

JACKSON CITY COUNCIL
Minutes From
July 24, 2023
7:00 P.M.
REGULAR SESSION

Jackson City Council met in regular session on Monday, July 24, 2023. The pledge was led by Mr. Crabtree and the prayer was given by Mrs. Colby.

A moment of silence was observed for the passing of former Councilman Dan Coll.

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

- Mr. Foster --Present
- Mr. Elliott -- Present
- Mrs. Colby -- Present
- Mr. Peters -- Present
- Mr. Newkirk - Present
- Mr. Crabtree - Present
- Mr. Bopp -- Present

VISITORS/RECOGNITIONS~ None

SIGNED IN VISITORS TO SPEAK~ Bryan Leach from the Chamber of Commerce was present. He provided a letter detailing the events that the Chamber has planned for the City of Jackson for 2023-2025. He is asking City Council to waive the transient agreement for the vendors when they are participating in the events. The events are designed to promote business growth in the town.

APPROVAL OF MINUTES~ Mr. Peters made a motion to approve the regular meeting minutes from June 26, 2023, with a second from Mr. Elliott. 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

CITY AUDITOR/ TREASURER~ No Report

CITY ATTORNEY~ No Report

FIRE CHIEF~ Chief Channel was present at the meeting to give council an update. The FD has had 188 calls so far for 2023. They currently have 13 members. Are looking for more volunteers. The automatic aid agreement they have with the surrounding fire departments has been very beneficial. They currently have a 2001 Rescue truck that needs to be replaced. There is a 3-4 year wait on them, so need to be looking into this soon. Also will need nine new air packs if they do not get the FEMA grant for which they are applying. The 30th annual Pig Iron Day will be August 5th in the park from 11AM-3PM.

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POLICE CHIEF ~ Written Stats in packets.

MAYOR~

- There is street paving at the North end of town. Planning to pave the whole area with the income tax money. Will be going to the side streets of E. Broadway next.
- East Broadway is being paved currently by ODOT. This is a project that has been in the works since 2019.
- Working on the Mill St. area with the water/sewer line projects. Hope to get those streets paved and back in order during this paving season.
- The demo grant that the city used to tear down 12-13 properties is complete. That was done through the Land Bank. They have re-opened that again. If property owners have a dilapidated house they need torn down, they can apply for this.
- Lillian Jones Museum just received a \$3900 grant they applied for.
- We received a 1.6 million dollar grant with the Ohio Builds Water Infrastructure to continue working on our main water lines.
- The grievance that was filed by a member of OAPSE last March regarding the layoff went fully through the grievance process and has been denied by the arbitrator.

SERVICE DIRECTOR~

- The health department is having another tire recycling day. They will use the parking lot by the city garage. Will announce when that date is determined.
- Asking that we amend Resolution 28-23 to include an emergency clause.

ORDINANCES AND RESOLUTIONS:

ORDINANCE NO. 31-23

AN ORDINANCE REPEALING AND AMENDING THE CITY OF JACKSON'S CODIFIED ORDINANCE SECTION 557.01 GOVERNING WEED CONTROL.

Third Reading

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

Foster	Yes
Elliott	Yes
Colby	Yes
Peters	Yes
Newkirk	Yes
Crabtree	Yes
Bopp	Yes

Ordinance 31-23 Duly Adopted

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ORDINANCE 35-23

AN ORDINANCE AMENDING AND REPEALING ORD. 60-16 AND AUTHORIZING AN INCREASE OF THE STIPEND PAID FOR THE POSITIONS OF FIRE CHIEF AND ASSISTANT FIRE CHIEF.

Third Reading

Mr. Peters clarified that the wording in this ordinance changes the pay to a stipend. He asked how this would affect their pay. Would they get a 1099? Mr. Swackhammer said this doesn't change how they are paid. It is strictly a pay increase for the chief and asst. chief.

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

Foster	Yes
Elliott	Yes
Colby	Yes
Peters	Yes
Newkirk	Yes
Crabtree	Yes
Bopp	Yes

Ordinance 35-23 Duly Adopted

ORDINANCE NO. 36-23

AN ORDINANCE REPEALING AND AMENDING THE CITY OF JACKSON'S CODIFIED ORDINANCE SECTIONS 133.01 REGARDING PERSONNEL AND COMPENSATION WITHIN THE FIRE DEPARTMENT.

Third Reading

Mr. Peters had information and statistics on several fire departments of municipalities similar in size to ours who used their income tax money to help fund a full-time fire department. He is a huge proponent of having a fully functioning fire department. He can't support this ordinance because he doesn't want the fire fighters to lose their civil service protection. He said he is also concerned about the fire rating for homeowners' insurance policies.

Mr. Swackhammer said that the Jackson Civil Service committee determined that the fire fighters are a non-classified civil service ranking. They are considered non-classified because they do not have to take a test. This Ordinance does not take away any civil service protection. This ordinance has nothing to do with whether our fire dept. is full time or not.

Mayor Evans said he is not against a full time FD. The intent of this Ordinance is to try to classify our volunteers correctly and compensate them correctly by law. A volunteer of any rank is unclassified by our Civil Service rules by the legal department.

This is an effort to try to correct some of this. The administration does have the support of the FD. They will be compensated at least as much as before if not more with this change. And, if it doesn't work for some reason, it can always be changed in the future.

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

Foster	No
Elliott	No
Colby	No
Peters	No
Newkirk	No
Crabtree	No
Bopp	No

Ordinance 36-23 Duly Defeated.

ORDINANCE NO. 38-23

AN ORDINANCE ADOPTING AN ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN IN COMPLIANCE WITH CERTAIN GRANT FUNDING REQUIREMENTS ESTABLISHED BY THE OHIO DEPARTMENT OF DEVELOPMENT AND DECLARING AN EMERGENCY.

First Reading

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

This is part of a resolution that we will come to later in the packet. Mrs. Plants explained that this primarily ensures that with the CDBG funding we are applying for that we won't displace LMI people from their homes. This document is required in order to apply for the grant. We will be using the money for water lines. This is only a formality required by the state.

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
Elliott	Yes
Colby	Yes
Peters	Yes
Newkirk	Yes
Crabtree	Yes
Bopp	Yes

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

Foster	Yes
Elliott	Yes
Colby	Yes
Peters	Yes
Newkirk	Yes
Crabtree	Yes
Bopp	Yes

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Ordinance 38-23 Duly Adopted

ORDINANCE NO. 39-23

AN ORDINANCE REPEALING ORDINANCE 49-22 THAT PREVIOUSLY VACATED A PORTION OF WEST CIRCLE DRIVE.

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. Swackhammer said we received a request to vacate this street, and council approved it. Now the homeowner wants to give it back to the city. He was unable to build the houses the way he wanted to because he didn't have any road frontage once we vacated this street. Mr. Kirby is preparing a deed for him to sign.

No Further Action was taken on this Ordinance.

ORDINANCE NO. 40-23

AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE MILL STREET SEWER REPLACEMENT PROJECT FUND AND DECLARING AN EMERGENCY.

First Reading

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

The city is in the third phase of the projects on Mill Street. This is grant money that we were awarded, but hadn't been put into the budget for this year. This money will be used to start the engineering process for this phase.

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
Elliott	Yes
Colby	Yes
Peters	Yes
Newkirk	Yes
Crabtree	Yes
Bopp	Yes

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

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Foster	Yes
Elliott	Yes
Colby	Yes
Peters	Yes
Newkirk	Yes
Crabtree	Yes
Bopp	Yes

Ordinance 40-23 Duly Adopted

ORDINANCE NO. 41-23

AN ORDINANCE PROVIDING FOR THE VACATION OF THE ALLEY BETWEEN 111 E. SOUTH STREET AND 121 E. SOUTH STREET OF THE CITY OF JACKSON.

First Reading

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

This request came in to vacate this alley. It is unused and has grass over it. It has always been used as an easement. Mr. Elliott lived here in the past and said it was a yard back in 1947 when he lived there, and there was a garage back there at the time also. Mr. Peters said the current property owner said that he reached out to the city and the city gave him permission to add on to the garage that was there.

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
Elliott	Yes
Colby	Yes
Peters	Yes
Newkirk	Yes
Crabtree	Yes
Bopp	Yes

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

Foster	Yes
Elliott	Yes
Colby	Yes
Peters	Yes
Newkirk	Yes
Crabtree	Yes
Bopp	Yes

Ordinance 41-23 Duly Adopted

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ORDINANCE NO. 42-23

**AN ORDINANCE REPEALING AND AMENDING THE CITY OF JACKSON'S
CODIFIED ORDINANCE SECTION 927.09 RELATING TO THE DISCHARGE
OF HAULED WASTE TO THE CITY.**

First Reading

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

This is to establish different rates for the different types of waste being dumped. It separates them into three categories, and allows the city to charge different rates for the different type of waste coming in. This is primarily for nondomestic waste. This also requires the hauler to disclose what is being dumped.

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

Foster	Yes
Elliott	Yes
Colby	Yes
Peters	Yes
Newkirk	Yes
Crabtree	Yes
Bopp	Yes

Mr. Peters said he feels this should be done as soon as possible, so he would like to amend the Ordinance to include the emergency clause for the reason of maintaining the health, safety, and welfare of the City and its citizens. Mr. Newkirk seconded the motion. In a voice vote, all members agreed. Motion Carried.

The Amended Ordinance reads:

ORDINANCE NO. 42-23

***AN ORDINANCE REPEALING AND AMENDING THE CITY OF JACKSON'S CODIFIED
ORDINANCE SECTION 927.09 RELATING TO THE DISCHARGE OF HAULED WASTE TO THE
CITY AND DECLARING AN EMERGENCY.***

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

Foster	Yes
Elliott	Yes
Colby	Yes
Peters	Yes
Newkirk	Yes
Crabtree	Yes
Bopp	Yes

Ordinance 42-23 Revised- Duly Adopted

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REGULAR SESSION

RESOLUTION 28-23

RESOLUTION OF THE CITY OF JACKSON TO PARTNER WITH THE OUTDOOR RECREATION COUNCIL OF APPALACHIA (ORCA) AT NO COST TO THE CITY.

First Reading

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

John Stabler from the Jackson County Economic Development Partnership spoke to council regarding an ORCA partnership proposal. The Outdoor Recreation Council of Appalachia group is doing a lot of work in the area. They currently want to improve bike trails, have mountain biking, hiking, and extend bike paths. They are working with Jackson County and would like the city to be involved as well. They are applying for two grants and would like to have the city on board before they apply for that grant in August.

Mr. Peters made a motion to amend the Resolution to include the emergency clause so the resolution could go into effect before the August deadline. Mr. Crabtree seconded the motion. In a voice vote, all members agreed. Motion Carried.

The Revised Resolution reads:

RESOLUTION 28-23 –Revised

A RESOLUTION OF THE CITY OF JACKSON TO PARTNER WITH THE OUTDOOR RECREATION COUNCIL OF APPALACHIA (ORCA) AT NO COST TO THE CITY AND DECLARING AN EMERGENCY.

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
Elliott	Yes
Colby	Yes
Peters	Yes
Newkirk	Yes
Crabtree	Yes
Bopp	Yes

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

Foster	Yes
Elliott	Yes
Colby	Yes
Peters	Yes
Newkirk	Yes
Crabtree	Yes
Bopp	Yes

Resolution 28-23 Duly Adopted

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RESOLUTION NO. 29-23

A RESOLUTION AUTHORIZING THE CITY OF JACKSON TO FILE AN APPLICATION FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) RESIDENTIAL PUBLIC INFRASTRUCTURE GRANT PROGRAM AND DECLARING AN EMERGENCY.

First Reading

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

This is to apply for the grant that Mrs. Plants mentioned earlier. This is for water line replacement.

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

Foster	Yes
Elliott	Yes
Colby	Yes
Peters	Yes
Newkirk	Yes
Crabtree	Yes
Bopp	Yes

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

Foster	Yes
Elliott	Yes
Colby	Yes
Peters	Yes
Newkirk	Yes
Crabtree	Yes
Bopp	Yes

Resolution 29-23 Duly Adopted

RESOLUTION NO. 30-23

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, OHIO TO ACCEPT THE CONVEYANCE OF 4 ACRES, MORE OR LESS, LOCATED BEHIND THE BRIDGE STREET DOLLAR GENERAL STORE FROM HSC BRIDGE STREET, LLC AND DECLARING AN EMERGENCY.

First Reading

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

This is part of a parcel beside the Dollar General on Bridge St. The builders plan from the beginning was to build and use what they needed of the land and then donate the rest back to the city. It does connect to other city property. It is old rail bed, no utilities, in a flood plain. Administration said there is no down side to accepting it. We will clean it up and make it look nice and then also have access to our other property. A survey and deed are to be prepared.

No Further Action was taken on this Resolution.

CORRESPONDENCE~None

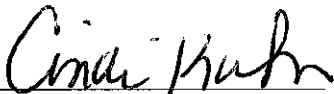
OLD BUSINESS~ None

NEW BUSINESS~ Council needs to take a vote on whether to allow the Chamber to host their events and to waive the permits for the vendors for such events. The Chamber had given us a few events last year, which were approved. However, this outlines 2023-2025. Mr. Peters made the motion, with a second from Mr. Crabtree. Mr. Swackhammer said there were some safety concerns with vendors blocking sidewalks and opening up a blank approval with no guidelines. Mr. Kirby said this is just allowing the vendors to be waived from Codified Ordinance 731.04 concerning permits. The vendors will still have to go through all the proper procedures for everything else. A voice vote was taken, and all members agreed. Motion Carried.

Mr. Peters said since the Ordinance 36-23 was defeated which included the cadet program, he would like administration to bring another ordinance to council concerning just the new program so they can consider it for approval.

Mr. Peters made a motion, with a second from Mr. Newkirk to adjourn. In a voice vote, all members agreed. Motion Carried.

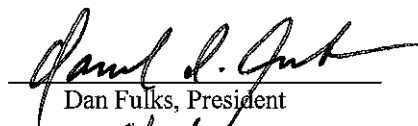
Meeting Adjourned 8:16PM



Cindi Kuhn, Council Clerk

Date

8-14-23



Dan Fulks, President

Date

8/14/2023