other cities our size to see what they have. Went to legal for review. Want to get to council before the next meeting.
- Put a halt on curbside recycling because of Covid. We need to come up with our exit strategy. Whether we will do away with curbside recycling all together or not. Would like feedback from the service committee. Asked Ryan to add that topic for his meeting.
- We need to consider the cemetery and two fire levies. Need to act on those before August 4<sup>th</sup>. Mr. Swackhammer asked Marva to look at those for the Fire Committee.

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**ORDINANCES AND RESOLUTIONS**

**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.**

**Third Reading**

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

FOSTER	No
COLL	Yes
COLBY	Yes
R. PETERS	Yes

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J PETERS	Yes
BIGGS	No
BOPP	Yes

**Ordinance 18-20 ~ Duly Adopted**

**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.**

**Third Reading**

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

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

**Ordinance 19-20 ~ Duly Adopted**

**ORDINANCE 20-20**

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

**Third Reading**

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

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

**Ordinance 20-20 ~ Duly Adopted**

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**ORDINANCE 21-20**

**AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE GARBAGE 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	No
BIGGS	Yes
BOPP	Yes

**Ordinance 21-20 ~ Duly Adopted**

**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**

**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	No
BIGGS	Yes
BOPP	Yes

**Ordinance 22-20 ~ Duly Adopted**

**ORDINANCE 23-20**

**AN ORDINANCE TRANSFERRING APPROPRIATIONS FROM THE WATER, SEWER, GARBAGE, ELECTRIC, AND FIRE TAX LEVY FUNDS TO THE GENERAL, COMMUNITY IMPROVEMENT AND ELECTRIC FUNDS FOR REIMBURSEMENTS IN ACCORDANCE WITH THE MAXIMUS COST ALLOCATION.**

**Third Reading**

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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 23-20 ~ Duly Adopted**

**ORDINANCE 24-20**

**AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE CEMETERY:  
STREETS, HIGHWAYS, AND SIDEWALKS 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	No
BIGGS	Yes
BOPP	Yes

**Ordinance 24-20 ~ Duly Adopted**

**ORDINANCE 26-20**

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**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.**

**Second Reading**

**ORDINANCE 27-20**

**AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE GENERAL FUND:  
STREETS, HIGHWAYS & SIDEWALK AND DECLARING AN EMERGENCY.**

**First Reading**

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

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Mayor Evans had stated when he ran for mayor that he would donate half of his salary back to the city. He donated \$10,000 for the paving of the sidewalks in order to prepare them for the ODOT project. Council did not budget enough for the sidewalk preparation back in 2019, and the sidewalks must be prepared for ODOT to begin their portion of the project.

Mr. Ryan Peters made a motion with a second from Mr. John Peters to suspend the rules. 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
J PETERS	Yes
BIGGS	Yes
BOPP	Yes

**Ordinance 27-20 ~ Duly Adopted**

**ORDINANCE 28-20**

**AN ORDINANCE APPROVING THE 2021 JACKSON CITY LIBRARY BUDGET AND  
DECLARING AN EMERGENCY.**

**First Reading**

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

**ORDINANCE 29-20**

**AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE GENERAL FUND:  
FIRE DEPARTMENT: MAINTENANCE EQUIPMENT & FACILITIES FUND.**

**First Reading**

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

**ORDINANCE 30-20**

**AN ORDINANCE OF THE LEGISLATIVE AUTHORITY OF THE CITY OF JACKSON, OHIO TO ACCEPT THE BID OF JONES-STEPHENSON INSURANCE AGENCY FOR COMMERCIAL LINE AND LIABILITY INSURANCE COVERAGE FOR THE CITY OF JACKSON AS IT WAS THE BEST RESPONSIVE BID SUBMITTED AND DECLARING AN EMERGENCY.**

**First Reading**

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

Mrs. Biggs asked if this was the only bidder. Mr. Swackhammer said this was the only one who met all the criteria. Mr. J Peters asked if we are over insured since we aren't opening the pool. Mr. R. Peters asked same questions since we aren't having recreation sports this summer. Mr. Swackhammer said these hadn't been decided at the time of the bid package. We feel we are better covered than before. Mr. Evans said they spent a lot of time updating the list and making it ready and an accurate assessment of our needs. This must be passed by 6-25-20.

Mrs. Biggs made a motion with a second by Mr. R. Peters to suspend the rules. 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

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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 30-20 Duly Adopted**



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ORDINANCE 31-20

**AN ORDINANCE CREATING THE DOWNTOWN AND PARK IMPROVEMENT FUND AND  
DECLARING AN EMERGENCY**

**First Reading**

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

It was asked if this was for funds for Christmas decorations. Mr. Swackhammer said this is for various improvements for the city. Some people had wanted to raise money and donate to improve things for the city and wanted a fund to put it into.

**RESOLUTION 18-20**

**A RESOLUTION AUTHORIZING THE MAYOR OR HIS SERVICE DIRECTOR TO ENTER  
INTO A NON-EXCLUSIVE FOUR SEASON LEASE AGREEMENT WITH THE BIG RED  
DIAMOND CLUB, INC., AN OHIO NOT FOR PROFIT CORPORATION, FOR THE USE OF  
THE HIGH STREET BALL FIELDS AND FOR THE ORGANIZATION AND OPERATION OF  
THE BASEBALL AND SOFTBALL PROGRAMS FOR THE CITY OF JACKSON AND  
DECLARING AN EMERGENCY**

**First Reading**

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

Mr. Chad Knittel and Mr. Travis Ruckel were at the meeting representing the Big Red Diamond Club. They plan to do the upkeep on the fields, concession stand, bath rooms, and keep the program going. The city would pay for the utilities and keep the grass mowed. There was concern from council members that the city would be trusting a non-employ of the city to lock up and turn off lights. Mr. J. Peters didn't feel it was right to pay for these utilities when we had planned to stop paying for the Christmas light decorations.

Mayor Evans pointed out that doing it this way would actually be cheaper than it had been in the past. In the past they had paid Mr. Ruckel to run the program. They also paid for the things that the Big Diamond Club is offering to pay for now. In the past the city paid to drag the field, run the concessions, care for the bathrooms... The volunteer group will do this. Any money they make goes back into the program to improve it.

Mr. R. Peters made a motion with a second from Mrs. Biggs to amend section 2 to change the terms to end on October 31, 2021. And then revisit it in one year to see how things are going. All members agreed.

Mrs. Biggs made a motion with a second from Mr. Foster to suspend the rules. A roll call vote was taken 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

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

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

Resolution 18-20 Duly Adopted

CORRESPONDANCE~ n/a

OLD BUSINESS~ Mrs. Biggs said she has had several people tell her they can't hear us. Tom Thacker and President Edwards worked before the meeting running everyone's microphone lines and making sure they were labeled and turned up. He also looked into the cost to record the meetings and archive them would be \$3,000.


SIGNED IN VISITORS TO SPEAK~ Craig Byler – also spoke against Ordinance 17-20.

He is also a landlord of properties in Jackson. He asked council why they didn't reach out to the landlords before making this decision. He said if they would have formed a committee that included citizens that were landlords, they could have brainstormed ideas that could work. He said there is a viscous cycle. The renters get behind on utilities. They leave a property and go to another and get utilities in someone else's name. Then get behind again on utilities.

NEW BUSINESS ~ Mrs. Biggs asked if we could have a general fund levy in which we told the citizens so much is going to police department, and so much is going to the streets...ect. Mr. Reed said yes, but a tax levy would better benefit them by far.

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

Meeting adjourned at 9:25 PM.

  
Cindi Kuhn, Council Clerk

Date 6-22-20

  
Carisa Edwards, Council President

Date 6-22-20