

JACKSON CITY COUNCIL
Minutes From
November 8, 2021
7:00 P.M.
REGULAR SESSION

Jackson City Council met in regular session on Monday, November 8, 2021. The pledge was led by Mrs. Colby, and the prayer was given by Mrs. Colby. President Fulks called the meeting to order. Roll call was taken as follows:

- Mr. Foster –Present
- Mr. Coll – Present
- Mrs. Colby – Present
- Mr. Peters – Present
- Mr. Newkirk - Present
- Mrs. Biggs -- Present
- Mr. Bopp -- Present

VISITORS/RECOGNITIONS ~ None

APPROVAL OF MINUTES ~ Mrs. Colby made a motion to approve the minutes from October 25, 2021 with a second from Mr. Newkirk. In a voice vote, all members agreed.

COMMITTEE REPORTS

UTILITY ~ No Report

BUDGET & FINANCE~ Met on November 1, 2021. Minutes are in the binders. The committee discussed they would like to allocate money for creek cleaning, the cat problem, and sewage system repairs. The budget will be higher this year than last because there is money that is carrying over and we have received significant grants. We will be creating a cash reserve fund for the water/sewer/trash utilities.

Also discussed the city pool. What updates does council want to see done? How much money do we want to set aside in the budget for this?

Mr. Coll said this is our opportunity to help children and grandchildren. Needs to be done.

Mr. Peters agrees. He said he considers it a community park and needs to be kept up with improvements.

Mr. Swackhammer said some of the thoughts are expanding and improving several areas. Need shade around the kiddie pool, expand the fenced in area, build a new shelter house, basketball court updates to the pavement, backboards, and fence. Parking lot will need to be bigger at some point.

Mrs. Biggs asked how much is needed for these improvements.

Mr. Swackhammer said \$40,000 would take care of a lot of things. They are still applying for grants. Match type grants are more favorable because we are putting up some of the money. Mr. Foster said he thought \$30-40k. Mrs. Biggs asked Mr. Swackhammer to study the budget and to allow for \$30-40. Whichever works best into the budget.

POLICE, FIRE, & TRAFFIC ~ No Report

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SERVICE COMMITTEE ~. Reminder to council and the public that the next meeting will be November 15, 2021 at 5:30- 6:30 PM concerning the cemetery. Welcomes community input.

CITY AUDITOR/ TREASURER~ No Report.

CITY ATTORNEY~ Committee chairs have been asking about how we run our meetings and where people must sit for this. He does not believe we are in violation of any Sunshine Laws. The meetings are public and announced. The other council members not on the committee may sit in their usual chairs. However, they cannot speak while there. If they want to participate in the discussion, they must sit in the gallery with the rest of the public. He asked council to let him know if they want a new resolution drawn up or if we want to change our current council rules.

POLICE CHIEF~ Written Report in binders

FIRE CHIEF~ No Report

MAYOR ~

- The mayor thanked everyone who ran for council. We were fortunate to have several people running for the different places.
- Brett Hinsch is the acting Chief of Police now since Chief Potter retired. Two of our patrol officers were recently promoted to Sergeant; Jeremy Whitt & Richard Kiser Jr.
- We had several people from the PD that left last year before we knew if we were going to have an income tax to help fund the department. We have hired several new patrol officers and looking for a couple more.
- Project Update: We have received a grant for \$250k, one for \$500k, and just last week Governor DeWine issued House Bill 168 which is giving us over 1 million for projects.
- Tech Cred- State has a program where they are reimbursing for education related to their field. Tonia, David and Tom Woltz have been working on this. The city is going to get money for the training they have done with city workers. They put their tree trimmers through a lining program. This is \$6,000 they will be given for this. Working to find other areas in which they can be reimbursed for training employees.
- Recognized the work of SD David Swackhammer, Tonia Hatten, Traci Plants, and Tom Woltz. A lot of these grants and opportunities are coming due to the hard work from these people in his office.
- Holiday Light Up – 1st Saturday in December which is Dec. 4th. There will be a parade, tree lighting, and fireworks.

SERVICE/SAFETY DIRECTOR ~

- Mr. Peters said he noticed they were cleaning out ditches on Huron St. and Main St. Wondered if they were going to continue across Main to the bridge between McDonald's and People's Bank. There is a lot of sediment that is piled up there. Mr. Swackhammer said that is not city property, but we have always helped them out with it. He said they had reached about as far as they could with the equipment. It would take a lot of physical labor to reach where he is talking about. Mr. Peters said it needs removed so that the water does not back up onto Huron St. In the summer, water stands there, and mosquitoes are a problem.

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- Discussed leaf pick up at the last meeting. People are raking leaves into the streets and into the gutters. With the rain coming, they are going to fill up storm drains. Asked residents to please keep the leaves out of the street.

ORDINANCE 62-21

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 AND DECLARING AN EMERGENCY.

Second Reading

Mr. Swackhammer asked council to consider passing this tonight. This needs done so they can finish the budget. Mr. Coll asked if it is always this much money. Mr. Reed said it has been since our last study. We will have a new one next year, and the numbers will change.

Mr. Swackhammer said we are establishing criteria and amounts for the water/sewer/trash reserve. Some money out there will be moved over to these line items.

Mr. Coll asked about the electric reserve fund. Mr. Reed said it is fully funded.

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

Foster	Yes
Coll	Yes
Colby	Yes
R. Peters	Yes
Newkirk	Yes
Biggs	Yes
Bopp	Yes

Mr. Peters said these are old numbers, and believes they are too high. Since, we passed this last year in June of 2020. And we are now in November, he will support it. But, believes these numbers will go down.

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
Newkirk	Yes
Biggs	Yes
Bopp	Yes

Ordinance 62-21 Duly Adopted

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ORDINANCE 64-21

AN ORDINANCE REZONING FROM BUSINESS (B-2) TO RESIDENTIAL (R-2) THE PROPERTY LOCATED AT 265 PEARL STREET IN THE CITY OF JACKSON, OHIO AND DECLARING AN EMERGENCY.

First Reading

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

Mr. Peters made a motion to suspend the rules to expedite their request. They have deadlines and money has been spent. Mr. Bopp seconded the motion. A roll call vote was taken, and the results are as follows:

Foster	Yes
Coll	Yes
Colby	Yes
R. Peters	Yes
Newkirk	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
Newkirk	Yes
Biggs	Yes
Bopp	Yes

Ordinance 64-21 Duly Adopted

ORDINANCE 65-21

AN ORDINANCE REPEALING RES 62-16 THAT AMENDED CERTAIN SECTIONS OF THE CITY OF JACKSON VOLUNTEER FIRE DEPARTMENT PERSONNEL POLICIES AND PROCEDURES MANUAL AND DECLARING AN EMERGENCY.

First Reading

No Motion was made to adopt the Ordinance. This Ordinance died.

ORDINANCE NO. 66-21

AN ORDINANCE TO MOVE APPROPRIATIONS FOR THE POLICE DEPARTMENT FROM THE SALARIES & WAGES FUND TO THE EQUIPMENT FUND AND DECLARING AN EMERGENCY.

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First Reading

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

Mrs. Biggs asked if this was time sensitive. Chief Hinsch said yes, the deadline is December 2, 2021. This is an offer from Motorola. The current system used by the PD was purchased in 2010. Another radio breaks every 4-5 months. This package includes 20 portable radios for officers, 5 vehicle radios mounted to the console, and two base units for the dispatch room. This promotion is well below the state minimum. This should get the PD through another decade. Total is just under \$117,600.

Mr. Peters said the PD should be commended for not spending their full budget amount. There is a need and this is super important.

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

Foster	Yes
Coll	Yes
Colby	Yes
R. Peters	Yes
Newkirk	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
Newkirk	Yes
Biggs	Yes
Bopp	Yes

Ordinance 66-21 Duly Adopted

ORDINANCE NO. 67-21

AN ORDINANCE TO REVISE THE CODIFIED ORDINANCES BY ADOPTING CURRENT REPLACEMENT PAGES THERETO AND DECLARING AN EMERGENCY.

First Reading

Mr. Peters made a motion to adopt the Ordinance with a second from Mrs. Colby. 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 the results are as follows:

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Foster	Yes
Coll	Yes
Colby	Yes
R. Peters	Yes
Newkirk	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
Newkirk	Yes
Biggs	Yes
Bopp	Yes

Ordinance 67-21 Duly Adopted

RESOLUTION NO. 42-21

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

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

Mr. Kirby said this agreement is similar to last year. The only other potential municipality is Oak Hill. This allows for continued discussion towards a settlement without being involved in the lawsuit. The deadline is December 16, 2021. Mr. Coll asked why this one ends in June instead of next December. Mr. Kirby said it could always be extended if need be. However, Goodyear feels with the direction the negotiations are going that they hope to have it wrapped up by then.

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

Foster	Yes
Coll	Yes
Colby	Yes
R. Peters	Yes
Newkirk	Yes
Biggs	Yes
Bopp	Yes

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

Foster	Yes
Coll	Yes
Colby	Yes
R. Peters	Yes
Newkirk	Yes
Biggs	Yes
Bopp	Yes

Resolution 42-21 Duly Adopted

RESOLUTION NO. 43-21

A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF SAFETY AND SERVICE TO ENTER INTO AN AGREEMENT FOR THE PURCHASE FROM MOTOROLA SOLUTIONS OF RADIOS AND EQUIPMENT FOR USE BY THE CITY OF JACKSON POLICE DEPARTMENT FOR A PRICE NOT TO EXCEED \$117,592.52 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.

This needs to be purchased by deadline of 12-2-21.

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

Foster	Yes
Coll	Yes
Colby	Yes
R. Peters	Yes
Newkirk	Yes
Biggs	Yes
Bopp	Yes

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

Foster	Yes
Coll	Yes
Colby	Yes
R. Peters	Yes
Newkirk	Yes
Biggs	Yes
Bopp	Yes

Resolution 43-21 Duly Adopted

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RESOLUTION NO. 44-21

A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF SAFETY AND SERVICE TO ENTER INTO AN AGREEMENT FOR THE PURCHASE FROM BOYD COMPANY OF A CATERPILLAR MODEL 304-07 HYDRAULIC EXCAVATOR THROUGH THE STATE OF OHIO PURCHASE CONTRACT PROGRAM FOR A PRICE NOT TO EXCEED \$64,709.86 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. Swackhammer said there are six different departments that money will come out of to purchase this. We only have one excavator so sometimes cannot finish what is planned. If something breaks somewhere else then the current project must be put on hold, to take the excavator to another area. The new one we are buying is almost exactly like the old one. It is a Mini-excavator. Price is good for only 30 days.

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

Foster	Yes
Coll	Yes
Colby	Yes
R. Peters	Yes
Newkirk	Yes
Biggs	Yes
Bopp	Yes

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

Foster	Yes
Coll	Yes
Colby	Yes
R. Peters	Yes
Newkirk	Yes
Biggs	Yes
Bopp	Yes

Resolution 44-21 Duly Adopted

CORRESPONDENCE~ Announcement that the office is closed on Thursday, November 18th in observance of Veteran's Day. The trash pickup for Thursday will be on Wednesday of this week.

OLD BUSINESS~ None

SIGNED IN TO SPEAK~ None

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NEW BUSINESS~ Mr. Peters made the announcement that an election will be held on November 17, 2021 from 9:00 AM to 9:00 PM at the City of Jackson Fire Station for the purpose of electing two of their members to serve a one-year term on the City of Jackson Firefighter's Dependency Fund Board.

Mr. Swackhammer said Ordinance 62-16 has to do with the FD although the fire policy is not part of any ordinances of the city. The FD is trying to update the policies and procedures and this is in conflict with their updates. The P & P manual of the FD is not approved by council.

Mr. Peters said he did not want to remove the attendance part of the ordinance. That was his reason for not adopting it. He would like to see the attendance stay.

Mr. Swackhammer said The Policies and Procedures are not part of council. It is not a council item.

Mayor - asked council why they would not bring the Ordinance 65-21 to the table. The Mayor said the Fire Chief and Service Director having been working hard on this. There is nothing in the codified ordinances about Ordinance 62-16. Ordinance 62-16 is amending sections of the FD P & P and council never approved the FD P&P. Therefore, there was not a place for this in the codified ordinances. We want to repeal this ordinance because it is conflict with the changes being made to the manual.

Mr. Peters asked why the Police, Fire & Traffic committee is involved with the Policy & Procedures manual if council does not approve it. Mr. Swackhammer said they want council's input because the part that does apply is anything dealing with compensation. The FD brought it to the committee to get input but the P & P Manual is not a council item. Budget and salaries are part of council. Council approves anything with funds.

We only approved the city manual just last year. It had never been done before, but so much deals with financials, compensations, insurance, ect. Rather than breaking it out, we brought it before council. Before that, it had never come to council.

Mr. Peters said council approved Ordinance 49-16 and it is in the Codified Ordinances. Mr. Swackhammer said yes it is codified and approved by council because it is dealing with funds and must be council approved.

Mrs. Biggs said we as council pay them it is our responsibility, but we have no say in the procedures. I feel that is a conflict.

Mayor Evans & SD Swackhammer asked if there was anything they needed to know regarding this that council knows about and they do not. If so, they need to know. Questioned why seven members all sat there and not one person adopted it.

Executive Session:

Mrs. Biggs made a motion to enter into executive session for the purpose of considering discipline of a public employee and to update council about contract negotiations. She asked everyone at the table to stay. Mr. Peters seconded the motion. A roll call vote was taken, and the results are as follows:

Foster	Yes
Coll	Yes
Colby	Yes
R. Peters	Yes
Newkirk	Yes
Biggs	Yes
Bopp	Yes

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Motion Carried

Enter Executive Session 8:15PM

Mr. Peters made a motion to resume regular session with a second from Mrs. Biggs. In a voice vote, all members agreed.

Motion Carried

Resume Regular Session 8:47 PM

Meetings Update:

Service Meeting-- Monday, November 15, 2021 - 5:50-6:30 PM- Cemetery

Planning Commission – Monday, November 15, 2021 - 6:30 PM -Updating Zoning Map

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

Meeting Adjourned 8:48 PM


Cindi Kuhn, Council Clerk


Dan Fulks, President

Date 11-22-21

Date 11/22/21