

JACKSON CITY COUNCIL
Regular Session
July 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

June 23, 2008

VISITORS:

- Kara Willis, Economic Development to discuss Phase II Rail Project

COMMITTEE REPORTS:

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

ORDINANCES AND RESOLUTIONS

CORRESPONDENCE

OLD BUSINESS

NEW BUSINESS

ADJOURN

JACKSON CITY COUNCIL

Minutes from

June 23, 2008

7:00 p.m.

Regular Session

Jackson City Council met in regular session on Monday, June 23, 2008 at 7:00 p.m. at the Jackson City Council chambers. President Ron Speakman called the meeting to order. The Pledge of Allegiance was given, led by Mr. Smith. The Prayer was given, led by Mr. Wiggins.

A roll call was taken as follows:

- Mr. Evans – present
- Mr. Adams – present
- Mr. Eric Brown – present
- Mr. Smith – present
- Mr. Cary Brown – present
- Mr. Elliott - present
- Mr. Wiggins – present

Mr. Wiggins made a motion to approve the minutes of May 19, 2008 regular session seconded by Mr. Smith. In a voice vote, all Council agreed.

VISITORS - None

Mayor Heath stated that Ms. Willis would not be addressing council until more information had been gathered. She however requested that the ordinance pertaining to this matter be tabled for one meeting.

COMMITTEE REPORTS

UTILITY – No report

Mr. Eric Brown stated that the committee is available to discuss utility rates.

BUDGET & FINANCE - No Report

POLICE, FIRE & TRAFFIC

Mr. Evans stated there were two ordinances being presented in regards to using parking lots to avoid intersections and j-turns. Mayor Heath asked if the committee could review the intersection at Main and Huron, with the possibility of installing a left turn light. Mr. Speakman stated this is something that the administration could handle.

SERVICE

Mr. Smith announced a committee meeting will be held on Monday, July 14, 2008 at 6:00 p.m.

RAILROAD - No report

BUILDING/RECREATION

Mr. Smith announced a committee meeting will be held on Monday, July 14, 2008 at 6:00 p.m. He requested information from Mr. Detty in regards to the Berridge property.

CITY AUDITOR – No report

LAW DIRECTOR – No report

Mr. Evans asked if Mr. Martin was working on the pending lawsuit, or if outside council was needed for Federal Court. Mr. Detty stated this would be this week.

MAYOR

Mayor Heath stated that a change had been made in the Police contract, that drug testing was no longer required for officers. This was done by MOU by the former administration shortly before leaving office. This could possibly affect the yearly discount received from the Bureau of Workers Compensation. Mr. Eric Brown asked Mr. Detty how long a MOU was good for. Mr. Detty stated it is an understanding, both sides have signed. Mr. Eric Brown stated this needs to be brought back to the table. Mr. Evans thought that Council approved the contracts and wondered why they would not want to be tested. This needs to be reviewed and we need to meet with the Chief. Mr. Sheward stated the Chief was not knowledgeable of this, since he is non union. Mr. Evans stated we need to speak to someone. Mr. Speakman asked how we were to proceed. Mayor Heath stated the committee can assist, but the FOP has produced the document. Mr. Speakman stated the administration should work with the committee. Mr. Evans stated he would get the legalities from Mr. Detty. Mayor Heath stated he had received a letter from the Exline family requesting use of city streets to collect money for the Relay for Life. Mr. Eric Brown made a motion to allow, seconded by Mr. Wiggins, with the stipulation of adults only, and must remain on the curb with safety vests being worn, to be done during Freedom Fest. Mayor Heath stated that attendance was down at the pool, letters are still being sent to area business for donations. The police are patrolling this area. He stated that they were looking at some paving this year, Walnut, Lee and Coffman streets, approximate cost is \$25,000. Mrs. Sexton is looking for funding. The CIB was used for the St. Rt. 93 project. Mr. Cary Brown asked if Locust Street could be looked at from the fire station to Water Street. Mayor Heath stated he would look at tomorrow. He stated that \$200.00 had been received in donations toward the downtown flower fund; we would like to raise \$500.00. There will be several trees removed on Harding Avenue near the railroad tracks. Mr. Fisher has met with the Tree Commission, they must be removed they are in the line of sight. In regards to the railroad Mayor Heath would like to meet with the Hamden Mayor, some damage was done by sewer work. The 4th of July activities will be held on July 3rd. He will be meeting with Mrs. Sexton and Mr. Humphreys on Wednesday to begin work on the 2009 budget. Mr. Smith asked if the skate park would be dedicated over the 4th. Mayor Heath stated he would like to do this on the 3rd. Mr. Evans stated that Mayor Heath needs to borrow a skateboard for the dedication. There could be some issues with the EPA in regards to cars being stored in Wellston. Mayor Heath stated they have not discussed this issue, but the city is still in possession of the Wellston Depot deed, we need to donate this to the City of Wellston. Mr. Speakman stated the hold up was that no one wanted to pay for the survey.

SAFETY/SERVICE DIRECTOR

Mr. Sheward stated the air conditioning in chambers had been fixed. He had sent a notice to local media in regards to mosquito spraying on June 26th, there will be four spray dates. Ordinance 58-08, this is for new replacement lines to Northview, there were two bids received, this will a go with Council's approval. Would like a first reading on the scrap metal ordinance, curious why recyclers were not included. Mr. Cary Brown stated this will be discussed. Mr. Smith stated some amendments will be made. Mr. Speakman asked if the Veterans Drive substation was on line. Mr. Sheward stated yes, most going to Bellisio. Mr. Wiggins asked if Ordinance 58-08 needed approved tonight. Mr. Sheward stated yes. Mr. Speakman noted that at this time last year we were reading ordinance 85-07, we are on track this year. Mr. Smith asked if the intersection at South and High could be looked at with the possibility of a traffic light being installed. Mayor Heath stated this is a state route; we would have to talk to ODOT. Mr. Sheward stated he will check into.

ORINANCES AND RESOLUTIONS

ORDINANCE 54-08

AN ORDINANCE ENACTING JACKSON CODIFIED ORDINANCE SECTION 331.121, RELATING TO J-TURNS.

First Reading

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

Mr. Evans stated he would like this to go three readings. Mr. Sheward stated they gathered information from other communities.

ORDINANCE NO. 55-08

AN ORDINANCE ENACTING JACKSON CODIFIED ORDINANCE SECTION 331.122, AVOIDING TRAFFIC CONTROL DEVICES.

First Reading

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

ORDINANCE NO. 56-08

AN ORDINANCE TRANSFERRING APPROPRIATIONS, AND DECLARING AN EMERGENCY.

First Reading

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

Mayor Heath asked Mr. Humphreys or Mrs. Sexton to discuss. Mrs. Sexton stated that 56-08 and 57-08 were also included, please see third page for explanation, this is a requirement of the bonding. Further stating this in no way had to do with the electric short fall.

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

Mr. Evans – yes
Mr. Adams – yes
Mr. Eric Brown – yes
Mr. Smith – yes
Mr. Cary Brown – yes
Mr. Elliott – yes
Mr. Wiggins – yes

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

Mr. Evans – yes
Mr. Adams – yes
Mr. Eric Brown – yes
Mr. Smith – yes
Mr. Cary Brown – yes
Mr. Elliott – yes
Mr. Wiggins – yes

ORDINANCE NO. 56-08 DULY ADOPTED

ORDINANCE NO. 57-08

AN ORINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE ELECTRIC FUND, AND
DECLARING AN EMERGENCY.

First Reading

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

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

Mr. Evans – yes
Mr. Adams – yes
Mr. Eric Brown – yes
Mr. Smith – yes
Mr. Cary Brown – yes
Mr. Elliott – yes
Mr. Wiggins – yes

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

Mr. Evans – yes
Mr. Adams – yes
Mr. Eric Brown – yes
Mr. Smith – yes
Mr. Cary Brown – yes
Mr. Elliott – yes
Mr. Wiggins – yes

ORDINANCE NO. 57-08 DULY ADOPTED

ORDINANCE NO. 58-08

AN ORDINANCE FINDING THE LOWEST RESPONSIBLE AND RESPONSIVE BID, AWARDDING THE CONTRACT FOR THE LABOR, EQUIPMENT, AND TOOLS TO PERFORM THE ELECTRIC WORK ON THE 13.2 KV NORTHVIEW SCHOOL DISTRIBUTION PROJECT, TO NITRO ELECTRIC COMPANY, INC., 500 CORPORATE DRIVE, POST OFFICE BOX 510, SCOTT DEPOT, WEST VIRGINIA 22560, AND DECLARING AN EMERGENCY.

First Reading

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

Mr. Wiggins made a motion to amend, stating in section one, the line should read to be determined by the Auditor, seconded by Mr. Eric Brown. In a voice vote, all Council agreed.

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

Mr. Evans – yes
Mr. Adams – yes
Mr. Eric Brown – yes
Mr. Smith – yes
Mr. Cary Brown – yes
Mr. Elliott – yes
Mr. Wiggins – yes

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

Mr. Evans – yes
Mr. Adams – yes
Mr. Eric Brown – yes
Mr. Smith – yes
Mr. Cary Brown – yes
Mr. Elliott – yes
Mr. Wiggins – yes

ORDINANCE NO. 58-08 DULY ADOPTED AS AMENDED

ORDINANCE NO. 59-08

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

First Reading

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

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

Mr. Evans – yes
Mr. Adams – yes
Mr. Eric Brown – yes
Mr. Smith – yes
Mr. Cary Brown – yes
Mr. Elliott – yes
Mr. Wiggins – yes

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

Mr. Evans – yes
Mr. Adams – yes
Mr. Eric Brown – yes
Mr. Smith – yes
Mr. Cary Brown – yes
Mr. Elliott – yes
Mr. Wiggins – yes

ORDINANCE NO. 59-08 DULY ADOPTED

ORDINANCE NO. 60-08

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

First Reading

Mr. Eric Brown made a motion to adopt the ordinance, seconded by Mr. Adams. In a roll call vote, all Council agreed.

Mr. Adams asked if this was just certified. Mrs. Sexton these were received in May, they are prorated. Mr. Smith asked how this helped the city. Mr. Sheward stated if improves proficiency. Mr. Humphreys stated

this is in the contract. Mr. Wiggins asked about the prorating. Mrs. Sexton stated this is done with all licenses.

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

Mr. Evans – yes
Mr. Adams – yes
Mr. Eric Brown – yes
Mr. Smith – yes
Mr. Cary Brown – yes
Mr. Elliott – yes
Mr. Wiggins – yes

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

Mr. Evans – yes
Mr. Adams – yes
Mr. Eric Brown – yes
Mr. Smith – yes
Mr. Cary Brown – yes
Mr. Elliott – yes
Mr. Wiggins – yes

ORDINANCE NO. 60-08 DULY ADOPTED

ORDINANCE NO. 61-08

AN ORDINANCE ENACTING JACKSON CODIFIED ORDINANCE SECTION 705.09, RECORDS OF TRANSACTIONS.

First Reading

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

Mr. Smith made a motion to amend the ordinance to include scrap dealers, seconded by Mr. Cary Brown. In a roll call vote, all Council agreed.

RESOLUTION NO. 19-08

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, OR HIS DESIGNATED REPRESENTATIVE, TO FILE AN APPLICATION TO THE STATE OF OHIO, DEPARTMENT OF DEVELOPMENT, GOVERNOR'S OFFICE OF APPALACHIA, OHIO RAIL DEVELOPMENT COMMISSION (ORDC), AND THE OHIO HOUSING COMMUNITY PARTNERSHIP, TO SUPPORT APPLICATIONS FOR GRANT ASSISTANCE TO REHABILITATE THE CITY OWNED RAIL LINE, CONSTRUCT A NEW RAIL SPUR TO OHIO BASIC MINERALS, LLC., AND DECLARING AN EMERGENCY.

Second Reading

Mr. Wiggins made a motion to table until the next meeting, seconded by Mr. Evans. In a voice vote, all Council agreed.

CORRESPONDENCE -- None


OLD BUSINESS

Mr. Evans asked about public records from the past administration. Mr. Detty stated letters were sent, former Mayor Goodman stated nothing of importance had been removed. Mr. Evans stated this was public record, there are procedures, and we were told it was copied to disc, we need to have these.

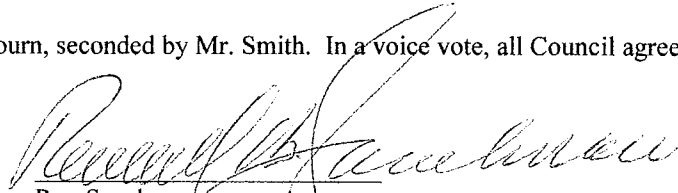
NEW BUSINESS - None

ADJOURN

Mr. Evans made a motion to adjourn, seconded by Mr. Smith. In a voice vote, all Council agreed. Council adjourned at 7:45 p.m.



Tera Brown
Clerk
Date 7-14-08



Ron Speakman
Council President
Date 7/14/08