

JACKSON CITY COUNCIL  
*Minutes From*  
May 23, 2022  
7:00 P.M.  
REGULAR SESSION

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Jackson City Council met in regular session on Monday, May 23, 2022. The pledge was led by Mr. Peters.

Mrs. Colby led the prayer and asked for a moment of silence expressing her condolences for the passing of Butch Aldrich on behalf of council.

President Fulks called the meeting to order. Roll call was taken as follows:

- Mr. Foster --Present
- Mr. Ondera --Absent
- Mrs. Colby -- Present
- Mr. Peters -- Present
- Mr. Newkirk - Present
- Mr. Crabtree - Present
- Mr. Bopp -- Present

Mrs. Colby made a motion to excuse Mr. Ondera, with a second from Mr. Newkirk. In a voice vote, all members agreed.

#### **VISITORS/RECOGNITIONS**

#### **SIGNED IN VISITORS TO SPEAK**

- Margaret Casey-4<sup>th</sup> Ward resident, former resident of Franklin Township asked that council have a robust discussion over Resolution 18-22 concerning the annexation of property on Mayhew Rd. She asked for information on the utilities, fire coverage, police coverage, street and alley, ect. She asked if the income will offset these expenses.
- Marcia Eggers- spoke about the Cemetery Ordinance. Does not want it to pass. Would like to see a waiver for those who take care of their own lot as she has for the last 2 years. Codified Ordinance 941.09 says the deed shall not pass to the purchaser. If the buyer does not own the land then their insurance would not cover damage to the monument. This would be the city's responsibility. She said that Codified Ordinance 941.20 says decorative items can only be there April-September. This is mowing season. She felt that after that time would not be a problem, so why do they need to remove after mowing season?
- Beth Spires -- on behalf of sister. Said her sister has added beauty to their son's plot. They have put their heart and soul into taking care of their plots. She understands there needs to be structure with the rules of the cemetery, but these ordinances have never been held up. Now it seems like they are punishing people who have been taking care of them. She agrees with the waiver, and then if the people fail to take care of them, they can lose their privileges.

**APPROVAL OF MINUTES** ~ Mr. Crabtree said the attendance from the Minutes on May 9, 2022 needs changed to reflect that he was present. The clerk made the change. Mr. Peters made a motion to approve the amended regular meeting minutes from May 9, 2022 with a second from Mr. Newkirk. In a voice vote, all members agreed.

#### **COMMITTEE REPORTS**

**UTILITY** ~ No Report

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**BUDGET & FINANCE**~ No Report

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

**SERVICE COMMITTEE** ~ Meeting tonight at 6:00PM. Discussed the Transient Merchant Ordinance concerning permit exemptions for the Chamber of Commerce. Will work with Joe to get those changes made.

**CITY AUDITOR/ TREASURER**~ No Report

**CITY ATTORNEY**~ No Report

**FIRE CHIEF**~ No Report

**POLICE CHIEF** ~ No Report

**MAYOR**

- Offered his condolences for the family of Butch Aldrich. He has a wife Sherry and daughter Jennifer. He was a Jackson Police Officer for 30 years, school resource officer, and a council member amongst many other things in Jackson. His nephew Ron Aldrich works for the city.
- Discussed the Manhunt from the previous week. He said it was an extraordinary effort of many police departments. The Jackson PD was joined by the Jackson Sheriff Office, Oak Hill PD, Wellston PD, the State Highway Patrol and both K-9 officers. It was a huge cooperative effort and he was very proud of the way they all worked together.

**Report on Projects:**

- We were just awarded a 2.4 million dollar grant for our South St. Waterline project. This will replace a 100-year-old main water line. This is a 2 million dollar project. The grant will also help with the Main sewer re-lining project running from Harding to Chillicothe St. This is a 1 million dollar project. Total of about 3 million and we are getting 2.4 from this federal grant and were already awarded a \$250k grant last year.
- Mitchell project will start in June.
- Passed out a paving list for this summer. About 8 ½ miles of city street. Bids will determine if we can get them all. Also included for the summer is the last mile of cemetery streets. If anyone knows of streets that really need paved, they can bring them to the administration. However, there are many streets that need done that the city cannot pave at this time because there are still projects to be done on these streets. Either water, sewer, or gas line projects will cause the need to tear these streets up again. These streets have been moved to the list for the following year.
- Cemetery is close to being caught up. They have had a lot of additional help getting it cleaned up. Hoping to be finished by the end of the week, so it is looking nice for the holiday.
- City crew and subcontractors working on curbs.
- Subcontractor working on stumps.
- Large crew at city pool. Opens next week and are in the process of building one of two new shelter houses.

Mr. Peters asked if High St. between Oak and Cross and all the way to South could be patched since not on the paving list.

Mayor Evans said most of High needs done, but the gas line work is going to prevent it as well as the High St. bridge. It is on the patch list.

Mr. Peters asked about the Board of Control minutes #3 purchase of a truck what three funds?

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Mayor Evans said this is a basic pickup truck. They are taking two out of service that are not fit to drive. The price is below the state minimum bid. Coming from electric department, water, and sewer funds.

**SERVICE/SAFETY DIRECTOR**

- Mr. Swackhammer said the South St main water line replacement also includes all laterals to the meters.
- Project on 788 is supposed to start next Tuesday with millings.
- ODOT project is supposed to start this summer and end August 30<sup>th</sup>. There are going to be traffic signal upgrades completed before this work.
- East Broadway project. – no update
- Juneteenth National Holiday is June 19<sup>th</sup>. City will celebrate on Monday, June 20<sup>th</sup>. City offices will be closed this day. Trash pick up will be the following day.
- Tree Commission has changed their June meeting to July 13<sup>th</sup> at 1:00PM.
- Utility Office will be closed in the afternoons at 2:00PM for additional training on June 1<sup>st</sup>, 8<sup>th</sup>, and 16<sup>th</sup>.

**ORDINANCES AND RESOLUTIONS:**

**ORDINANCE NO. 19- 22**

**AN ORDINANCE REPEALING AND AMENDING THE CITY OF JACKSON'S CODIFIED ORDINANCE SECTIONS 941.09, 941.14, 941.15, 941.16, 941.17, 941.18, 941.20, 941.21, 941.22, 941.27 AND 941.30 GOVERNING OPERATION OF THE CEMETERY.**

**Third Reading**

Mr. Peters asked Mr. Kirby to explain the gray area involving the deed. Mr. Kirby said in Ohio the deed is an easement. It is the right for the burial and the monument. You are not the owner of the land. New deeds reflect this more clearly. This clarifies things. It does not change anything retroactively. Mayor Evans said they felt the need to clarify this because people thought they were being sold a plot of land and they weren't.

Mr. Peters said he would like to see the city do a waiver for people to take care of their own. Would like to offer these people who volunteer their time and effort a waiver. Mr. Crabtree agreed. Mrs. Colby pointed out the ordinance does not say that you cannot mow your own land.

Mr. Peters said Codified Ordinance 941.22 says these things don't apply if added a burial lot before Aug 10, 2010. He feels it has not been enforced and now we are going retroactive to this date. He believes we are punishing people after this date. Feels we should start new going forward. Make the changes effective to the date the Ordinance passes.

Mr. Swackhammer said this August date is when the ordinances passed before. We added this to the new ordinance for clarity.

Mr. Swackhammer said these issues are from the eighties.

Mr. Peters said we started this because they have never been enforced. People have bought after this date and not followed these rules.

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Mr. Swackhammer said it was not about the enforcement of the guidelines. It was about cost and safety. They are spending about \$100k more than the cemetery levy brings in. It cost more to mow around and have to worry about objects being hit and flying at the workers. He said the individuals that are here at the meeting do a great job. They are not the issue. How do you treat individuals differently?

Mr. Newkirk made a motion to amend by adding a waiver. Mr. Peters seconded the motion. No vote was ever taken. Another motion was put on the table. Mr. Kirby said this motion dies.

Mr. Peters said he feels they can be treated differently if people want to come once a year to him and get permission they should be allowed to do it. They are taking a workload off the city.

Mr. Peters made a motion to table this and discuss creating a waiver or adding a clause for those who want to take care of their own. Mr. Newkirk seconded the motion.

Mayor Evans - said most rules do not change whether we vote yes or no on this Ordinance. If you want to change the rules, you need to amend the ordinance. He sees merit in allowing these people to do this. However, the ordinance must be changed to clarify this with a clause or waiver so they can enforce it.

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

Foster	Yes
Ondera	Absent
Colby	Yes
Peters	Yes
Newkirk	Yes
Crabtree	Yes
Bopp	Yes

Ordinance 19-22 – Tabled.

**ORDINANCE NO. 23-22**

**AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE POLICE DEPARTMENT EDUCATION AND TRAINING FUND AND DECLARING AN EMERGENCY.**

**First Reading**

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

Chief Hinsch received a grant for training. Would like to put this money back to do additional training.

Mr. Peters made a motion to suspend the rules with a second from Mr. Crabtree. A roll call vote was taken and results are as follows:

Foster	Yes
Ondera	Absent

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Colby	Yes
Peters	Yes
Newkirk	Yes
Crabtree	Yes
Bopp	Yes

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

Foster	Yes
Ondera	Absent
Colby	Yes
Peters	Yes
Newkirk	Yes
Crabtree	Yes
Bopp	Yes

**Ordinance 23-22 Duly Adopted**

**RESOLUTION NO. 18-22**

**A RESOLUTION AUTHORIZING THE MAYOR TO CONSENT TO ENTER INTO PRE-ANNEXATION AGREEMENTS WITH PORTER JACKSON REAL ESTATE, LLC. AND FRANKLIN TOWNSHIP AND DECLARING AN EMERGENCY.**

**First Reading**

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

Mark Porter is expanding and has requested to be annexed to the city and to have city utilities. This will bring about 40 new jobs to Jackson and \$40-50k in new income tax money for the city. Mr. Peters asked if this will be a strain on the city as far as electric, sewer, water. Mayor Evans said in the preliminary study they have plenty of capacity for the utilities. Porter really needs our sewer. Will tie in from the assisted living home area. Will do a waterline for fire protection and be there if they can use our water. May have to continue with county water for now. Franklin Township seems favorable. The city will take over that portion of the road on Mayhew. This has been a huge collaboration trying to find funding for this. It is a 10-mil expansion. Mr. Swackhammer said they need to keep this moving because other funding is involved. Needs to be passed tonight.

Mrs. Colby made a motion to suspend the rules with a second from Mr. Bopp. A roll call vote was taken and results are as follows:

Foster	No
Ondera	Absent
Colby	Yes
Peters	Yes
Newkirk	Yes

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Crabtree	Yes
Bopp	Yes

There were not enough votes to suspend the rules. Resolution will go to 2<sup>nd</sup> reading next meeting.

**RESOLUTION NO. 19-22**

**A RESOLUTION AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE AND SAFETY TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF JACKSON, OHIO, AND ZENON ENVIRONMENTAL CORPORATION, FOR PURCHASE OF MEMBRANE MODULES NEEDED BY THE WASTEWATER TREATMENT PLANT FOR A PURCHASE COST NOT TO EXCEED \$349,416.00 AND DECLARING AN EMERGENCY.**

**First Reading**

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

Mr. Peters made a motion to suspend the rules with a second from Mr. Crabtree. A roll call vote was taken and results are as follows:

Foster	Yes
Ondera	Absent
Colby	Yes
Peters	Yes
Newkirk	Yes
Crabtree	Yes
Bopp	Yes

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

Foster	Yes
Ondera	Absent
Colby	Yes
Peters	Yes
Newkirk	Yes
Crabtree	Yes
Bopp	Yes

**Resolution 19-22 Duly Adopted**

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**RESOLUTION 20-22**

**A RESOLUTION AUTHORIZING THE MAYOR OR THE SERVICE-SAFETY DIRECTOR OF THE CITY OF JACKSON TO SUBMIT AN APPLICATION FOR APPALACHIAN REGIONAL COMMISSION PROGRAM FUNDING FOR THE CLINTON/TAFT SANITARY SEWER REHABILITATION PROJECT AND DECLARING AN EMERGENCY.**

**First Reading**

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

Mr. Peters made a motion to suspend the rules with a second from Mr. Newkirk. A roll call vote was taken and results are as follows:

Foster	Yes
Ondera	Absent
Colby	Yes
Peters	Yes
Newkirk	Yes
Crabtree	Yes
Bopp	Yes

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

Foster	Yes
Ondera	Absent
Colby	Yes
Peters	Yes
Newkirk	Yes
Crabtree	Yes
Bopp	Yes

**Resolution 20-22 Duly Adopted**

**RESOLUTION NUMBER: 21-22**

**A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF JACKSON TO ENTER INTO A PARTNERSHIP WITH JACKSON COUNTY AND AUTHORIZING JACKSON COUNTY TO ACT AS THE OFFICIAL GRANTEE FOR THE PROGRAM YEAR 2022 COMMUNITY HOUSING IMPACT AND PRESERVATION PROGRAM AND DECLARING AN EMERGENCY.**

**First Reading**

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

The city applies and the county manages the funds. There hasn't been an active CHIP program for a couple of years now.

Mr. Peters made a motion to suspend the rules with a second from Mr. Newkirk. A roll call vote was taken and results are as follows:

Foster	Yes
Ondera	Absent
Colby	Yes
Peters	Yes
Newkirk	Yes
Crabtree	Yes
Bopp	Yes

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

Foster	Yes
Ondera	Absent
Colby	Yes
Peters	Yes
Newkirk	Yes
Crabtree	Yes
Bopp	Yes

**Resolution 21-22 Duly Adopted**

**RESOLUTION NO. 22-22**

**A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO FILE AN APPLICATION FOR THE ARPA FIRST RESPONDER WELLNESS, RECRUITMENT, RETENTION AND RESILIENCY GRANT AND DECLARING AN EMERGENCY.**

**First Reading**

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

Fire Chief has the opportunity to apply for this grant. We need a recruitment program.

Mr. Peters made a motion to suspend the rules with a second from Mr. Newkirk. A roll call vote was taken and results are as follows:

Foster	Yes
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Ondera	Absent
Colby	Yes
Peters	Yes
Newkirk	Yes
Crabtree	Yes
Bopp	Yes

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

Foster	Yes
Ondera	Absent
Colby	Yes
Peters	Yes
Newkirk	Yes
Crabtree	Yes
Bopp	Yes

**Resolution 22-22 Duly Adopted**

RESOLUTION NO. 23-22

**A RESOLUTION OF THE LEGISLATIVE AUTHORITY OF THE CITY OF JACKSON,  
OHIO AUTHORIZING THE MAYOR OF THE CITY OF JACKSON TO EXTEND  
THE TOLLING AGREEMENT WITH THE GOODYEAR TIRE & RUBBER CO.  
AND DECLARING AN EMERGENCY.**

**First Reading**

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

The third tolling agreement asked for a 6-month extension. This is expiring. Things are progressing well. Hope to have a new agreement soon.

Mrs. Colby made a motion to suspend the rules with a second from Mr. Peters. A roll call vote was taken and results are as follows:

Foster	Yes
Ondera	Absent
Colby	Yes
Peters	Yes
Newkirk	Yes
Crabtree	Yes
Bopp	Yes

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

Foster	Yes
Ondera	Absent

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Colby	Yes
Peters	Yes
Newkirk	Yes
Crabtree	Yes
Bopp	Yes

Resolution 23-22 Duly Adopted

CORRESPONDENCE~ None

OLD BUSINESS ~

NEW BUSINESS ~ Linda West at 11197 Chillicothe Pike Jackson is on a failing septic system and is requesting city sewer. The health department is trying to get her a grant. It will not be a cost to the city to allow them to tie into our sewer.

Mr. Peters made a motion to accept the application to access city sewer. Mr. Newkirk seconded the motion. A roll call vote was taken and the results are as follows:

Foster	Yes
Ondera	Absent
Colby	Yes
Peters	Yes
Newkirk	Yes
Crabtree	Yes
Bopp	Yes

Motion Carried

The Jackson Area Chamber of Commerce was discussed at the Service Committee Meeting. The committee decided in favor of waiving permits for vendors for the events that the Chamber plans just as we do for JAFE. Mr. Peters made a motion for this, with a second from Mr. Newkirk. In a voice vote, all members agreed.

On June 23, 2022 at 6:30PM in Chambers there will be a Public Hearing for the rezoning on Acy Ave. and the rezoning for the Historical Society on East Broadway and Water Streets.

Mr. Bopp said he has noticed several lights out throughout the city. Mayor Evans said to contact the utility office so they can see if they are actually lights paid by the city, and they will put in a work order.

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

Meeting Adjourned 8:18 PM

  
Cindi Kuhn, Council Clerk

  
Dan Fulks, President

Date 6/13/22

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