

JACKSON CITY COUNCIL

Minutes From
August 12, 2019
7:00 P.M.

REGULAR SESSION

PETERS-Yes
QUEEN-Yes
ELLIOTT-Yes
FOSTER-Yes

ORDINANCE NO. 30-19 Duly Adopted.

ORDINANCE NO 31-19

AN ORDINANCE OF THE LEGISLATIVE AUTHORITY OF THE CITY OF JACKSON, OHIO AUTHORIZING THE MAYOR OF THE CITY OF JACKSON TO EXECUTE AN ADDENDUM TO THE JACKSON ENTERPRISE ZONE AGREEMENT, FOR THE ADMINISTRATIVE SERVICE CENTER, WITH BF NLA, LLC TO DESIGNATE THE JACKSON COUNTY ECONOMIC DEVELOPMENT PARTNERSHIP AS THE RECIPIENT OF THE ANNUAL ADMINISTRATIVE FEE AND DECLARING AN EMERGENCY.

Second reading

Mr. Ondera made a motion to suspend the rules, seconded by Mr. Kitchen. In a roll call vote the results were as follows:

ONDERA- Yes
KITCHEN-Yes
ALDRICH-Yes
PETERS-Yes
QUEEN-Yes
ELLIOTT-Yes
FOSTER-Yes

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

ONDERA- Yes
KITCHEN-Yes
ALDRICH-Yes
PETERS-Yes
QUEEN-Yes
ELLIOTT-Yes
FOSTER-Yes

ORDINANCE NO. 31-19 Duly Adopted.

ORDINANCE NO 32-19

Second Reading

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT AND TO EXECUTE DEED SO AS TO CONVEY THE JACKSON SHORT LINE RAILROAD TO THE OHIO RAIL DEVELOPMENT COMMISSION AND DECLARING AN EMERGENCY.

JACKSON CITY COUNCIL

Minutes From

August 12, 2019

7:00 P.M.

REGULAR SESSION

Mr. Elliott made a motion to suspend the rules, seconded by Mr. Kitchen. In a roll call vote the results were as follows:

ONDERA- Yes
KITCHEN-Yes
ALDRICH-Yes
PETERS-Yes
QUEEN-Yes
ELLIOTT-Yes
FOSTER-Yes

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

ONDERA- Yes
KITCHEN-Yes
ALDRICH-Yes
PETERS-Yes
QUEEN-Yes
ELLIOTT-Yes
FOSTER-Yes

ORDINANCE NO. 32-19 Duly Adopted.

ORDINANCE 33-19

AN ORDINANCE AUTHORIZING THE MAYOR TO GRANT A SUPPLEMENTAL EASEMENT TO THE OHIO POWER COMPANY. A DECISION OF AEP, ACROSS PROPERTY OWNED BY THE CITY OF JACKSON FOR PAYMENT TO THE CITY OF \$3228.00, PURSUANT TO R.C. SECTION 723.121 AND DECLARING AN EMERGENCY.

First Reading

Mr. Kitchen made a motion to adopt the ordinance, seconded by Mr. Elliott. In a voice vote all members agreed.

Mayor Heath said we should act on this tonight. AEP is giving money to us for the easement. The land is east of Richmondale. Mr. Queen said if AEP is offering, we should take the money. AEP charges us too high a price anyways. Several members voiced agreement that we should take the money. The city is in need of money. However, Mr. Peters said that if we are giving that land back to the railroad, then we don't own it to grant the easement and therefore, it isn't right to take the money. Mr. Kirby said that we should then grant the easement without taking money if that is how council feels, because AEP will have a difficult time getting the easement from the railroad. It could take a very long time before we could even get a deed to ORDC. This would hold up whatever necessary projects AEP needs to be working on.

Mr. Ondera made a motion to suspend the rules, seconded by Mr. Aldrich. In a roll call vote the results were as follows.

ONDERA- Yes
KITCHEN-Yes
ALDRICH-Yes
PETERS-No

JACKSON CITY COUNCIL

Minutes From

August 12, 2019

7:00 P.M.

REGULAR SESSION

QUEEN-No
ELLIOTT-Yes
FOSTER-Yes

ORDINANCE NO. 34-19

**AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE GENERAL FUND:
PROFESSIONAL SERVICES AND DECLARING AN EMERGENCY.**

First Reading

Mr. Ondera made a motion to adopt, seconded by Mr. Aldrich. In a voice vote all members agreed.

Mr. Peters asked what the money was for. Mayor Heath said it was to pay the negotiator. Mr. Woltz said we have had three meetings with him and haven't paid him. It was asked if we have received a bill. Mr. Reed said that we had not, but couldn't issue a PO until we pass this ordinance. We have hired Clemans Nelson to negotiate for us and didn't set aside money to pay them.

Mr. Ondera made a motion to suspend the rules, seconded by Mr. Elliott. In a roll call vote the results were as follows.

ONDERA- Yes
KITCHEN-Yes
ALDRICH-Yes
PETERS-Yes
QUEEN-Yes
ELLIOTT-Yes
FOSTER-Yes

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

ONDERA- Yes
KITCHEN-Yes
ALDRICH-Yes
PETERS-Yes
QUEEN-Yes
ELLIOTT-Yes
FOSTER-Yes

Ordinance 34-19 Duly Adopted

RESOLUTION NO. 25-19

**A RESOLUTION OF THE LEGISLATIVE AUTHORITY OF THE CITY OF JACKSON, OHIO
TO ACCEPT THE BID OF WAUGH CONSTRUCTION, LLC IN AN AMOUNT NOT TO
EXCEED \$92,000 FOR THE REPLACEMENT OR REPAIR OF THE LIFT STATION**

JACKSON CITY COUNCIL

Minutes From
August 12, 2019
7:00 P.M.

REGULAR SESSION

**SERVICING THE ACEY AVENUE AREA AS IT WAS THE LOWEST AND BEST RESPONSIVE
BID SUBMITTED AND DECLARING AN EMERGENCY.**

Second Reading

We are building it on our property in the same place. It has been in dire need of repairs for a couple of years.

Mr. Elliott made a motion to suspend the rules, seconded by Mr. Ondera. In a roll call vote the results were as follows.

ONDERA- Yes
KITCHEN-Yes
ALDRICH-Yes
PETERS-Yes
QUEEN-Yes
ELLIOTT-Yes
FOSTER-Yes

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

ONDERA- Yes
KITCHEN-Yes
ALDRICH-Yes
PETERS-Yes
QUEEN-Yes
ELLIOTT-Yes
FOSTER-Yes

Resolution 25-19 Duly Adopted

RESOLUTION NO. 26-19

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO CONTRACTS WITH THE
OHIO DIRECTOR OF TRANSPORTATION TO PARTICIPATE IN THE BRIDGE INSPECTION
PROGRAM SERVICES AND DECLARING AN EMERGENCY.**

First Reading

Mr. Ondera made a motion to adopt the ordinance with a second by Mr. Aldrich. In a voice vote all members agreed.

Mayor Heath said this is a program offered by ODOT in which they inspect our bridges every year. It is free to participate. We just have to approve the resolution stating we would like for them to inspect the bridges.

Mr. Aldrich made a motion to suspend the rules, seconded by Mr. Kitchen. In a roll call vote the results were as follows.

ONDERA- Yes
KITCHEN-Yes
ALDRICH-Yes

JACKSON CITY COUNCIL

Minutes From

August 12, 2019

7:00 P.M.

REGULAR SESSION

PETERS-Yes
QUEEN-Yes
ELLIOTT-Yes
FOSTER-Yes

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

ONDERA- Yes
KITCHEN-Yes
ALDRICH-Yes
PETERS-Yes
QUEEN-Yes
ELLIOTT-Yes
FOSTER-Yes

Resolution 26-19 Duly Adopted

CORRESPONDENCE- None.

OLD BUSINESS- National Nights Out was a success. No mosquitos. Council appreciates everything the city and police did for the event. .

NEW BUSINESS- Mr. Elliott made a motion to go into executive session, seconded by Mr. Ondera In a roll call vote council voted as follows:

ONDERA- Yes
KITCHEN-Yes
ALDRICH-Yes
PETERS-Yes
QUEEN-Yes
ELLIOTT-Yes
FOSTER-Yes

for possible pending litigation.

Council entered into executive session at 8:48PM

Mr. Aldrich made a motion, seconded by Mr. Ondera to enter back into regular session at 8:55 PM

Mr. Elliott made a motion, seconded by Mr. Ondera for Mr. Kirby to draft a resolution requesting to seek a declaratory judgement from the courts in regards to the legality of John Peters serving as City Councilman.

In a previous lawsuit and settlement, Mr. John Peters had signed a written statement agreeing to not seek future employment from the City of Jackson.

This would determine whether John Peters becoming a City Councilman through the election process, and hence becoming a city employee would be in breach of this contract.

In a roll call vote council voted as follows:

ONDERA- Yes
KITCHEN-Yes

JACKSON CITY COUNCIL

Minutes From

August 12, 2019

7:00 P.M.

REGULAR SESSION

ALDRICH-Yes

PETERS-No

QUEEN-No

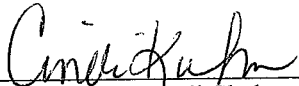
ELLIOTT-Yes

FOSTER-Yes

Motion passed by voice vote.

Mr. Aldrich made a motion to adjourn, seconded by Mr. Kitchen. In a voice vote all members agreed.

Meeting Adjourned at 9:01PM.



Cindi Kuhn, Council Clerk

Date 8/26/19



Eric Brown, Council President

Date 8.26.19

JACKSON CITY COUNCIL

Minutes From

August 12, 2019

7:00 P.M.

REGULAR SESSION

Jackson City Council met in Regular session on Monday, August 12, 2019 at 7:00 p.m. in Jackson City Council Chambers. President, Eric Brown called the meeting to order. The Pledge of Allegiance was led by Mr. Queen, and the prayer was given by Mr. Ondera. Roll call was taken as follows:

- Mr. Ondera-present
- Mr. Kitchen-present
- Mr. Aldrich- present
- Mr. Peters-present
- Mr. Queen-present
- Mr. Elliott-present
- Mr. Foster-present

VISITORS- Engineers from ODOT were present to present us with plans for possible road projects over the next couple of years. Patricia Wetzal, Jenny Barnes, and Jonas Barnes are all from District 9 which oversees 8 counties. One of which is Jackson.

The first project discussed was paving SR 93 beginning at Hwy 32 and running north for a total of 2.12 miles. It would be a 1 ½' mill & fill, working at night only, finishing in 2021.

The second project would beginning at Hwy 32 going south to Four Mile Rd also with 1 ½ 'mill & fill. It was brought to the attention of the engineers that a great portion of that road is not in the city limits. They said they would need to take a closer look to see how much is in the city limits in order to determine the city's matching funds.

The third project discussed was for safety. It is for a new configuration on SR 93 at the intersection of McCarty lane and also the intersection of Anderson Dr. The road coming from McCarty Lane would be altered curving to the left, then going straight across to Anderson Dr., and having only one stop light.

Mr. Queen asked if the lights on the other side of town could be altered, because they too have two sets of lights and are very confusing. The engineers said they did look at that, and there would be signal upgrades and timing related improvements, but not a new corridor. ODOT does pay 100% of the safety projects if their projects are applied for and get approved.

Mr. Brown asked if we can't pay our matching funds what happens? The engineers said they can look at splitting up the projects into smaller segments and stretching them out over a longer time period. Mr. Peters asked about the revenue that we should be getting from the gas tax. Could that money be used for this? The mayor asked Mr. Reed how much money is in account 228. Mr. Reed said there is \$220,000 each year and some of that could be used. Tom Woltz said he needs to know the deadlines for applying for these so that he can look at our other projects and see if we can make this work.

Megan Peters, an attendee at the meeting, spoke up saying as a mayor candidate, she felt it was irresponsible of all of the people to be making these decisions for the city who wouldn't be there much longer. She said only one person is returning as a councilman, and it is irresponsible for the rest of council to decide things for the city when they won't be on council much longer.

Mayor Heath spoke up saying it is their responsibility until December 31st to make decisions and act in the best interest of the city of Jackson.

Council took a five minute recess at 8:08 pm

JACKSON CITY COUNCIL

Minutes From

August 12, 2019

7:00 P.M.

REGULAR SESSION

APPROVAL OF AUDITOR'S REPORT

Mr. Elliott made a motion, seconded by Mr. Ondera, to approve the Auditor's report for June. In a voice vote all members agreed.

APPROVAL OF MINUTES

Mr. Kitchen made a motion to approve the minutes from the July 22nd, 2019 regular session meeting. Mr. Ondera seconded it. In a voice vote all members agreed.

COMMITTEE REPORTS

UTILITY- There are two requests for utilities outside of the city. John Hale of Best One Tire on SR 93 needs new electric service. And the Pinnacle Treatment Center on Morton St. is requesting to tap into the sewer.

Mr. Elliott made a motion to approve these requests, seconded by Mr. Ondera. In a voice vote all agreed.

BUDGET & FINANCE- Mr. Elliott said there was a brief meeting led by Mr. Reed today before the regular meeting.

POLICE, FIRE, & TRAFFIC- Mr. Foster asked Mr. Kitchen about David Ave and the possibility of making that a one side parking only street. He said there isn't room, and cars are zig-zagging trying to get through. Mr. Foster asked Mr. Kitchen to look into it.

SERVICE -- (STREET & ALLEY, RECREATION, BUILDINGS, & GROUND)

Work is being done on four railroad crossings this month. Beaver Pike will be closed for two weeks. Vaughn St. is done, but very bumpy. They had to raise the rail.

Mr. Brown received a complaint about the railroad on Dickason St.

Eddie Jones Park on Harding looks really nice. The city would like to cut paths for bases so there is a place for teams to play. There just isn't a recreation budget allowing them to do much work.

August 10th is the grass deadline.

JAIL COMMITTEE- No report

CITY AUDITOR- No report.

CITY ATTORNEY- He has kept in touch with Jackson Grandview Builders in regards to 165 Broadway St. They have gotten the tests back, and there is no asbestos. We should have our demo permit after the 10 day waiting period.

POLICE CHIEF- The vests have arrived. They are very nice. The police are very appreciative. They have been pretty steady call-wise. There was a 120 increase in May over April. They are on pace to have about 500 this month as they did in June and July.

MAYOR- This is the last week for the pool. It always closes the Saturday before school starts on Monday. We've had a great set of lifeguards this year, and we are very fortunate to have a community pool. This

JACKSON CITY COUNCIL

Minutes From
August 12, 2019
7:00 P.M.

REGULAR SESSION

Sunday is Doggy Day at the pool. This is where owners can bring their dogs and let them swim with other dogs in the city pool.

Mayor Heath mentioned a couple of important ordinances that need passed tonight. One involving bridge inspections and a right of way easement for AEP.

Mr. Brown asked Mayor Heath about the catch basins at the drainage project. He didn't see any there. The mayor said yes, they are there. They are just covered right now.

He also said they have the final sidewalk plans to the state for approval, and then they will be able to get bids. They are also finishing Mound St. as well.

SERVICE SAFETY DIRECTOR – No Report

ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 25-19

AN ORDINANCE REPEALING AND AMENDING ORD. 6-11 REGARDING CEMETERY FEES AS SET FORTH IN THE CITY OF JACKSON CODIFIED ORDINANCES AS SECTIONS 941.11, 941.12, 941.13, 941.15, 941.16, 941.17, 941.18, AND 941.28.

Second Reading

Seventeen people are still paying perpetual care. Cemetery has vault buildings falling in. The shingles or metal is deteriorating, and the concrete is disintegrating. Mayor Heath said he would talk to Ed Henderson About it.

Mr. Elliott made a motion to suspend the rules, seconded by Mr. Ondera. In a roll call vote the results were as follows:

ONDERA- Yes
KITCHEN-Yes
ALDRICH-Yes
PETERS-Yes
QUEEN-Yes
ELLIOTT-Yes
FOSTER-Yes

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

ONDERA- Yes
KITCHEN-Yes
ALDRICH-Yes
PETERS-Yes
QUEEN-Yes
ELLIOTT-Yes
FOSTER-Yes

ORDINANCE NO. 25-19 Duly Adopted.

JACKSON CITY COUNCIL

Minutes From

August 12, 2019

7:00 P.M.

REGULAR SESSION

ORDINANCE 26-19

AN ORDINANCE REPEALING AND AMENDING THE CITY OF JACKSON CODIFIED ORDINANCES SECTIONS 941.21 AND 941.26 AS ESTABLISHED BY ORD. 67-10.

Second reading

Mr. Ondera made a motion to suspend the rules, seconded by Mr. Aldrich. In a roll call vote the results were as follows:

ONDERA- Yes
KITCHEN-Yes
ALDRICH-Yes
PETERS-Yes
QUEEN-Yes
ELLIOTT-Yes
FOSTER-Yes

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

ONDERA- Yes
KITCHEN-Yes
ALDRICH-Yes
PETERS-Yes
QUEEN-Yes
ELLIOTT-Yes
FOSTER-Yes

ORDINANCE NO. 26-19 Duly Adopted.

ORDINANCE 27-19

AN ORDINANCE TRANSERRING APPROPRIATIONS FROM THE CEMETERY FUND: IT EQUIPMENT TO CEMETERY FUND: UTILITIES OFFICE FUND AND DECLARING AN EMERGENCY.

Second Reading

Mr. Reed said the transfer of funds is necessary to pay the utility bill.

Mr. Elliott made a motion to suspend the rules, seconded by Mr. Aldrich. In a roll call vote the results were as follows:

ONDERA- Yes
KITCHEN-Yes
ALDRICH-Yes
PETERS-Yes
QUEEN-Yes
ELLIOTT-Yes
FOSTER-Yes

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

JACKSON CITY COUNCIL

Minutes From

August 12, 2019

7:00 P.M.

REGULAR SESSION

ONDERA- Yes

KITCHEN-Yes

ALDRICH-Yes

PETERS-Yes

QUEEN-Yes

ELLIOTT-Yes

FOSTER-Yes

ORDINANCE NO. 27-19 Duly Adopted.

ORDINANCE 28-19

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

Second reading

Mr. Elliott made a motion to suspend the rules, seconded by Mr. Foster. In a roll call vote the results were as follows:

ONDERA- Yes

KITCHEN-Yes

ALDRICH-Yes

PETERS-Yes

QUEEN-Yes

ELLIOTT-Yes

FOSTER-Yes

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

ONDERA- Yes

KITCHEN-Yes

ALDRICH-Yes

PETERS-Yes

QUEEN-Yes

ELLIOTT-Yes

FOSTER-Yes

ORDINANCE NO. 28-19 Duly Adopted.

ORDINANCE 29-19

AN ORDINANCE OF THE LEGISLATIVE AUTHORITY OF THE CITY OF JACKSON, OHIO AUTHORIZING THE MAYOR OF THE CITY OF JACKSON TO EXECUTE AN ADDENDUM TO THE JACKSON ENTERPRISE ZONE AGREEMENT, FOR THE ADMINISTRATIVE TRAINING CENTER, WITH BF NLA, LLC TO DESIGNATE THE JACKSON COUNTY ECONOMIC DEVELOPMENT PARTNERSHIP AS THE RECIPIENT OF THE ANNUAL ADMINISTRATIVE FEE AND DECLARING AN EMERGENCY.

JACKSON CITY COUNCIL

Minutes From

August 12, 2019

7:00 P.M.

REGULAR SESSION

Second reading

Mr. Elliott made a motion to suspend the rules, seconded by Mr. Ondera. In a roll call vote the results were as follows:

ONDERA- Yes
KITCHEN-Yes
ALDRICH-Yes
PETERS-Yes
QUEEN-Yes
ELLIOTT-Yes
FOSTER-Yes

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

ONDERA- Yes
KITCHEN-Yes
ALDRICH-Yes
PETERS-Yes
QUEEN-Yes
ELLIOTT-Yes
FOSTER-Yes

ORDINANCE NO. 29-19 Duly Adopted.

ORDINANCE 30-19

AN ORDINANCE OF THE LEGISLATIVE AUTHORITY OF THE CITY OF JACKSON, OHIO AUTHORIZING THE MAYOR OF THE CITY OF JACKSON TO EXECUTE AN ADDENDUM TO THE JACKSON ENTERPRISE ZONE AGREEMENT, FOR THE MEDICAL CLINIC, WITH BF NLA, LLC TO DESIGNATE THE JACKSON COUNTY ECONOMIC DEVELOPMENT PARTNERSHIP AS THE RECIPIENT OF THE ANNUAL ADMINISTRATIVE FEE AND DECLARING AN EMERGENCY.

Second reading

Mr. Ondera made a motion to suspend the rules, seconded by Mr. Kitchen. In a roll call vote the results were as follows:

ONDERA- Yes
KITCHEN-Yes
ALDRICH-Yes
PETERS-Yes
QUEEN-Yes
ELLIOTT-Yes
FOSTER-Yes

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

ONDERA- Yes
KITCHEN-Yes
ALDRICH-Yes