

JACKSON CITY COUNCIL  
*Minutes From*  
February 13, 2023  
7:00 P.M.  
REGULAR SESSION

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Jackson City Council met in regular session on Monday, February 13, 2023. The pledge was led by Mr. Foster and the prayer was given by Mr. Ondera.

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

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

Mr. Peters made a motion to excuse Mr. Crabtree, with a second from Mr. Ondera. In a voice vote, all members agreed.

**VISITORS/RECOGNITIONS**~ Mayor Evans recognized Mr. Reed and the Auditor's office for an award from the Auditor of State, Keith Faber. It was a certificate for Outstanding Achievement in Open and Transparent Government.

**SIGNED IN VISITORS TO SPEAK**~ Angelia Hill- owner of Superior Sanitation, a local Porta-Potty Company, spoke in reference to the increase in sewer disposal rates. She said she dumps about 600 gallons per week to Jackson. The price used to be 5 cents per gallon and doubled in January. She said Waverly is 2 cents, Chillicothe is 3 cents, Gallipolis is 5 cents, and we are now 10 cents. She needs to dump here because the majority of her customers are in Jackson. However, this increase has greatly hurt her and she wants to keep the cost down for her customers. Has asked Jackson to consider changing this cost for the small business owner like herself or for the Porta-Potty dumping. She understands the large disposal of thousands of gallons has led to the increase. Mayor Evans wanted to clarify these increases are for disposal of waste from outside companies to the Waste Water Treatment Plant not customer sewer rates. He said they are willing to take a look at this. We do not want to hurt our local small business owners.

Gerald Entler spoke to council to thank them for changing the one-way road on Bridge St near his house that he had come to Council and spoke about multiple times. He said the three way stop sign is working well in that area and has really slowed down the traffic. He also spoke about how nice the city looks with the new paving, sidewalks, and curbs.

**APPROVAL OF MINUTES**~ Mr. Newkirk made a motion to approve the regular meeting minutes from January 23, 2023 with a second from Mr. Bopp. In a voice vote, all members agreed.

**COMMITTEE REPORTS**

**UTILITY** ~ No Report

**BUDGET & FINANCE**~ No Report

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

**SERVICE COMMITTEE** ~No Report

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**CITY AUDITOR/ TREASURER**~ Ordinance for tonight setting up a Payroll clearing fund. They want to use their software to the fullest extent. This will let them clear the withholdings at the time they are paid out. Helps in the auditing process.

**CITY ATTORNEY**~ No Report

**FIRE CHIEF**~ No Report

**POLICE CHIEF** ~ No Report

**MAYOR**~

- Project Updates
  - Mill St. Water/Sewer – Did the preliminary work, and hit a big issue almost immediately. Will discuss further with the ordinance that is in the packet tonight.
  - Punch list for Mitchell to Wood job is being done
  - Continued curb work on East Broadway St.
  - Have created a list of paving for 2023. If council would like input, now is the time.
- Grants
  - Safety Grant – Portable traffic signals. Receiving \$40k.
  - ODNR – Marcs radios for FD – Receiving \$10k.

Mr. Peters asked if administration would send the preliminary paving list to council to review. Asked about sealing cracks. Some of the new pavement is already cracking. Could they look at repairing the roadbed under the streets in the second round of paving to help with this cracking?

Mayor Evans said they would send the paving list. There is an ordinance in the packet to purchase equipment to seal the pavement. And yes, that is their plan next time to better repair the streets.

**SERVICE DIRECTOR**~

- The High St. Bridge was reopened before Christmas. There is a pile of gravel and dirt that needs removed prior to spring flooding.
- They are waiting on wire for the traffic signals. Have about two weeks work after this comes in. They will finish the sidewalks and remove the old poles at this time.
- Working with the EDA on fund dates and requirements for the South St. Project.
- Next month they will meet with the engineer for the upgrades at Hammertown Lake.

Mr. Newkirk said he was told they would not be dropping trout in the lake this year. So there would not be a Trout Festival. Not going to at Lake Alma either. Said the lakes are too big. Mr. Bopp asked about the tilted light at Bridge and Main St. Wondering if it is safe for two more weeks while we wait on the wire to finish the lights. Mr. Swackhammer said it has been checked out, and is safe. It will be replaced soon.

- Big Red Diamond Club – Lease Renewal in packets. Also asked to use chambers for sign-ups. February 16<sup>th</sup> and the 23<sup>rd</sup> from 6-8PM, and the 25<sup>th</sup> from 11-1AM

**ORDINANCES AND RESOLUTIONS:**

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**ORDINANCE NO. 02- 23**

**AN ORDINANCE REPEALING AND AMENDING THE CITY OF JACKSON'S CODIFIED ORDINANCE SECTION 179.01 ESTABLISHING THE MEMBERSHIP OF THE TREE COMMISSION.**

**Third Reading**

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

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

**Ordinance 02-23 Duly Adopted**

**ORDINANCE NO. 03-23**

**AN ORDINANCE REPLACING AND AMENDING THE CITY OF JACKSON ELECTRIC UTILITY RATES AS SET FORTH IN THE CITY OF JACKSON CODIFIED ORDINANCES AS SECTIONS 921.06 THROUGH 921.10 AND DECLARING AN EMERGENCY.**

**Second Reading**

**No further action was taken on Ordinance 03-23**

**ORDINANCE NO. 04-23**

**AN ORDINANCE ADOPTING POLICIES AND PROCEDURES FOR THE INTERCONNECTION OF BEHIND-THE-METER (BTM) GENERATORS AND SCHEDULE "SPP" - SMALL POWER PRODUCTION ELECTRIC RATE APPLICABLE TO ENERGY SUPPLIED BY BTM GENERATORS**

**Second Reading**

**No further action was taken on Ordinance 04-23**

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**ORDINANCE NO. 07-23**

**AN ORDINANCE AUTHORIZING THE MAYOR OR SERVICE DIRECTOR OF THE CITY OF JACKSON TO ENTER INTO AN AGREEMENT WITH THE TEAMSTERS LOCAL UNION 637, THE BARGAINING UNIT FOR THE JACKSON POLICE OFFICERS, AND TO EXECUTE THE CONTRACT BETWEEN THE CITY AND TEAMSTERS LOCAL UNION 637 AS REQUIRED AND DECLARING AN EMERGENCY.**

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**Second Reading**

Mr. Swackhammer said this is the second reading, but he asked that council pass this tonight if they desire. Based on the timeline the 30 days will come into effect before our next meeting. He would like for council to show their support in passing it before then.

Mr. Ondera 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
Ondera	Yes
Colby	Yes
Peters	Yes
Newkirk	Yes
Crabtree	Absent
Bopp	Yes

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

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

**Ordinance 07-23 Duly Adopted**

**ORDINANCE NO. 09-23**

**AN ORDINANCE OF THE LEGISLATIVE AUTHORITY OF THE CITY OF JACKSON, OHIO TO AUTHORIZE THE MAYOR OR HIS DESIGNEE, THE CHIEF OF THE JACKSON CITY FIRE DEPARTMENT, TO ENTER INTO A COOPERATIVE AGREEMENT FOR WILDLAND FIRE SUPPRESSION AND DECLARING AN EMERGENCY.**

**Second Reading**

No further action was taken on Ordinance 09-23

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**ORDINANCE NO. 10-23**

**AN ORDINANCE FOR TRANSFER OF FUNDS FOR THE HAMMERTOWN LAKE IMPROVEMENTS PROJECT 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.

This is the projects that Mr. Swackhammer talked about. We are just moving money that was already in the budget to do this work.

**No Further action was taken on Ordinance 10-23**

**ORDINANCE NO. 11-23**

**AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS FOR PROJECT EXPENSES IN ODNR PADDLING ENHANCEMENTS; ODNR CAPITAL BUDGET; AND CITY FUNDS FOR HAMMERTOWN LAKE IMPROVEMENTS PROJECT AND DECLARING AN EMERGENCY.**

**First Reading**

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

This is appropriating the money for these projects to the line items.

**No Further action was taken on Ordinance 11-23**

**ORDINANCE NO. 12 -23**

**AN ORDINANCE CREATING FUND NUMBER 180: PAYROLL CLEARING FUND AND DECLARING AN EMERGENCY.**

**First Reading**

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

This is what Mr. Reed discussed earlier. The fund will hold everything in the same account and make it easier to track in regards to withholdings for payroll such as OPERS.

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

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

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

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

**Ordinance 12-23 Duly Adopted**

**ORDINANCE NO. 13-23**

**AN ORDINANCE REPEALING AND AMENDING THE CITY OF JACKSON'S CODIFIED  
ORDINANCE SECTION 131.09 REGARDING RIDING IN POLICE CARS.**

**First Reading**

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

Mr. Swackhammer said this change is to give officers more discretion. An example was recently in the extremely low temperatures there were residents out trying to walk to work. It was hazardous to their health. They want the officers to have the discretion to give these people a ride without having to call in for permission.

**No further action was taken on Ordinance 13-23.**

**ORDINANCE NO. 14 -23**

**AN ORDINANCE AMENDING AND REPEALING ORD 08-19 AND AUTHORIZING A WAGE  
INCREASE FOR THE POSITIONS OF PART TIME POLICE DISPATCHERS AND  
DECLARING AN EMERGENCY.**

**First Reading**

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

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We recently increased the wages for the officers in the police contract. This is to bring up the pay for the part-time dispatchers to where it needs to be for the duties performed.

No further action was taken on Ordinance 14-23.

**ORDINANCE NO. 15-23**

**AN ORDINANCE REPEALING AND AMENDING THE CITY OF JACKSON'S CODIFIED  
ORDINANCE SECTION 178.04 REGARDING MEMBERS OF THE BOARD OF THE DAVID  
BROOKS JONES ENDOWMENT FOR THE ARTS FUND.**

**First Reading**

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

Mayor Evans said they are making a minor change to allow him to appoint people who live in the school district rather than inside the city limits. He said it is open to all students in the school district so he feels the board should represent the same area. The new Director of the Museum lives in the school district, but not in the city limits.

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

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

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

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

**Ordinance 15-23 Duly Adopted**

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**RESOLUTION NO. 03-23**

**A RESOLUTION CREATING THE POSITIONS OF OPERATIONS MANAGER AND OF IT/GIS  
TECHNICIAN AND DECLARING AN EMERGENCY.**

**Third Reading**

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

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

**Resolution 03-23 Duly Adopted**

**RESOLUTION NO. 08-23**

**A RESOLUTION AUTHORIZING THE MAYOR OR HIS SERVICE DIRECTOR TO  
ENTER INTO A NON-EXCLUSIVE FOUR SEASONS LEASE AGREEMENT WITH THE  
BIG RED DIAMOND CLUB, INC., AN OHIO NOT FOR PROFIT CORPORATION, FOR  
THE USE THE HIGH STREET BALL FIELDS AND FOR THE ORGANIZATION AND  
OPERATION OF THE BASEBALL AND SOFTBALL PROGRAMS FOR THE CITY  
OF JACKSON 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. Bopp. A roll call vote was taken and the results are as follows:

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

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



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

**Resolution 08-23 Duly Adopted**

**RESOLUTION NO. 09-23**

**A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF SAFETY AND SERVICE TO ENTER INTO AN AGREEMENT FOR THE PURCHASE FROM DJL MATERIAL & SUPPLY, INC. OF A CRAFTCO SUPERSHOT THROUGH THE STATE OF OHIO PURCHASE CONTRACT PROGRAM FOR A PRICE NOT TO EXCEED \$56,845.00 AND DECLARING AN EMERGENCY.**

**First Reading**

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

Columbia Gas uses the same one. So, they have had the opportunity to watch it. They are getting it for the same price that ODOT pays.

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

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

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

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

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**Resolution 09-23 Duly Adopted**

**RESOLUTION NO. 10-23**

**A RESOLUTION OF THE LEGISLATIVE AUTHORITY OF THE CITY OF JACKSON, OHIO  
APPROVING CHANGE ORDERS AND DECLARING AN EMERGENCY.**

**First Reading**

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

The elevation of the water line is the same as the sewer line at Athens St. Need to move the water line, so the sewer line can be at the grade where it needs to be. At the end of the project there will be some funds recouped for this project. They need to get this change order in place now to move forward.

Mr. Ondera 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
Ondera	Yes
Colby	Yes
Peters	Yes
Newkirk	Yes
Crabtree	Absent
Bopp	Yes

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

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

**Resolution 10-23 Duly Adopted**

**CORRESPONDENCE~** None

**OLD BUSINESS~** Decided to use the old DMV lot on Huron St. for the community garden. It has high visibility and is located pretty close to the school. They are looking for a sponsor to help pay for the utilities.

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**NEW BUSINESS**

- Tree Commission met today. They will have a presentation on Arbor Day, April 28<sup>th</sup> at 1:00PM at the Mayor's Orchard. Have invited council and city officials. The Mayor will issue a proclamation to make Jackson a Tree City USA town again.
- Mr. Newkirk said trucks by Billisio are driving between the sidewalk and the curb and destroying the land there. The mayor said we will have to repair the dirt area. Not much else we can do.
- February 27<sup>th</sup> at 10:00AM Tourism Board Meeting.
- Monday, February 20<sup>th</sup> is a City Holiday. Trash pickup will be Tuesday.
- Mr. Ondera said the streetlight is out at Vaughn and Tropic.
- Mr. Ondera addressed council with his resignation. He said he and his wife had purchased a house in Chillicothe where they go to church. He has mixed emotions about leaving Jackson. He said everything is moving in a positive manner and he has enjoyed working with this council and administration.
  - Mr. Fulks said he had made great contributions, thanked him for his service, and said he hated to see him go.
  - Mayor Evans also thanked Jon for his service and hated to lose him and his wife Bev from the Tree Commission.
  - Mr. Peters thanked him and he too said he would be missed.

**EXECUTIVE SESSION:**

Mr. Peters made a motion to enter into executive session To: Conference with an attorney concerning disputes involving the public body that are the subject of pending or imminent court action. He asked everyone at the table and Chief Hinsch to stay. Mr. Ondera seconded the motion. A roll call vote was taken to enter into executive session with the following results:

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

Motion Carried.

Entered Executive Session 7:56PM

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

Motion Carried.

Resumed Regular Session 8:15PM

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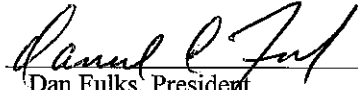
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Mr. Bopp made a motion with a second from Mrs. Colby to adjourn. In a voice vote, all members agreed.  
Motion Carried.

Meeting Adjourned 8:15 PM

  
Cindi Kuhn, Council Clerk

  
Dan Fulks, President

Date 2-27-23

Date 2/27/23