

JACKSON CITY COUNCIL
Regular Session
January 14, 2008
7:00 p.m.

Call to Order..... President Speakman
Pledge of Allegiance..... Mr. Cary Brown
Opening Prayer..... Mr. Wiggins

Roll Call

Approval of Minutes

December 28, 2007

VISITORS:

COMMITTEE REPORTS:

- Utility
- Budget & Finance
- Police, Fire & Traffic
- Service
- Railroad
- Building/Recreation
- City Auditor
- Law Director
- Mayor
- Service/Safety Director

ORDINANCES AND RESOLUTIONS

CORRESPONDENCE

OLD BUSINESS

NEW BUSINESS

ADJOURN

JACKSON CITY COUNCIL

Minutes from
December 28, 2007
6:00 p.m.
Regular Session

Jackson City Council met in regular session on Friday, December 28, 2007 at 6:00 p.m. at the Jackson City Council chambers. President Ron Speakman called the meeting to order. The Pledge of Allegiance was given, led by President Ron Speakman. The Prayer was given, led by Mr. Reed.

A roll call was taken as follows:

- Mrs. Colby – present
- Mr. Hughes – present
- Mr. Eric Brown – present
- Mr. Reed – present
- Mr. Cary Brown – present
- Mr. Stewart – present
- Mr. Heath – present

Mr. Heath made a motion to approve the minutes of December 10, 2007 and December 13, 2007, seconded by Mrs. Colby. In a voice vote, all Council agreed.

VISITORS - None

COMMITTEE REPORTS

UTILITY – No Report

BUDGET & FINANCE

Mr. Reed stated that the temporary budget has been given. Please look at the EDA dollars for the sanitary sewer, the fund balance of \$500000 from the general fund; this has to be spent to get the funds. Mr. Benson was asking for \$600000 to be placed in the fund. This will be bid on January 8, 2008; can not make a decision now. New council will see the bid, had to agree to get funding, the \$1.1 million proposal is established. This was left out of the budget. Mrs. Colby asked if the storm water money is separate. Mr. Reed stated yes, no EDA funds, this was set up last year.

POLICE, FIRE & TRAFFIC – No report.

Mr. Eric Brown stated in regards to the fire truck, the quoted price is good until the second or third week of January. The bond agent gave a rate and flat rate for the cost of financing. The bank they deal with also sent a proposal for review. \$330000 to borrow at 3.6% APR, just above the bond, with it having an extra \$3000 to purchase the bond. Mr. Heath can decide how to proceed.

SERVICE

Mr. Eric Brown stated the ordinance that bids property for the cemetery to be put up for bid. Liberty Township will hopefully be the only bidder. Would like to get this started. Mrs. Colby stated that she was told the city has an ordinance in place; it has donated property in the past.

RAILROAD – No Report.

Mr. Heath stated that we had received a \$6000 payment from the railroad, more could be forthcoming. Mr. Speakman stated they have several suppliers with unpaid invoices also.

LEGAL – No Report

BUILDING – No report.

CITY AUDITOR

Mr. Humphreys stated a check had been received from Attorney Martin in the amount of \$15000 from the Paul Sexton case, settlement with workers compensation claim. Settled for \$125000 instead of \$140000. Please pass as many ordinances as possible tonight; we need to close the books for the year.

LAW DIRECTOR

See attached.

SERVICE DIRECTOR/CITY ENGINEER – No Report

CHIEF OF STAFF – No Report.

MAYOR – No Report

SAFETY DIRECTOR – No Report

POLICE CHIEF – No Report

President Speakman stepped aside and let Mr. Reed take over pro tem.

ORINANCES AND RESOLUTIONS

ORDINANCE NO. 173-07

AN ORDINANCE ESTABLISHING A TEMPORARY BUDGET AND SETTING APPROPRIATIONS FOR JANUARY 1, 2008 THROUGH MARCH 31, 2008, AND DECLARING AN EMERGENCY.

Third Reading

Mr. Reed made a motion to amend the ordinance by attaching the temporary budget, seconded by Mr. Eric Brown. In a voice vote, all Council agreed. Reverting this to a second reading.

Mr. Reed made a motion to suspend the rules, seconded by Mr. Heath. In a roll call vote, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt the ordinance, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes

Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 173-07 DULY ADOPTED

ORDINANCE NO. 177-07

AN ORDINANCE AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF JACKSON, OHIO, AND LOCAL #3619 AND OHIO COUNCIL 8, AFSCME, AFL-CIO, AND DECLARING AN EMERGENCY.

First Reading

Mr. Stewart made a motion to adopt the ordinance, seconded by Mr. Eric Brown. In a voice vote, all Council agreed.

Mrs. Colby stated she would like to see the new administration take care of this, look over and vote down tonight. Mr. Heath stated we could go into executive session to discuss.

ORDINANCE NO. 178-07

AN ORDINANCE FINDING REVOKING AND ANNULING ORDINANCE NO. 133-07, AUTHORIZING THE REBIDDING FOR DEMOLITION AND SALVAGE OF THE BUILDING KNOWN AS THE BUCKEYE COMMUNITY SERVICES BUILDING, 166 PEARL STREET, JACKSON, OHIO 45640, AND DECLARING AN EMERGENCY.

First Reading

Mr. Eric Brown made a motion to adopt the ordinance, seconded by MR. Heath. In a voice vote, all Council agreed.

Mr. Heath asked if this gives authority of rebidding. Mr. Reed stated this gives the option to rebid.

Mr. Heath made a motion to amend the ordinance correcting the spelling of Jackson, seconded by Mr. Stewart. In a voice vote, all Council agreed.

Mr. Heath made a motion to suspend the rules, seconded by Mr. Cary Brown. In a roll call vote, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt the ordinance, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes

Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 178-07 DULY ADOPTED

ORDINANCE NO. 179-07

AN ORDINANCE AUTHORIZING THE ADVERTISEMENT FOR BIDS TO SALE CERTAIN REAL PROPERTY OWNED BY THE CITY OF JACKSON, OHIO.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Stewart. In a voice vote, all Council agreed.

Mr. Heath made a motion to suspend the rules, seconded by Mr. Eric Brown. In a roll call vote, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt the ordinance, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 179-07 DULY ADOPTED

ORDINANCE NO. 180-07

AN ORDINANCE ESTABLISHING A PROCEDURE FOR APPROVAL OF FREE STANDING ANTENNAS OR TOWERS.

First Reading

Mr. Eric Brown made a motion to adopt the ordinance, seconded by Mr. Stewart. In a voice vote, all Council agreed.

Mr. Eric Brown stated this ordinance came about when he read on the internet that the county had proposed to place an 80' tower on Main Street, this should have went before the zoning committee. The service director granted approval, after talking to Mr. Sheward and Mr. Heath, the committee cannot stop, this should not be placed there, it is not appropriate. Further stating that one was denied last year, would like to monitor in the future, make this a first reading please. This will not look nice on our skyline, anything over 20' or attached to a building, smoke stacks for wood burners are going up; more than one person should have a say in this matter. Mr. Cary Brown asked if it was 80' tall. Mr. Eric Brown stated yes. Mr. Cary

asked if it would be attached with cables. Mr. Eric Brown stated guide wires should be installed; the county does not want to install. Mr. Cary Brown asked who approved. Mr. Eric Brown stated Steve Benson. Mr. Reed asked about the height restriction. Mr. Eric Brown stated that Steve Benson acting as service director as the right to pass, granted the same day as the permit was purchased. Mrs. Colby stated she can't believe that we cannot stop this as council. Mr. Cary Brown stated we had to stop it. Mr. Reed asked to have the law director review. Mr. Eric Brown stated if the tower were to fall, the County is only responsible for a citizen's deductible. Mr. Evans stated that Mr. Benson has worked for the company installing this tower; the approval shows a conflict of interest. Mr. Eric Brown stated he had also been told that and asks Mr. Benson, he stated he would take care of it. The contractor has been contacted with the issue, should come to terms with the best interest of everyone. Commissioner Walton stated this project was a go. Mr. Adams asked who would benefit. Mr. Eric Brown stated the county EMA, the zoning committee gave approval for the towers on the road and on Mayhew Road (this tower will be taken down due to age), would like to see it attached to the courthouse. Mr. Reed made a motion to have the law director review, seconded by Mr. Eric Brown. In a voice vote, all Council agreed.

ORDINANCE NO. 181-07

AN ORDINANCE APPROVING AND ADOPTING THE CITY OF JACKSON, OHIO, SEWER OVERFLOW EMERGENCY RESPONSE PLAN; DIRECTING THE SUBMITTAL THEREOF TO THE DIRECTOR OF THE OEPA; AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Stewart. In a voice vote, all Council agreed.

Mr. Heath asked for a first reading tonight, Mr. Detty stated there could be revisions.

ORDINANCE NO. 182-07

AN ORDINANCE TRANSFERRING APPROPRIATIONS, AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Stewart. In a voice vote, all Council agreed.

Mr. Stewart made a motion to suspend the rules, seconded by Mr. Heath. In a roll call vote, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt the ordinance, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes

Mr. Heath – yes

ORDINANCE NO. 182-07 DULY ADOPTED

ORDINANCE NO. 183-07

AN ORDINANCE TRANSFERRING APPROPRIATIONS, AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Stewart. In a voice vote, all Council agreed.

Mr. Stewart made a motion to suspend the rules, seconded by Mr. Heath. In a roll call vote, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt the ordinance, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 183-07 DULY ADOPTED

ORDINANCE NO. 184-07

AN ORDINANCE TRANSFERRING APPROPRIATIONS, AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Stewart. In a voice vote, all Council agreed.

Mr. Heath made a motion to suspend the rules, seconded by Mr. Stewart. In a roll call vote, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt the ordinance, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 184-07 DULY ADOPTED

ORDINANCE NO. 185-07

AN ORDINANCE TRANSFERRING APPROPRIATIONS, AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by MR. Stewart. In a voice vote, all Council agreed.

Mr. Heath made a motion to suspend the rules, seconded by Mr. Stewart. In a roll call vote, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt the ordinance, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 185-07 DULY ADOPTED

ORDINANCE NO. 186-07

AN ORDINANCE TRANSFERRING APPROPRIATIONS, AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Stewart. In a voice vote, all Council agreed.

Mr. Heath made a motion to suspend the rules, seconded by Mr. Stewart. In a roll call vote, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt the ordinance, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 186-07 DULY ADOPTED

ORDINANCE NO. 187-07

AN ORDINANCE TRANSFERRING APPROPRIATIONS, AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Stewart. In a voice vote, all Council agreed.

Mr. Heath made a motion to suspend the rules, seconded by Mr. Eric Brown. In a roll call vote, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt the ordinance, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 187-07 DULY ADOPTED

ORDINANCE NO. 188-07

AN ORDINANCE TRANSFERRING APPROPRIATIONS, AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Stewart. In a voice vote, all Council agreed.

Mr. Heath made a motion to suspend the rules, seconded by Mr. Stewart. In a roll call vote, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt the ordinance, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 188-07 DULY ADOPTED

ORDINANCE NO. 189-07

AN ORDINANCE APPROVING REDUCTIONS IN APPROPRIATIONS IN THE ICE PLANT BUILDING FUND, AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Stewart. In a voice vote, all Council agreed.

Mr. Stewart made a motion to suspend the rules, seconded by Mr. Heath. In a roll call vote, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt the ordinance, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes

Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 189-07 DULY ADOPTED

ORDINANCE NO. 190-07

AN ORDINANCE APPROVING REDUCTIONS IN APPROPRIATIONS IN THE SEWER PLANT
IMPROVEMENT FUND, AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Stewart. In a voice vote, all Council
agreed.

Mr. Heath made a motion to suspend the rules, seconded by Mr. Stewart. In a roll call vote, Council voted
as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt the ordinance, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 190-07 DULY ADOPTED

ORDINANCE NO. 191-07

AN ORDINANCE TRANSFERRING APPROPRIATIONS, AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Stewart. In a voice vote, all Council
agreed.

Mr. Heath made a motion to suspend the rules, seconded by Mr. Stewart. In a roll call vote, Council voted
as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes

Mr. Heath – yes

In a roll call to adopt the ordinance, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 191-07 DULY ADOPTED

ORDINANCE NO. 192-07

AN ORDINANCE TRANSFERRING APPROPRIATIONS, AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Stewart. In a voice vote, all Council agreed.

Mr. Heath made a motion to suspend the rules, seconded by Mr. Stewart. In a roll call vote, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt the ordinance, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 192-07 DULY ADOPTED

ORDINANCE NO. 193-07

AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE SEWER COLLECTION FUND AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Stewart. In a voice vote, all Council agreed.

Mr. Heath made a motion to suspend the rules, seconded by Mr. Stewart. In a roll call vote, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt the ordinance, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 193-07 DULY ADOPTED

ORDINANCE NO. 194-07

AN ORDINANCE TRANSFERRING APPROPRIATIONS, AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Stewart. In a voice vote, all Council agreed.

Mr. Heath made a motion to suspend the rules, seconded by Mr. Stewart. In a roll call vote, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt the ordinance, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 194-07 DULY ADOPTED

ORDINANCE NO. 195-07

AN ORDINANCE TRANSFERRING APPROPRIATIONS, AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Stewart. In a voice vote, all Council agreed.

Mr. Heath made a motion to suspend the rules, seconded by Mr. Stewart. In a roll call vote, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt the ordinance, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 195-07 DULY ADOPTED

ORDINANCE NO. 196-07

AN ORDINANCE TRANSFERRING APPROPRIATIONS, AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Stewart. In a voice vote, all Council agreed.

Mr. Heath made a motion to suspend the rules, seconded by Mr. Stewart. In a roll call vote, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt the ordinance, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes

Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 196-07 DULY ADOPTED

ORDINANCE NO. 197-07

AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE GENERAL FUND, AND
DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Stewart. In a voice vote, all Council
agreed.

Mr. Heath made a motion to suspend the rules, seconded by Mr. Stewart. In a roll call vote, Council voted
as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt the ordinance, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 197-07 DULY ADOPTED

ORDINANCE NO. 198-07

AN ORDINANCE TRANSFERRING APPROPRIATIONS, AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Stewart. In a voice vote, all Council
agreed.

Mr. Heath made a motion to suspend the rules, seconded by Mr. Stewart. In a roll call vote, Council voted
as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes

Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt the ordinance, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 198-07 DULY ADOPTED

ORDINANCE NO. 199-07

AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE E. JONES
INVESTMENT FUND AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Stewart. In a voice vote, all Council agreed.

Mr. Heath made a motion to suspend the rules, seconded by Mr. Eric Brown. In a roll call vote, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt the ordinance, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 199-07 DULY ADOPTED

ORDINANCE NO. 200-07

AN ORDINANCE TRANSFERRING APPROPRIATIONS, AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Stewart. In a voice vote, all Council agreed.

Mr. Heath made a motion to suspend the rules, seconded by Mr. Stewart. In a roll call vote, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt the ordinance, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 200-07 DULY ADOPTED

ORDINANCE NO. 201-07

AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE LILLIAN JONES MUSEUM TRUST FUND AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Stewart. In a voice vote, all Council agreed.

Mr. Heath made a motion to suspend the rules, seconded by Mr. Eric Brown. In a roll call vote, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt the ordinance, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 201-07 DULY ADOPTED

ORDINANCE NO. 202-07

AN ORDINANCE TRANSFERRING APPROPRIATIONS, AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Stewart. In a voice vote, all Council agreed.

Mr. Heath made a motion to suspend the rules, seconded by Mr. Stewart. In a roll call vote, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt the ordinance, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 202-07 DULY ADOPTED

ORDINANCE NO. 203-07

AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE WATER FUND AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Stewart. In a voice vote, all Council agreed.

Mr. Stewart made a motion to suspend the rules, seconded by Mr. Heath. In a roll call vote, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt the ordinance, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 203-07 DULY ADOPTED

ORDINANCE NO. 204-07

AN ORDINANCE TO ADVANCE FUNDS AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Stewart. In a voice vote, all Council agreed.

Mr. Heath made a motion to suspend the rules, seconded by Mr. Stewart. In a roll call vote, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt the ordinance, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 204-07 DULY ADOPTED

ORDINANCE NO. 205-07

AN ORDINANCE TRANSFERRING APPROPRIATIONS, AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Stewart. In a voice vote, all Council agreed.

Mr. Heath made a motion to suspend the rules, seconded by Mr. Stewart. In a roll call vote, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt the ordinance, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 205-07 DULY ADOPTED

ORDINANCE NO. 206-07

AN ORDINANCE APPROVING REDUCTIONS IN APPROPRIATIONS IN THE PARK
ENHANCEMENT FUND, AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Stewart. In a voice vote, all Council agreed.

Mr. Heath made a motion to suspend the rules, seconded by Mr. Stewart. In a roll call vote, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt the ordinance, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 206-07 DULY ADOPTED

ORDINANCE NO. 207-07

AN ORDINANCE APPROVING REDUCTIONS IN APPROPRIATIONS IN THE WATER UTILITY
OFFICE FUND, AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath made a motion to adopt the ordinance, seconded by Mr. Stewart. In a voice vote, all Council agreed.

Mr. Heath made a motion to suspend the rules, seconded by Mr. Eric Brown. In a roll call vote, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt the ordinance, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 207-07 DULY ADOPTED

ORDINANCE NO. 208-07

AN ORDINANCE APPROVING THE RECOMMENDATION OF THE CITY INVESTMENT BOARD
AND GRANTING THE CONTRACT FOR THE CITY'S DAY TO DAY BANKING SERVICES TO
NATIONAL CITY BANK, AND DECLARING AN EMERGENCY.

First Reading

Mr. Heath asked Mr. Humphreys if he had any comments regarding this matter. Mr. Humphreys stated that he had asked the Treasurer to be present also to answer questions. The Investment Board met with three local banks, noting that the city had dealt with Oak Hill Bank for many years, with cd's going out for proposal; they thought the banking should also. A recommendation was made for each bank, and a person not involved with the city reviewed to give an unbiased opinion. Decided to go with National City Bank, would like this ordinance passed tonight, must be online by February 1, 2008, checks and deposit tickets need to be ordered. The big thing is the sweep and interest, can sweep a check instantly. They also agreed for no charge for term, annual interest \$60000 more with interest than with others. Nothing below 3% makes everything much simpler. Mr. Eric Brown stated this will begin on 2/1 ending on 12/31, should end on 1/31. Mr. Humphreys stated this will be in place for two years. Mrs. Sexton stated we are trying to get on an annual schedule, with a new treasurer and auditor we are off to a good start. Mr. Eric Brown asked if this would change the direct deposit for employees. Mrs. Sexton stated no change for the employees just in the office. Mr. Perry stated that we will receive free checks and deposit tickets and they also called for references.

Mr. Reed made a motion to adopt the ordinance, seconded by Mr. Heath. In a voice vote, all Council agreed.

Mrs. Colby made a motion to suspend the rules, seconded by Mr. Heath. In a roll call vote, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

In a roll call to adopt the ordinance, Council voted as follows:

Mrs. Colby – yes
Mr. Hughes – yes
Mr. Eric Brown – yes
Mr. Reed – yes
Mr. Cary Brown – yes
Mr. Stewart – yes
Mr. Heath – yes

ORDINANCE NO. 208-07 DULY ADOPTED

Mr. Reed stepped down and President Speakman took over.

CORRESPONDENCE -- None

NEW BUSINESS


Mr. Humphreys stated we have not heard anything in regards to Maxximus, the state auditor says this is not priority. Would like to see this corrected. Mr. Heath stated he intends to address, stating four auditors want to handle this four different ways. Great deal of he said/she said. Mr. Detty has sent a letter. Mr. Speakman stated he had great faith in the state auditor.

OLD BUSINESS

President Speakman stated four council persons will be leaving tonight. Mrs. Colby it has been a pleasure, conscious voice of council, strong in her beliefs. Mr. Reed has no grey hair, dedicated to finances. Mr. Stewart was our research specialist. Mr. Heath will leave us much quieter. Thanks to all. Mr. Reed stated it has been a pleasure, and agrees about Mrs. Colby. Hopes the new council votes with feeling. Mr. Heath stated that Mr. Stewart tired to wade through politics, emotional issues put to the side, Mrs. Colby was sometimes alone in her views, this takes a lot of courage and conviction, Mr. Reed in the past eight years we have seen things we never dreamed of and valued your honest opinion. Mrs. Colby stated she has enjoyed serving even though we didn't always agree. Mr. Stewart stated he has enjoyed, we went through a healing process and wishes the new council the best.

ADJOURN

Mr. Heath made a motion to adjourn, seconded by Mr. Stewart. In a voice vote all Council agreed. Council adjourned at 7:25 p.m.

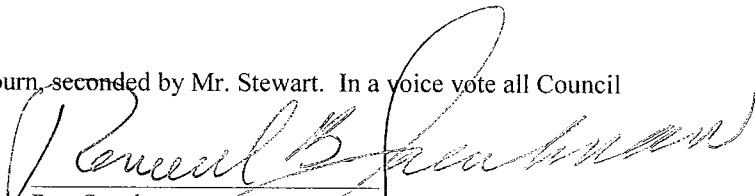


Tera L. Brown

Clerk

Date:

1-14-08



Ron Speakman

Council President

Date:

1-14-08

JOHN L. "JACK" DETTY

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jdetty@jacksonohio.us

Jackson City Council

December 28, 2007

REPORT OF THE LAW DIRECTOR

I will not be able to attend this evening's Council Meeting. I have met with the Legal Committee Chairman Randy Heath, and he can report on issues in my place. I wish each of you a Very Happy New Year.

• **ORDINANCES**

- 177-07 – This is the Ordinance for the AFSCME Contract. You may go into executive session to “* * * prepare for, conduct or review collective bargaining strategy.” However any action must be taken in open session. This contract was received by the administration on December 18, 2007. Council has 30 days to accept or reject the contract. If no action is taken within 30 days the agreement will be approved as presented. There is some question as to when the 30 days commences. I would suggest that you should take action within 30 days of December 18, 2007, the date it was received by the administration. Thus, this gives you until January 17, 2008. Our first meeting in 2008 is on January 14.
- 178-07 – This ordinance is to revoke the prior bid award on the old BCS building and start again. This could be an executive session exception, as this may be an issue in which “court action is imminent.”
- 179-07 – This ordinance authorizes the City to take bids on the sale of property at Hammertown, adjacent to the cemetery. The ordinance states that bids shall be for “cemetery purposes” only. This will protect the reservoir.
- 180-07 – This was prepared at the request of Board of Zoning Appeals Chairman Eric Brown. He can fill you in on more of the details concerning this legislation.
- 181-07 – this was on a request from Steve Benson. Exhibit “A” is supposed to be forthcoming, hopefully before the Council meeting. It cannot be passed without the exhibit.
- Ordinances 182-07 through 207-07 are Auditor's Office requests concerning the year end books. Auditor can provide details on these.

- Ordinance No. 208-07 – This is a recommendation from the City Investment Board concerning banking services for the City. The Board recommends National City Bank. The Board consists of the Mayor, the Auditor, the Treasurer, and the Law Director. Mr. Humphreys can provide more info if it is needed. Can go three readings if 1st reading is tonight.

- **LIBERTY TOWNSHIP CEMETERY**

- Ordinance 179-07 authorizes bids for the real property, to be limited to cemetery use.

- **SETTLEMENT WITH LUIGINO'S AS PART OF CONSNT DECREE**

- Attorney Howarth is handling this and this issue is almost completed.

- **MAXXIMUS/AUDITOR OF STATE**

- At the last meeting Council directed I send a letter to Maximus concerning the contract they presented.
- As a result of the letter there is some action on this issue. Hopefully the issue with the State Auditor will be resolved in the near future so the City Auditor will know exactly what the Auditor of State will approve. Auditor Humphreys can give more detail and information on this matter.

- **WALGREEN'S PROJECT**

- The Board of Zoning Appeals has met and approved some variances that were requested by the developer.
- I do have a copy of a proposed Purchase Agreement. Also, there will be requests for alley vacations, easements, etc. coming in future meetings.
- At the last meeting there was some comments that the City should not be purchasing the real property as part of this project. Perhaps this matter should be sent to a committee for recommendations to Council as a whole.
- The project is commencing. Mr. Heath can give updates on this matter.

- **BCS BUILDING**

- Ordinance No. 178-07 is in the packet for consideration tonight.
- As reported at the last meeting, council previously awarded the contract to John and Melanie Collins. (Ordinance No. 133-07).
- A simple contract was drafted, and presented to the Collins, and they were requested to sign this contract and commence the work.
- The contract has not been signed, although requests were made.
- I sent them a letter asking the contract be signed, or the Ordinance granting them the bid will be revoked. There has been no response.