Ashland City Council

REGULAR SESSION
Tuesday, April 7, 2015
Council Chambers of the Municipal Building
7:00 P.M.

Distribution List:
Council Members, Mayor, Finance Director, Law Director, Engineer, Media

1. Roll Call

2. Pledge of Allegiance

3. MINUTES
   Approval of the minutes:
   Regular Session of the City Council, Tuesday, March 17, 2015
   Special Session of the City Council, Friday, March 27, 2015

4. Ordinances:

   a.) **AN ORDINANCE RATIFYING AND APPROVING THE EXPENDITURE OF FUNDS FOR 911 DISPATCH SERVICES PROVIDED BY THE ASHLAND COUNTY SHERIFF OFFICE FOR THE CITY OF ASHLAND, OHIO; AND DECLARING AN EMERGENCY**

   b.) **AN ORDINANCE RATIFYINGAND APPROVING THE EXPENDITURE OF FUNDS FOR THE DEVELOPMENT AND IMPLEMENTATION OF REGIONAL DISPATCH SERVICES THAT WILL BE PROVIDED BY THE WOOSTER – ASHLAND REGIONAL COUNCIL OF GOVERNMENTS; AND DECLARING AN EMERGENCY**

   c.) **AN ORDINANCE AUTHORIZING A REQUEST TO THE OHIO BOARD OF BUILDING STANDARDS TO CERTIFY THE CITY OF ASHLAND, OHIO, FOR ENFORCEMENT AUTHORITY AND TO ACCEPT AND APPROVE PLANS AND SPECIFCATIONS, AND MAKE INSPECTIONS; AND DECLARING AN EMERGENCY.**

   d.) **AN ORDINANCE APPROVING THE RECOMMENDATION OF THE COMMUNITY REINVESTMENT AREA NEGOTIATING COMMITTEE WITH REGARD TO COMMUNITY REINVESTMENT AREA TAX INCENTIVES APPLICATION FOR MIELKE DEVELOPMENT ASHLAND, LLC**

   e.) **AUTHORIZING AND DIRECTING THE MAYOR, DIRECTOR OF PUBLIC SERVICE, TO ADVERTISE FOR BIDS AND TO ENTER INTO A CONTRACT FOR THE HOLBROOK AVENUE RESURFACING PROJECT WITHIN THE CITY OF ASHLAND, OHIO; AND DECLARING AN EMERGENCY.**

   f.) **AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR, DIRECTOR OF PUBLIC SERVICE, TO ADVERTISE FOR BIDS AND TO ENTER INTO CONTRACTS FOR THE 2015 REPAIR AND RESURFACING OF VARIOUS STREETS IN THE CITY OF ASHLAND, OHIO, TOGETHER WITH ALL INCIDENTALS AND APPURTENANCES NECESSARY THERETO; AND DECLARING AN EMERGENCY.**

g.) **AN ORDINANCE AMENDING ORDINANCE NO. 21-10 CONSOLIDATING AND INCREASING THE OVERALL BOUNDARIES OF THE COMMUNITY REINVESTMENT AREA WITHIN THE CITY OF ASHLAND; AND DECLARING AN EMERGENCY.**

5. Resolutions:

   a.) **A RESOLUTION AUTHORIZING THE MAYOR, DIRECTOR OF PUBLIC SERVICE OF THE CITY OF ASHLAND, OHIO TO ENTER INTO AN AGREEMENT WITH THE RICHLAND COUNTY PUBLIC HEALTH DEPARTMENT FOR THE PROVISION OF SERVICES TO PROVIDE BACK-UP PERSONNEL TO ENFORCE THE PLUMBING PROVISIONS OF THE RESIDENTIAL CODE OF OHIO WITHIN THE CITY OF ASHLAND; AND DECLARING AN EMERGENCY.**

   b.) **DECLARING COUNCIL'S INTENTION TO VACATE A CERTAIN ALLEY LOCATED IN THE CITY OF ASHLAND, OHIO.**

6. Public Hearing Items:

   - **CDBG 2015 Community Development Improvement Strategy (CDIS) Public Hearing #1 (7:15 p.m.)** – Shane Kremser, City Engineer

7. Old Business: None

8. New Business: None

9. Kathy Goon, Executive Director, Ashland Area Council for Economic Development Comments – Job Fair

10. Council Comments

11. Mayor's Comments

12. Comments or questions from the audience (Items not on this agenda)

13. Adjournment

MINUTES FOR THE REGULAR SESSION OF COUNCIL
Tuesday, March 17, 2015 at 7:00 p.m.
Council Chambers

Council President Stephen Stuart called the meeting to order at 7:00 p.m.

ROLL CALL

Council-at-Large & President:	Stephen L. Stuart	Present
Ward 1:	Duane R. Fishpaw	Present
Ward 2:	Robert M. Valentine	Present
Ward 3:	Ruth Detrow	Present
Ward 4:	Sandra Tunnell	Present

PLEDGE OF ALLEGIANCE

HONING OF NATIONAL DAY OF PRAYER – PASTOR JOHN BOUQUET

Pastor Boquet introduced additional guests and the purpose of the visit. Invited all to the Annual Community Prayer Breakfast will be held May, 7 at 6:30 a.m. and announced the speaker for the breakfast.

Dr. Stewart shared appreciation for the visit.

Pastor Tom Zurker prayed for the City Council, the City and it's residents.

Doctor Stewart thanked Pastor Zurker for the prayer.

PRESENTATION OF MINUTES

Moved by Mr. Fishpaw and seconded by Mrs. Tunnell that the minutes of the Regular Session of City Council held Tuesday, March 3, 2015 be accepted as submitted.
Ayes: Mr. Fishpaw, Mr. Valentine, Mrs. Detrow, Mrs. Tunnell, Dr. Stuart.

LEGISLATION

Ordinance No. 6-15
Item a)
AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR, DIRECTOR OF PUBLIC SERVICE, TO ENTER INTO A CONTRACT WITH SIMONSON CONSTRUCTION SERVICES, INC, FOR THE NORTH COUNTRYSIDE STORM SEWER IMPROVEMENT PROJECT IN THE CITY OF ASHLAND, OHIO; AND DECLARING AN EMERGENCY.

Moved by Mrs. Tunnell and seconded by Mr. Valentine to invoke Section 113.01 of the Codified Ordinances as the distribution of the Ordinance has satisfied the requirements of said Section and that a further reading be dispensed with at this time.
Ayes: Mrs. Detrow, Mrs. Tunnell, Dr. Stuart, Mr. Fishpaw, Mr. Valentine.

City Engineer, Shane Kremser, provided testimony regarding the Ordinance and there were no questions.

Moved by Mrs. Tunnell and seconded by Mr. Valentine that the Ordinance be passed on the first reading.
Ayes: Mr. Valentine, Mrs. Detrow, Mrs. Tunnell, Dr. Stuart, Mr. Fishpaw.

Moved by Dr. Stuart and seconded by Mrs. Tunnell that the rules requiring the reading on three separate days be suspended and that the Ordinance be passed on the second and third readings.
Ayes: Mrs. Tunnell, Dr. Stuart, Mr. Fishpaw, Mr. Valentine, Mrs. Detrow.
Moved by Mr. Fishpaw and seconded by Mrs. Tunnell that the Ordinance be passed.
Ayes: Dr. Stuart, Mr. Fishpaw, Mr. Valentine, Mrs. Detrow, Mrs. Tunnell.

Ordinance No. 7-15
Item b)
AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR, DIRECTOR OF PUBLIC SERVICE, TO ENTER INTO A CONTRACT WITH J&A CONSTRUCTION, INC, FOR THE 2015 CRACK SEALING PROJECT IN THE CITY OF ASHLAND, OHIO; AND DECLARING AN EMERGENCY.

Moved by Mrs. Detrow and seconded by Mrs. Tunnell to invoke Section 113.01 of the Codified Ordinances as the distribution of the Ordinance has satisfied the requirements of said Section and that a further reading be dispensed with at this time.
Ayes: Mr. Fishpaw, Mr. Valentine , Mrs. Detrow, Mrs. Tunnell, Dr. Stuart.

City Engineer, Shane Kremser, provided testimony regarding the Ordinance.

Mr. Kremser explained that they would focus on streets that had been addressed three to five years ago.

Mr. Kremser stated that preventative maintenance on older pavement may not be necessary, as it is possibly beyond repair.

Mayor Stewart commented that the streets on the list submitted by Mr. Kremser may not get finished or more may possibly get done depending on the amount of product there is available.

There were no question.

Moved by Mr. Valentine and seconded by Mr. Fishpaw that the Ordinance be passed on the first reading.
Ayes: Mr. Valentine, Mrs. Detrow, Mrs. Tunnell, Dr. Stuart, Mr. Fishpaw.
Moved by Dr. Stuart and seconded by Mrs. Detrow that the rules requiring the reading on three separate days be suspended and that the Ordinance be passed on the second and third readings.
Ayes: Mrs. Detrow, Mrs. Tunnell, Dr. Stuart, Mr. Fishpaw, Mr. Valentine.
Moved by Mr. Fishpaw and seconded by Mrs. Detrow that the Ordinance be passed.
Ayes: Mrs. Tunnell, Dr. Stuart, Mr. Fishpaw, Mr. Valentine, Mrs. Detrow.

Ordinance No. 8-15
Item c)
AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR, DIRECTOR OF PUBLIC SERVICE, TO ENTER INTO A CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR ADDITIONAL WATERLINE REPLACEMENT WORK TO BE INCLUDED AS PART OF THE US-42 RECONSTRUCTION PROJECT (ASD-42-7.75) IN THE CITY OF ASHLAND, OHIO; AND DECLARING AN EMERGENCY.

Moved by Mrs. Tunnell and seconded by Mr. Valentine to invoke Section 113.01 of the Codified Ordinances as the distribution of the Ordinance has satisfied the requirements of said Section and that a further reading be dispensed with at this time.

Ayes: Dr. Stuart, Mr. Fishpaw, Mr. Valentine, Mrs. Detrow, Mrs. Tunnell.

City Engineer, Shane Kremser, provided testimony regarding the Ordinance and there were no questions.

Moved by Mrs. Detrow and seconded by Mrs. Tunnell that the Ordinance be passed on the first reading.
Ayes: Mrs. Detrow, Mrs. Tunnell, Dr. Stuart, Mr. Fishpaw, Mr. Valentine.
Moved by Dr. Stuart and seconded by Mr. Fishpaw that the rules requiring the reading on three separate days be suspended and that the Ordinance be passed on the second and third readings.
Ayes: Mrs. Tunnell, Dr. Stuart, Mr. Fishpaw, Mr. Valentine, Mrs. Detrow.
Moved by Mr. Fishpaw and seconded by Mr. Valentine that the Ordinance be passed.
Ayes: Dr. Stuart, Mr. Fishpaw, Mr. Valentine, Mrs. Detrow, Mrs. Tunnell.

Resolution No. 6-15
Item a)
A FINAL RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR, DIRECTOR OF PUBLIC SERVICE, TO ENTER INTO A CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE US-42 RECONSTRUCTION PROJECT WITHIN THE CITY CORPORATION LIMITS; AND DECLARING AN EMERGENCY.

Moved by Mrs. Detrow and seconded by Mrs. Tunnell to invoke Section 113.01 of the Codified Ordinances as the distribution of the Resolution has satisfied the requirements of said Section and that a further reading be dispensed with at this time.
Ayes: Dr. Stuart, Mr. Fishpaw, Mr. Valentine, Mrs. Detrow, Mrs. Tunnell.

City Engineer, Shane Kremser, provided testimony regarding the Resolution.

Mr. Kremser explained the cost break down associated with the grants involved. The city will end up paying back $376,934.00 over a ten year period.

There were no questions.

Moved by Mrs. Tunnell and seconded by Mr. Valentine that the Resolution be passed on the first reading.
Ayes: Mrs. Tunnell, Dr. Stuart, Mr. Fishpaw, Mr. Valentine, Mrs. Detrow.
Moved by Dr. Stuart and seconded by Mrs. Tunnell that the rules requiring the reading on three separate days be suspended and that the Resolution be passed on the second and third readings.
Ayes: Dr. Stuart, Mr. Fishpaw, Mr. Valentine, Mrs. Detrow, Mrs. Tunnell.
Moved by Mr. Fishpaw and seconded by Mrs. Tunnell that the Resolution be passed.
Ayes: Mrs. Tunnell, Mr. Fishpaw, Mr. Valentine, Mrs. Detrow.
Nays: Dr. Stuart

Resolution No. 7-15
Item b)
DECLARING COUNCIL'S INTENTION TO VACATE A CERTAIN ALLEY LOCATED IN THE CITY OF ASHLAND, OHIO.

City Engineer, Shane Kremser, gave testimony regarding the location of the alley and the situation.

Mr. Kremser stated that they are currently still in talks with developer and property owners.

Mrs. Tunnell questioned Mr. Kremser on the exact location and direction of the alley.

Mr. Kremser explained the location.

Dr. Stuart confirmed that tonight's discussion was only to set a date for the public hearing to vacate the alley.

Mr. Kremser requested the hearing be scheduled on 4-21-15 at 7:05 p.m. for rezoning and at 7:10 for vacating the alley.

Moved by Mrs. Tunnell and seconded by Mr. Valentine the motion to schedule the public hearings as requested.
Ayes: Dr. Stuart, Mr. Fishpaw, Mr. Valentine, Mrs. Detrow, Mrs. Tunnell.

PUBLIC HEARING ITEMS:

(7:15 p.m.) 2015 Annual Appropriations – City Finance Director, Larry Paxton

Mr. Paxton explained that this meeting is a requirement of City Charter for the second public meeting before adopting the budget.

Mr. Paxton stated that the budget is still a work in project.

Mr. Paxton stated that we are adjusting the operating and expenditure costs to maintain the current level of City services.

Mr. Paxton stated that the budget booklet contains a breakdown of expenditures.

Mr. Paxton stated that the City has changed the way we are appropriating by item rather than by line item. This is to work towards a more workable and simpler budget.

Mr. Paxton stated that the total amount of the Budget package is approximately $45,838,293.00, of which $10,646,000.00 in beginning cash carryover from the previous year.

Mr. Paxton stated that over the past three years the City has benefited by receiving $8,736,509.00 in income tax. The booklet shows a breakout of revenue to the different items.

Mr. Paxton stated the General Fund requires most of the income tax revenue.

Mr. Paxton went on to explain the budget spreadsheets to those present.

Mr. Paxton stated that there are still a few items that are still being worked on, but it should not affect the carry over immensely.

Mr. Paxton stated that it is possible that there will be some carry over in the General Fund for next year.

Mayor Stewart stated that he and Mr. Paxton have spent a considerable amount of time on the budget over the past few days, with most of the time spent discussing the water account that falls under the General Fund.

Mayor Stewart addressed the expanding costs and decreasing revenues which has placed us in a bad situation.

Mayor Stewart stated that the directors and Mr. Paxton have worked very hard on the budget but with the changes it will not be an easy time.

Mayor Stewart stated that they will also be later discussing the plan to have Spring Clean-up this year, and that it is not funded by the General Fund and cannot be shared with it.

Mayor Stewart stated that some of the discussion may seem conflicting.

Dr. Stuart stated that he feels that Mayor Stewart's outlook is more optimistic in terms of the end of the year carry over than he would be.

Dr. Stuart stated that the City is in the most precarious position he has seen in his time with Council.

Mr. Paxton stated that the City has many good people working for it and the directors have submitted budgets to keep their departments running.

Mr. Paxton stated that it is a difficult task to allocate funds fairly and best benefitting the City as a whole.

Mr. Paxton stated that we have several retirements pending this year and that their accumulated benefits must be paid and it will affect the budget.

Mr. Paxton requested the Council consider allocating funds from the Golf Course Sale that were put into the Capital Improvement fund be transferred out for operating costs.

Dr. Stuart stated that a Special Meeting will have to be scheduled to address the Golf Course funds.

Mr. Paxton requested that since the budget is due to the State by April 1, that Council consider a Special Meeting to pass the budget on March 27, 2015.

Mr. Fishpaw stated his concern with the budget stating a $.55 carry over for 2016.

Mr. Fishpaw questioned that with this small amount, what will we do about pay roll.

Mr. Paxton explained that the accounts are set up to borrow from other accounts to cover pay roll and then that money is paid back.

Mrs. Tunnell asked if we need money from the Golf Course Capital Fund to balance the budget, how will it be possible if an Ordinance supporting that decision is not made prior to the Friday meeting.

Mr. Paxton stated that was the reason he was requesting Council to consider the transfer.

Mr. Paxton was asked if he knew how much would need to be transferred.

Mr. Paxton stated that at this point it was about $90,000.00, but that was subject to the pending changes to the proposed budget.

There was additional discussion concerning the Golf Course Improvement fund to allow the new Superintendent to have a chance to make the Golf Course to succeed.

There were no futher questions and Dr. Stuart stated that the hearing was concluded.

OLD BUSINESS: None

NEW BUSINESS:

- **Liquor License Request – ADJ Ashland LTD (Club 42)**
  - 702 Claremont Ave, Ashland, OH 44805

Moved by Mrs. Tunnell and seconded by Mr. Valentine that Council not request a public hearing regarding the ADJ liquor license request for Ashladn LTD (Club 42).
Ayes: Dr. Stuart, Mr. Fishpaw, Mr. Valentine, Mrs. Detrow, Mrs. Tunnell

- **Appointment of Tom Lavinder, President of the Mohican Area Growth Foundation (MAGF), to the Ashland Area Council for Economic Development (AACED) for a term expiring December 31, 2015.**

Dr. Stuart stated that Tom Gribble had submitted a letter of resignation from the Ashland Area Council for Economic Development (AACED) and a recommendation to fulfill the unexpired term ending 12-31-15.

Moved by Dr. Stuart and seconded by Mrs. Tunnell to thank Tom Gribble for his service and accept his resignation and approve the nomination of Tom Lavinder to the Ashland Area Council for Economic Development (AACED) for a term expiring 12-31-15.
Ayes: Mr. Fishpaw, Mr. Valentine, Mrs. Detrow, Mrs. Tunnell, Dr. Stuart

COUNCIL COMMENTS: None

MAYOR'S COMMENTS:

Mayor Stewart passed out handouts showing the property that the City would like to auction off on April 18, 2015 at 10:00 a.m.

Mayor Stewart stated that this is the old reservoir property and a residential property on the access to the reservoir, giving a 200 ft. access to the 60+ acres.

Mayor Stewart stated that a timber buyer has surveyed the property and given an estimate that there is approximately $80,000.00 in harvestable timber.

Mayor Stewart stated that a second property on Claremont Avenue was offered by sealed bid to adjoining property owners.

Mayor Stewart stated that with Council's blessing, the City will move forward with the annual Spring Clean-up beginning March 30, 2015.

Mayor Stewart explained the costs accompanying the Spring Clean-up.

Mayor Stewart confirmed that this is paid for out of the Sanitation budget. That it is not part of the General Fund.

Mayor Stewart stated that the lay out will be posted in the newspaper.

City Services Director, Jerry Mack, explained the new policy regarding televisions during Spring Clean-up.

Mayor Stewart stated that the City will be advertising to accept bids to operate the concessions for the City Parks this summer.

Mayor Stewart stated he had received a letter from Senator Brown regarding a water problem on E Bank Street that he received from an Ashland Resident.

Mayor Stewart stated that he was advised by the City Law Director, Richard P. Wolfe, II, that the City has no legal responsibility for the break on E Bank Street.

FINANCE DIRECTOR: None

COMMENTS FROM THE AUDIENCE:

Cindy Kerr (Lot 438) stated that she and her husband are against the Rezoning and Resolution to Vacate the Alley previously discussed.

Mrs. Kerr stated that she was one of the property owners who have been removed from the sale and development plan.

Mrs. Kerr stated that the North- South Alley should be the proper dividing line, and not exclude the other two properties, and would provide value to the developer.

Mrs. Kerr stated that they are continuing to work with the developer to come to an agreement, but until that is settled they are strongly against the rezoning and vacating of the alley, which would negatively impact their home value.

Mayor Stewart complimented Mrs. Kerr on presentation and thanked her for her input.

Dr. Stuart questioned how vacating the alley would impact her personal property and life.

Mrs. Kerr stated that it would negatively affect her properties value and go against the original plan of the sale.

Cole Stevenson questioned if the City were still going to pursue the new combined dispatch after learning that it will be more costly than the current arrangement.

Dr. Stuart stated that it is a higher cost for only one year.

Mr. Stevenson asked if following that would it be a lower cost.

Dr. Stuart confirmed that it would be.

Dan Kubaki, Times Gazette, asked what the time table for bringing the budget for the new combined dispatch to Council.

Dr. Stuart stated that there is no time table yet, that the main focus at this time is to set appropriations for 2015.

Assistant Law Director, Andrew Bush, respectfully requested that Council adjourn to Executive Session to discuss matters of imminent litigation.

ADJOURNMENT FROM REGULAR SESSION TO EXECUTIVE SESSSION: 8:05 p.m.
Moved by Mrs. Detrow and seconded by Mr. Fishpaw to adjourn from Regular Session to Executive Session to discuss imminent litigation.
Ayes: Mrs. Detrow, Mr. Valentine, Mrs. Tunnell, Dr. Stuart, Mr. Fishpaw.

ADJOURNMENT FROM EXECUTIVE SESSION TO REGULAR SESSSION: 8:17 p.m.
Moved by Mrs. Tunnell and seconded by Mr. Fishpaw to adjourn from Executive Session to Regular Session.
Ayes: Dr. Stuart, Mr. Fishpaw, Mrs. Detrow, Mr. Valentine, Mrs. Tunnell.

ADJOURNMENT FROM REGULAR SESSSION: 8:19 p.m.
Moved by Mrs. Tunnell and seconded by Mr. Fishpaw to adjourn from Regular Session.
Ayes: Mrs. Tunnell, Dr. Stuart, Mr. Fishpaw, Mrs. Detrow, Mr. Valentine.

Respectfully Submitted by
Elizabeth A. McClurg, Interim Clerk of Council

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MINUTES FOR THE SPECIAL SESSION OF COUNCIL
Friday, March 27 2015 at 9:00 a.m.
Council Chambers

Council President Stephen Stuart called the meeting to order at 4:30 p.m.

ROLL CALL

Ward 1:	Duane R. Fishpaw	Present
Ward 2:	Robert M. Valentine	Present
Ward 3:	Ruth Detrow	Present
Ward 4:	Sandra Tunnell	Present
Council-at-Large & President:	Stephen L. Stuart	Present

PLEDGE OF ALLIGENCE

LEGISLATION

Dr. Stuart announced that since City Engineer, Shane Kremser, had another meeting to attend the Resolutions would be heard first.

Resolution No. 8-15
Item a)
A RESOLUTION REPEALING RESOLUTION NO. 6-15; AND DECLARING AN EMERGENCY. A RESOLUTION REPEALING RESOLUTION NO. 6-15; AND DECLARING AN EMERGENCY.

The Resolution was read in full by City Engineer, Shane Kremser, as follows:

WHEREAS, this Council previously passed Resolution No. 6-15, authorizing the Mayor, Director of Public Service, to enter into a contract with the Ohio Department of Transportation for the US-42 Reconstruction Project within the City corporation limits; and

WHEREAS, changes were necessitated by both the Ohio Department of Transportation and the Ohio Public Works Commission;

BE IT RESOLVED by the Council of The City of Ashland, State of Ohio, _____ members thereto concurring:

Section 1. That Resolution No. 6-15 is hereby repealed in its entirety.

Section 2. That in order to proceed with presenting a revised Final Resolution for this Council's consideration, this Resolution is declared to be an emergency measure immediately necessary for the preservation of the public peace, property, health, safety and welfare of said City of Ashland.

Section 3. That this Resolution shall take effect and be in force from and after its passage by Council and approval pursuant to Section 12 of the Charter of the City of Ashland, Ohio.

Dr. Stuart asked Mr. Kremser to explain.

Mr. Kremser explained that the Resolution that was previously passed there was nothing pertaining to the Ohio Public Works Commission Grant and Loan which the City received. The total amount in Resolution was for over one million dollars. The OPWC requested that the amount of the loan/grant be stated in the resolution, which will be the next resolution (9-15).

Moved by Mrs. Tunnell seconded by Mr. Valentine that the Resolution be passed on the first reading.
Ayes: Dr. Stuart, Mr. Fishpaw, Mr. Valentine, Mrs. Detrow, Mrs. Tunnell.
Moved by Dr. Stuart and seconded by Mr. Fishpaw that rules requiring the reading on three separate days be suspended and that the Resolution be passed on the second and third readings.
Ayes: Mr. Fishpaw, Mr. Valentine, Mrs. Detrow, Mrs. Tunnell, Dr. Stuart.
Moved by Mrs. Detrow and seconded by Mr. Valentine that the Resolution be passed.
Ayes: Mr. Valentine, Mrs. Detrow, Mrs. Tunnell, Dr. Stuart, Mr. Fishpaw.

Resolution No. 9-15
Item b)
A FINAL RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR, DIRECTOR OF PUBLIC SERVICE, TO ENTER INTO A CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE US-42 RECONSTRUCTION PROJECT WITHIN THE CITY CORPORATION LIMITS; AND DECLARING AN EMERGENCY.

The Resolution was read in full by City Engineer, Shane Kremser, as follows:

The following Final Resolution enacted by the City of Ashland, Ohio, hereinafter referred to as the Legislative Authority/Local Public Agency or "LPA", in the matter of the stated described project.

WHEREAS, on the 3rd day of June, 2014, the LPA enacted legislation proposing cooperation with the Director of Transportation for the described project:

> The project consists of reconstruction of US 42 and replacement of the existing grade separated intersection with SR 96/US250, bridge widening and culvert work to accommodate the intersection improvements, lying within the City of Ashland; and

WHEREAS, the LPA shall cooperate with the Director of Transportation in the above described project as follows:

> The City agrees to assume and bear a lump sum of $100,000.00 plus one hundred percent (100%) of the entire cost of the improvement, less the amount of Federal-aid Safety, Small City and State funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation.

The share of the cost of the LPA is now estimated in the amount of One Million One Thousand Forty Seven and ----00/100 Dollars ($1,001,047.00) less Ohio Public Works Commission grant/loan (CP14R/CP15R) in the amount of Eight Hundred Twenty Two Thousand Two Hundred Ninety Four ----18/100 Dollars ($822,294.18), leaving a balance due of One Hundred Seventy Eight Thousand Seven Hundred Fifty Two and ----82/100 Dollars ($178,752.82), but said estimated amount is to be adjusted in order that the LPA's ultimate share of said improvement shall correspond with said percentages of actual costs when said actual costs are determined; and

WHEREAS, The Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above described highway and has transmitted copies of the same to this legislative authority; and

WHEREAS, The LPA desires the Director of Transportation to proceed with the aforesaid highway improvement; now therefore,

BE IT RESOLVED by the Council of The City of Ashland, State of Ohio, _____ members thereto concurring:

1. That the estimated sum of One Hundred Seventy Eight Thousand Seven Hundred Fifty Two and ---- 82/100 Dollars ($178,752.82) is hereby appropriated for the improvement described above and the fiscal officer is hereby authorized and directed to issue an order on the treasurer for said sum upon the requisition of the Director of Transportation to pay the cost and expense of said improvement. We hereby agree to assume in the first instance, the share of the cost and expense over and above the amount to be paid from Federal funds.

2. That the LPA hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.

3. That the LPA enter into a contract with the State, and that the Mayor be, and is hereby authorized to execute said contract, providing for the payment of the LPA the sum of money set forth herein above for improving the described project.

4. That the LPA transmit to the Director of Transportation a fully executed copy of this Resolution.

5. That in order to proceed with said project at the earliest possible time, this Resolution is declared to be an emergency measure immediately necessary for the preservation of the public peace, property, health, safety and welfare of said City of Ashland.

6. That this Resolution shall take effect and be in force from and after its passage by Council and approval pursuant to Section 12 of the Charter of the City of Ashland, Ohio.

Dr. Stuart asked if there were questions for Mr. Kremser and there were none.

Moved by Mrs. Tunnell seconded by Mr. Valentine that the Resolution be passed on the first reading.
Ayes: Dr. Stuart, Mr. Fishpaw, Mr. Valentine, Mrs. Detrow, Mrs. Tunnell.
Moved by Dr. Stuart and seconded by Mr. Fishpaw that rules requiring the reading on three separate days be suspended and that the Resolution be passed on the second and third readings.
Ayes: Mr. Fishpaw, Mr. Valentine, Mrs. Detrow, Mrs. Tunnell, Dr. Stuart.
Moved by Mr. Fishpaw and seconded by Mr. Valentine that the Resolution be passed.
Ayes: Mr. Valentine, Mrs. Detrow, Mrs. Tunnell, Mr. Fishpaw.
Nays: Dr. Stuart.

Ordinance No. 9-15
Item a)
AN ORDINANCE AMENDING ORDINANCE NO. 7-15, RELATIVE TO THE ACCOUNT NUMBER REFERENCED FOR PAYMENT; AND DECLARING AN EMERGENCY.

The Ordinance was read in full by City Finance Director, Larry Paxton, as follows:

Whereas, Ordinance Number 7-15 authorized entering into a contract with J&A Construction, Inc. for the Crack Sealing Project; and

Whereas, the Account Number referenced therein is incorrect and needs to be corrected; and

Whereas, in order to ensure that the proper funds are authorized to be paid from the proper account and to ensure the effective and efficient financial administration of the Crack Sealing project, this Ordinance is declared to be an emergency measure immediately necessary for the preservation of the public peace, property, health, safety and welfare, now therefore,

Be It Ordained by the Council of the City of Ashland, Ohio, ____ members thereto concurring:

Section 1. That Section 3 of Ordinance Number 7-15, be, and the same is hereby, amended as follows:

> Section 3. That the estimated cost for the crack sealing is twenty -four thousand eight hundred forty dollars ($24,840.00). The money will be appropriated and paid from Account Number ~~202-1001-53016~~ **202-1001-56025** once the 2015 appropriations has been adopted.

Section 2. That in order to ensure that the funds are authorized to be paid from the proper account and to ensure the effective and efficient financial administration of the Crack Sealing Project, this Ordinance is declared to be an emergency measure immediately necessary for the preservation of the public peace, property, health, safety and welfare.

Section 3. That this Ordinance shall take effect and be in force from and after its passage by Council and approval pursuant to Section 12 of the Charter of the City of Ashland, Ohio.

Dr. Stuart asked if there were any questions for Mr. Paxton and there were none.

Moved by Mr. Fishpaw and seconded by Mr. Valentine that the Resolution be passed on the first reading.
Ayes: Dr. Stuart, Mr. Fishpaw, Mr. Valentine, Mrs. Detrow, Mrs. Tunnell.
Moved by Dr. Stuart and seconded by Mr. Tunnell that the rules requiring the reading on three separate days be suspended and that the Resolution be passed on the second and third readings.
Ayes: Mr. Fishpaw, Mr. Valentine, Mrs. Detrow, Mrs. Tunnell, Dr. Stuart.
Moved by Mr. Fishpaw and seconded by Mrs. Tunnell that the Resolution be passed.
Ayes: Mr. Valentine, Mrs. Detrow, Mrs. Tunnell, Dr. Stuart, Mr. Fishpaw.

Ordinance No. 10-15
Item b)
AN ORDINANCE TRANSFERRING FUNDS FROM ONE FUND TO ANOTHER; AND DECLARING AN EMERGENCY.

The Ordinance was read in full by City Finance Director, Larry Paxton, as follows:

WHEREAS, it is necessary, in order to meet the immediate financial needs of the City of Ashland, Ohio - Brookside Golf Course for the calendar year 2015, to transfer funds from one fund to another; now therefore,

Be It Ordained, by the Council of the City of Ashland, State of Ohio, ____ members thereto concurring:

Section 1. That the following transfer of funds for the calendar year 2015 for the City of Ashland, Ohio, Brookside Golf course be, and the same is hereby made as follows:

Transferring One Hundred Thirty Seven Thousand Eight Hundred Thirty Six Dollars and Sixty-Three Cents ($137,836.63) from Fund 453 Golf Course Capital Improvement to Fund 617 Brookside Golf

Course to the Brookside Golf Course 617-0090-40931

From Golf Course Capital Improvement Fund 453-5601-55001
To Brookside Golf Course 617-0090-40931

Section 2. That in order to meet the immediate financial needs of the City of Ashland, Ohio this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, property, health and welfare of said City of Ashland, Ohio.

Section 3. That this Ordinance shall take effect and be in force from and after its passage by Council and approval pursuant to Section 12 of the Charter of the City of Ashland, Ohio.

Mr. Paxton provided testimony after reading the Ordinance in full.

Mr. Valentine wanted to discuss the sale of the property which was to be placed in the Capital Improvement Fund. Mr. Valentine stated that the City is utilizing these funds for other things that he did not see fit.

Mr. Paxton responded to Mr. Valentine's concerns. Mr. Paxton stated that half of the monies was set aside for Capital Improvements and after the 2015 Budget was set up, some of that money was necessary for the operating costs.

Mr. Valentine stated that we need to make sure improvements are made to keep the Golf Course viable and profitable.

Mr. Paxton responded to Mr. Valentine's statement and explained the current budget for the Golf Course. That all the money is staying with the Golf Course.

Mr. Paxton stated that there will be monies available for repairs, etc. through the operating fund.

Mrs. Detrow asked if this will zero out the Capital Improvement Fund.

Mr. Paxton confirmed that with purchases that are pending the fund is now zeroed out and that the line will not appear on the 2016 Budget.

Mayor Stewart commented on various equipment upgrades and ongoing improvements in the Golf Course Club house. He also stated that the new Superintendent and Golf Pro Terry Valentine are aware of the restraints regarding the budget. He stated that the new Superintendent knows what is possible for the Golf Course and will work towards that.

Mrs. Tunnell questioned how he would be able to do this without the Capital Improvement Fund.

Mayor Stewart responded that putting it in the operating fund gives better versatility with the funds.

Dr. Stuart asked if there is a motion.

Mr. Valentine asks an additional question to verify that the funds can now be used for operations or improvements.

Mr. Paxton confirmed.

Mr. Valentine asked what will happen next year.

Mayor Stewart states that we have roughly 17,000 rounds played/season which generates roughly $340,000/year. It takes nearly $500,000/year to operate the Golf Course.

Mr. Valentine questions if we will be able to find the balance to fund them for next year.

Mayor Stewart states if Council has a better idea he is open to adjusting the budget.

Mrs. Tunnell states her concerns that Capital Improvements should be kept separate to fund future projects.

Mayor Stewart states that we have to make it work this year and make improvements to raise profits to secure next year's operation.

Mr. Valentine states that he wants to make sure the new Superintendent has a fair shake to make the Golf Course profitable and has the tools to do so.

Human Resources Director, Mark Burgess, states that after speaking with the new Superintendent he has a plan that is going to require more maintenance and not as much in large Capital costs. He has budgeted for the improvement purchases that need to be made. Right now he is focusing on better maintenance and better training for the employees to improve the appearance of the Golf Course.

Mayor Stewart stated that he requested that Mark Burgess assist the Golf Course with their budget this year which is why he asked him to speak.

Mrs. Tunnell states that she feels the Capital Account causes people to carefully think before making large purchases.

Mayor Stewart states that there would be no carry over if there hadn't been funds added to it this year.

Mr. Paxton confirms that any monies not used will be carried over to next year.

Dr. Stuart asks for further questions and there were none.

Moved by Mr. Fishpaw and seconded by Mrs. Detrow that the Resolution be passed on the first reading.
Ayes: Mrs. Tunnell, Dr. Stuart, Mr. Fishpaw, Mr. Valentine, Mrs. Detrow.
Moved by Dr. Stuart and seconded by Mrs. Tunnell that the rules requiring the reading on three separate days be suspended and that the Resolution be passed on the second and third readings.
Ayes: Dr. Stuart, Mr. Fishpaw, Mr. Valentine, Mrs. Detrow, Mrs. Tunnell.
Moved by Dr. Stuart and seconded by Mrs. Detrow that the Resolution be passed.
Ayes: Mr. Fishpaw, Mr. Valentine, Mrs. Detrow, Mrs. Tunnell, Dr. Stuart.

Ordinance No. 11-15
Item c)
AN ORDINANCE TO MAKE PERMANENT APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF ASHLAND, OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2015, REPEALING ALL TEMPORARY APPROPRIATIONS ; AND DE-

CLARING AN EMERGENCY.

The Ordinance was read in full by City Finance Director, Larry Paxton, as follows:

AN ORDINANCE TO MAKE PERMANENT APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF ASHLAND, OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2015, REPEALING ALL TEMPORARY APPROPRIATIONS ; AND DECLARING AN EMERGENCY.

WHEREAS, this Council desires to make permanent appropriations for the current expenses and other expenditures of the City of Ashland, Ohio and repealing all temporary appropriations, for the fiscal year ending December 31, 2015; and

WHEREAS, this Council has conducted public hearings upon this appropriations ordinance; and

WHEREAS, such appropriations measure is immediately necessary due to the expiration of the temporary appropriations measure on April 1, 2015; now therefore

Be it ordained, by the Council of the City of Ashland, State of Ohio, ____ members thereto concurring:

Section 1. That to provide for the current expenditures of the City of Ashland, Ohio, during the fiscal year ending December 31, 2015, the following attached herein sums are hereby set aside and appropriated from the attached following funds:

Section 2. That in order for the appropriations hereinabove set forth to be in effect not later than April 1, 2015, this Ordinance is declared to be an emergency measure immediately necessary for the preservation of the public peace, property, health, safety and welfare.

Section 3. That the provision of this Ordinance shall take effect and be in force from and after its passage by Council and approval pursuant to Section 12 of the Charter of the City of Ashland, Ohio.

Mr. Paxton provided testimony regarding the budget for 2015.

Mrs. Tunnell asked what the difference is in this copy.

Mr. Paxton stated that there are none, that this is the public version from the electronic copy.

Mr. Paxton stated that the last change was two days prior for a change to funding for the 96 Intersection requested by City engineer, Shane Kremser.

Mr. Paxton that we are appropriating by "activity" rather than "line item."

Mr. Paxton addressed Council concerns regarding the General Fund. He stated that there will only be approximately $17,000 in the General Fund after this year. We started with $750,000 in the general fund. It is considerably better than a month ago when we were facing a -$438,000 hole in the general fund.

Mr. Paxton states that the appropriations today allow all the services the City offers today to operate through the end of the year. At that time we will have to re-evaluate.

Mayor Stewart states that we are extremely restricted on many repair/replacement items. The budget is very tight. Appropriations set aside for last year were not used and returned to the General Fund, only in the tens of thousands.

Mrs. Tunnell questioned the budget with projections out to 2020. She questioned the difference in amounts on the General Fund in the budgets handed out.

Mr. Paxton explained that one included the carry over and one did not.

Mrs. Tunnell stated that she is frustrated with the budget and confusion. The statement was agreed with.

Dr. Stuart asked for further questions and there were none.

Moved by Mr. Fishpaw and seconded by Mrs. Detrow that the Resolution be passed on the first reading.
Ayes: Mr. Fishpaw, Mr. Valentine, Mrs. Detrow, Mrs. Tunnell, Dr. Stuart.
Moved by Dr. Stuart and seconded by Mr. Fishpaw that the rules requiring the reading on three separate days be suspended and that the Resolution be passed on the second and third readings.
Ayes: Mr. Valentine, Mrs. Detrow, Mrs. Tunnell, Dr. Stuart, Mr. Fishpaw.
Moved by Mr. Fishpaw and seconded by Mr. Valentine that the Resolution be passed.
Ayes: Mrs. Detrow, Dr. Stuart, Mr. Fishpaw, Mr. Valentine.
Nays: Mrs. Tunnell

Mr. Stuart expressed praise and thanks to Lindsey Gardiner for her service to the City and Council. Wishing her luck in the future.

ADJOURNMENT FROM SPECIAL SESSION: 9:50 A.M.
Moved by Mrs. Tunnell and seconded by Mr. Valentine to adjourn.
Ayes: Dr. Stuart, Mr. Fishpaw, Mr. Valentine, Mrs. Detrow, Mrs. Tunnell

Respectfully Submitted by
Elizabeth A. McClurg, Interim Clerk of Council

(word-Mins-RS 3-27-15.doc)

ORDINANCE NO.

AN ORDINANCE RATIFYING AND APPROVING THE EXPENDITURE OF FUNDS FOR 911 DISPATCH SERVICES PROVIDED BY THE ASHLAND COUNTY SHERIFF OFFICE FOR THE CITY OF ASHLAND, OHIO; AND DECLARING AN EMERGENCY

WHEREAS, the Ashland County Sheriff's office has provided 911 dispatch services for the City of Ashland, Ohio; and

WHEREAS, due to the cost of these services have exceeded the $25,000.00 threshold requiring legislative authorization; and

WHEREAS, this Council desires to affirm and ratify said expenditures; and

WHEREAS, in order to provide the necessary authorization for payment for said services, this Ordinance is declared to be an emergency measure immediately necessary for the preservation of the public peace, property, health, safety and welfare of the City of Ashland, Ohio; now therefore,

BE IT ORDAINED by the Council of the City of Ashland, State of Ohio _____ members thereto concurring:

Section 1. That the payment of invoices dated February 2, 3, 25, 27 and March 30 & 31, 2015 and in the amount of $98,144.92 be, and the same is hereby, ratified and approved. (See attached Exhibit A) The money for said services has been appropriated to be paid from Account No. 101-2211-58191.

Section 2. That the Mayor be, and is hereby, authorized to approve for payment said invoices for the City of Ashland. Likewise, the Director of Finance is authorized to pay such invoices.

Section 3. For the reason that it is necessary to provide authorization for said payments, this Ordinance is declared to be an emergency measure necessary for the preservation of the public peace, property, health, safety and welfare of the City of Ashland, Ohio.

Section 4. That this Ordinance shall take effect and be in force from and after its passage by Council and approval pursuant to Section 12 of the Charter of the City of Ashland, Ohio.

Passed: _____, 2015

_____
Stephen L. Stuart President of Council

Attest: _____, Clerk
Elizabeth A. McClurg, Interim Clerk of Council

Approved: _____
Glen P. Stewart, Mayor

Approved as to form and correctness:

_____
Richard P. Wolfe II, Director of Law

Date: _____, 2015

Office of the Sheriff
Ashland County
E. Wayne Risner, *Sheriff*

Justice Complex
1205 East Main Street
Ashland, Ohio 44805
Telephone: 419 289-3911
FAX: 419 281-2060
Jail Division: 419 281-9009
Jail FAX: 419 289-3502

February 2, 2015

City Finance Office
Municipal Building
206 Claremont Avenue - #212
Ashland, Ohio 44805

JANUARY - COMMUNICATIONS BILLING
01/01/2015 - 01/31/2015

INVOICE

City ½ share: $32,012.17

Please make check payable to Ashland County Sheriff's Office and mail to 1205 E. Main Street, Ashland, OH 44805.

E. Wayne Risner, Sheriff

RECEIVED
FEB 09 2015
FINANCE

Page 2 - Detail Billing for City Dispatch - January 2015

Total Gross for 15 (1 Capt., 1 Data Entry, 10 Dispatchers & 3 Part-Time)	$40,289.88
FICA	$503.52
PERS 1	$4,475.90
PERS 3	$838.72
Health Insurance/Rx Card	$8,265.76
Term Insurance	$25.20
Workers' Compensation	$410.51
Total	$54,809.49
Half	$27,404.75

Total Gross for 1 Dispatcher (to be paid 100% by the City)	$3,187.10
FICA	$46.21
PERS 1	$411.19
Health Insurance/Rx Card	$928.35
Term Insurance	$2.10
Workers' Compensation	$32.47
Total	$4,607.42

Total: $32,012.17

Office of the Sheriff
Ashland County
L. Wayne Risner, *Sheriff*

Justice Complex
1205 East Main Street
Ashland, Ohio 44805
Telephone: 419 289-3911
FAX: 419 281-2060
Jail Division: 419 281-9009
Jail FAX: 419 289-3502

February 3, 2015

City Finance Office
Municipal Building
206 Claremont Avenue - #212
Ashland, Ohio 44805

JANUARY COMMUNICATIONS BILLING 2015

INVOICE

City ½ share: $865.81

Please make check payable to Ashland County Sheriff's Office and mail to 1205 E. Main Street, Ashland, OH 44805.

Capt. Terry Hamilton

RECEIVED
FEB 09 2015
FINANCE

Office of the Sheriff
Ashland County
Nayne Risner, Sheriff

Justice Complex
1205 East Main Street
Ashland, Ohio 44805
Telephone: 419 289-3911
FAX: 419 281-2060
Jail Division: 419 281-9009
Jail FAX: 419 281-4458

February 25, 2015

City Finance Office
Municipal Building
206 Claremont Avenue - #212
Ashland, Ohio 44805

February 2015- COMMUNICATIONS BILLING
For Equipment/Training/Maintenance

INVOICE

City ½ share: $540.10

Please make check payable to Ashland County Sheriff's Office and mail to
1205 E. Main Street, Ashland, OH 44805.

Terry A. Hamilton
Captain Terry Hamilton

RECEIVED
MAR 3 - 2015
FINANCE

Office of the Sheriff
Ashland County
E. Wayne Risner, *Sheriff*

Justice Complex
1205 East Main Street
Ashland, Ohio 44805
Telephone: 419 289-3911
FAX: 419 281-2060
Jail Division: 419 281-9009
Jail FAX: 419 289-3502

February 27, 2015

City Finance Office
Municipal Building
206 Claremont Avenue - #212
Ashland, Ohio 44805

FEBRUARY - COMMUNICATIONS BILLING
02/01/2015 - 02/28/2015

INVOICE

City ½ share: $31,455.46

Please make check payable to Ashland County Sheriff's Office and mail to
1205 E. Main Street, Ashland, OH 44805.

E. Wayne Risner, Sheriff

RECEIVED
MAR 3 - 2015
FINANCE

Page 2 - Detail Billing for City Dispatch - February 2015

Total Gross for 16 (1 Capt., 1 Data Entry, 10 Dispatchers & 4 Part-Time)	$39,118.68
FICA	$500.03
PERS 1	$4,827.90
PERS 3	$838.72
Health Insurance/Rx Card	$7,232.54
Term Insurance	$25.20
Workers' Compensation	$398.62
Total	$53,634.69
Half	$26,817.35

Total Gross for 1 Dispatcher (to be paid 100% by the City)	$3,188.80
FICA	$46.24
PERS 1	$440.13
Health Insurance/Rx Card	$928.35
Term Insurance	$2.10
Workers' Compensation	$32.49
Total	$4,638.11

Total: $31,455.46

Office of the Sheriff
Ashland County
E. Wayne Risner, *Sheriff*

Justice Complex
1205 East Main Street
Ashland, Ohio 44805
Telephone: 419 289-3911
FAX: 419 281-2060
Jail Division: 419 281-9009
Jail FAX: 419 289-3502

March 30, 2015

City Finance Office
Municipal Building
206 Claremont Avenue - #212
Ashland, Ohio 44805

MARCH 2015 - COMMUNICATIONS BILLING
03/01/15 - 03/31/15

INVOICE

City ½ share: $31,426.61

Please make check payable to Ashland County Sheriff's Office and mail to
1205 E. Main Street, Ashland, OH 44805.

Sheriff E. Wayne Risner

FH/305
3/31/15

Page 2 - Detail Billing for City Dispatch - March 2015

Total Gross for 16 (1 Capt., 1 Data Entry, 11 Dispatchers & 3 Part-Time)	$38,361.11
FICA	$489.06
PERS 1	$4,721.86
PERS 3	$838.72
Health Insurance/Rx Card	$8,265.76
Term Insurance	$25.20
Workers' Compensation	$530.19
Total	$53,231.90
Half	$26,615.95

Total Gross for 1 Dispatcher (to be paid 100% by the City)	$3,322.80
FICA	$48.18
PERS 1	$463.31
Health Insurance/Rx Card	$928.35
Term Insurance	$2.10
Workers' Compensation	$45.92
Total	$4,810.66

Total: $31,426.61

Office of the Sheriff
Ashland County
Nayne Risner, Sheriff

Justice Complex
1205 East Main Street
Ashland, Ohio 44805
Telephone: 419 289-3911
FAX: 419 281-2060
Jail Division: 419 281-9009
Jail FAX: 419 281-4458

March 31, 2015

City Finance Office
Municipal Building
206 Claremont Avenue - #212
Ashland, Ohio 44805

March 2015- COMMUNICATIONS BILLING
For Equipment/Training/Maintenance

INVOICE

City ½ share: $1,844.77

Please make check payable to Ashland County Sheriff's Office and mail to 1205 E. Main Street, Ashland, OH 44805.

Terry C. Hamilton

Captain Terry Hamilton

ORDINANCE NO. _____

AN ORDINANCE RATIFYING AND APPROVING THE EXPENDITURE OF FUNDS FOR THE DEVELOPMENT AND IMPLEMENTATION OF REGIONAL DISPATCH SERVICES THAT WILL BE PROVIDED BY THE WOOSTER - ASHLAND REGIONAL COUNCIL OF GOVERNMENTS; AND DECLARING AN EMERGENCY

WHEREAS, the Wooster - Ashland Regional Council of Governments is in the process of developing and implementing a regional dispatch service; and

WHEREAS, the City of Ashland believes that it is the City's best interest in protecting and providing services to its citizens to utilize dispatch services; and

WHEREAS, the cost of the development and implementation of such services will exceed the $25,000.00 threshold requiring legislative authorization; and

WHEREAS, this Council desires to authorize said expenditures; and

WHEREAS, in order to provide the necessary authorization for payments for said services, this Ordinance is declared to be an emergency measure immediately necessary for the preservation of the public peace, property, health, safety and welfare of the City of Ashland, Ohio; now therefore,

BE IT ORDAINED by the Council of the City of Ashland, State of Ohio, ____ members thereto concurring:

Section 1. That payments for invoices submitted from the Wooster – Ashland Regional Council of Governments for a total amount not to exceed $300,000.00, be and the same are hereby, approved. (See attached Exhibit A) The money for said payments have been appropriated and will be paid from Account No. 405-4697-58001.

Section 2. That the Mayor be, and is hereby, authorized to approve said invoices and payments as they are submitted from the Wooster – Ashland Regional Council of Governments on behalf of the City of Ashland. Likewise, the Director of Finance is authorized to pay said invoices.

Section 3. For the reason that it is necessary to provide authorization for said payments, this Ordinance is declared to be an emergency measure necessary for the preservation of the public peace, property, health, safety and welfare of the City of Ashland, Ohio.

Section 4. That this Ordinance shall take effect and be in force from and after its passage by Council and approval pursuant to Section 12 of the Charter of the City of Ashland, Ohio.

Passed: _____, 2015

_____
Stephen L. Stuart President of Council

Attest: _____,
Elizabeth A. McClurg, Interim Clerk of Council

Approved: _____
Glen P. Stewart, Mayor

Approved as to form and correctness:

_____
Richard P. Wolfe II, Director of Law

Date: _____, 2015

WOOSTER-ASHLAND REGIONAL COUNCIL OF GOVERNMENTS

CITY OF ASHLAND
206 Claremont Ave.
Ashland, Ohio 44805

&

CITY OF WOOSTER
538 N. Market St.
Wooster, Ohio 44691

MEMO

To: Ashland & Wooster City Council's

CC: Ashland & Wooster Mayor, Law Director, Finance Director, Police Chief, Fire Chief

Date: 1/29/2015

Re: Wooster-Ashland Regional Dispatch Center

Councilpersons,

The Wooster-Ashland Regional Council of Governments has been actively planning and preparing for the implementation of a new regional dispatch center to initially serve the cities of Ashland and Wooster. The new dispatch center will not only provide a state of the art dispatching services for our two cities, but will be compliant with the latest safety communications standards, as well as provide expandability for additional entities in the future.

In order to provide these new services, an initial appropriation of funds is needed to initiate the dispatch center development. The primary items to be funded by these appropriations include the following:

1. Hire a Dispatch Director to finalize planning and operations of the new center
2. Perform renovations to the new dispatch center facilities at Wooster Community Hospital
3. Purchase office items and equipment for the Dispatch Director

The total start-up costs are estimated at $400,000, to be split evenly between Ashland and Wooster. The request to each Council would be to appropriate $200,000 from funds currently budgeted for dispatch services received from Ashland and Wayne Counties, and a small appropriation from Capital Improvement funds. For Wooster, we would request a portion of the Law Enforcement Trust Fund (forfeited funds from illegal activities), the current balance being over $210,000.

The initial cost breakdown is as follows:

1.	Dispatch director salary and benefits	=	$100,000
2.	Final facility design and renovations	=	$250,300
3.	Office equipment and misc. items	=	$ 49,700
	Total	=	$400,000

In addition, attached to this memo are preliminary estimates for the capital equipment budget and ongoing operational costs. Please note that these costs are for the cities of Wooster and Ashland only. As additional entities join the COG or purchase services, the costs for each city will be reduced. Additional funds will be need to purchase actual dispatching equipment and enter contracts for services prior to beginning operations. The attached capital budget details those costs, and it is anticipated that these purchases would be financed over 20 years. A subsequent request to each Council will be brought forward at that time.

The next steps for dispatch center development and target dates for completion are as follows:

Item Description	Target Date
1. Hire a Dispatch Director	March 1, 2015
2. Finalize design & construction plans for facilities	April 1, 2015
3. Begin construction/renovations	June 1. 2015
4. Complete construction	October 1, 2015
5. Begin operations	November 15, 2015
6. Cease dispatch operations with County	December, 2015

We who are board members of the COG, and who have worked so hard to bring this proposal to fruition, are confident that this venture will be a success for our respective cities in terms of both cost and quality of service. More importantly, we believe firmly that *it's the right thing to do* for the safety of our citizens. We are disappointed that our efforts have met with unnecessary political rancor, but we believe that once operational, the benefits of the COG will soon become evident. And if we're right, the proof will be measured in terms of the other entities that, seeing the benefit, will want to become customers of the COG for their dispatching needs.

If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,

Joel Montgomery, P.E.

Director of Administration
City of Wooster
WARCOG Board Member

Wooster & Ashland							
Wooster Dispatch Center Facility							
Personal Services Budget Calculations							
For the 2015 Budget Year							
1/23/2015				hourly			
Budget Assumptions:				Full-Time	Part-Time	Part-Time	
			Director	Dispatchers	Dispatchers	Dispatchers	
	Number of Positions		1	10	3	1	
	Salary or Hourly Wage Rate		$ 65,000.00	$ 18.00	$ 14.50	$ 14.50	
	Hours/week		n/a	40	28	20	
	Pension Benefits - OPERS Rate		14.00%	14.00%	14.00%	14.00%	
	Pension pick-up						
	Medicare Rate		1.45%	1.45%	1.45%	1.45%	
	Workers Comp Rate		2.65%	2.65%	2.65%	2.65%	
	Health Insurance - Family (Budget)		15,019.00	15,019.00			
	Health Insurance - Single (Budget)		6,181.00	6,181.00			
	FSA - Family		700.00	700.00			
	FSA - Single		350.00	350.00			
	Uniform allowance		250.00	250.00	250.00	250.00	
	Training		1,000.00	500.00	500.00	500.00	
	Overtime (1 hr/wk per employee)			936.00			
(Assumes City of Wooster benefit costs)							
SUMMARY:							
	Salary		65,000.00	37,440.00	21,112.00	15,080.00	
	Benefits		-	-	-	-	
		Pension	9,100.00	5,241.60	2,955.68	2,111.20	
		Health Care	15,019.00	15,019.00	-	-	
		Dental/Optical	700.00	700.00			
		Other	3,915.00	3,221.04	1,615.59	1,368.28	
		Total Benefits	28,734.00	24,181.64	4,571.27	3,479.48	
			-	-	-	-	
	Overtime			936.00			
	Total Cost:		93,734.00	62,557.64	25,683.27	18,559.48	
	Number of Positions:		1	10	3	1	
							Total:
	Total Cost for Position(s):		93,734.00	625,576.40	77,049.82	18,559.48	796,360.22

Capital Assumptions:	New Dispatch									
1	Member equipment that could be used/shared is not included									
	Communications platform									
		VHF compatible								
		Digitial								
		MARCS compatible								
		P25 Compliance								
2	Center located at Wooster Community Hospital									
		Space donated								
		Utilities donated								
	Start-up Capital for Wooster & Ashland only:									
	Wooster Hospital Facility Renovations									
	Renovations to Dispatch Center Space				1430	SF x	$125	=	$	178,750.00
	Back-up Power	(Generator & Transfer Switch)						=	$	40,550.00
									$	219,300.00
	Contingencies	8%							$	17,500.00
	Subtotal for Renovation/Construction								$	236,800.00
	Design and Bidding								$	13,500.00
	Total Renovation Project Cost								**$**	**250,300.00**
	Office furniture, equipment and misc.								**$**	**49,700.00**
	Total Initial Start-up Capital Costs								**$**	**300,000.00**
	Cost per	2	entities					=	$	150,000.00
	Dispatch Equipment Costs									
	Consoles		4	Each				=	$	186,630.00
	Engineering, Testing, Project Management							=	$	100,000.00
	VHF Consolettes							=	$	62,450.00
	700/800 Consolettes							=	$	12,800.00
	System Spares							=	$	21,350.00
	Recording Equipment							=	$	40,000.00
	Ashland Site:									
	Network Equipment							=	$	29,500.00
	Consolettes							=	$	33,200.00
	Subtotal Dispatch Equipment Costs							=	**$**	**485,930.00**
	Additional Dispatch Furniture/Misc. (first year)								$	10,670.00
	Total Capital Costs								**$**	**496,600.00**
	Annual Equipment Debt Service/Replacement Costs								$	55,521.76
	Cost per	2	entities					=	$	27,760.88
	Cost per	3	entities					=	$	18,507.25
Notes:										
	Add debt service costs to annual capital/contract costs									
	Split total costs as follows:									
	35%	based on calls for serv ice								
	65%	based on population								

Base Annual Operational Costs *			
Contracts for services:			
	LEADS	$ 9,000.00	
	Network Support	$ 800.00	
	Software/Backup Support	$ 12,000.00	
	CAD Support (Emergitech wireline.wireless interface)	$ 28,000.00	
	Weather Monotoring	$ 1,800.00	
	Radio/Console Maintenance	$ 4,000.00	
Subtotal for Contracts			$ 55,600.00
Supplies			$ 3,500.00
Repairs			$ 2,500.00
Misc.			$ 2,400.00
Total Operating Costs			**$ 64,000.00**
Debt Service	(See Capital Budget)		**$ 27,760.88**

Total Cost per Entity

	Personnel & Operations	Debt Service	Total Annual Cost
Wooster	$472,084.36	$ 27,760.88	**$499,845.24**
Ashland	$388,275.86	$ 27,760.88	**$416,036.74**

First year Start-Up Capital Cost per entity: $ 150,000.00

Loan Amortization Schedule

	Enter values
Loan amount	$ 485,930.00
Annual interest rate	2.50 %
Loan period in years	10
Number of payments per year	1
Start date of loan	4/1/2015
Optional extra payments	

Lender name:

	Loan summary
Scheduled payment	$ 55,521.76
Scheduled number of payments	10
Actual number of payments	10
Total early payments	$ -
Total interest	$ 69,287.61

Pmt. No.	Payment Date	Beginning Balance	Scheduled Payment	Extra Payment	Total Payment	Principal	Interest	Ending Balance	Cumulative Interest
1	4/1/2016	$ 485,930.00	$ 55,521.76	$ -	$ 55,521.76	$ 43,373.51	$ 12,148.25	$ 442,556.49	$ 12,148.25
2	4/1/2017	$ 442,556.49	$ 55,521.76	$ -	$ 55,521.76	$ 44,457.85	$ 11,063.91	$ 398,098.64	$ 23,212.16
3	4/1/2018	$ 398,098.64	$ 55,521.76	$ -	$ 55,521.76	$ 45,569.29	$ 9,952.47	$ 352,529.35	$ 33,164.63
4	4/1/2019	$ 352,529.35	$ 55,521.76	$ -	$ 55,521.76	$ 46,708.53	$ 8,813.23	$ 305,820.82	$ 41,977.86
5	4/1/2020	$ 305,820.82	$ 55,521.76	$ -	$ 55,521.76	$ 47,876.24	$ 7,645.52	$ 257,944.58	$ 49,623.38
6	4/1/2021	$ 257,944.58	$ 55,521.76	$ -	$ 55,521.76	$ 49,073.15	$ 6,448.61	$ 208,871.43	$ 56,072.00
7	4/1/2022	$ 208,871.43	$ 55,521.76	$ -	$ 55,521.76	$ 50,299.97	$ 5,221.79	$ 158,571.46	$ 61,293.78
8	4/1/2023	$ 158,571.46	$ 55,521.76	$ -	$ 55,521.76	$ 51,557.47	$ 3,964.29	$ 107,013.98	$ 65,258.07
9	4/1/2024	$ 107,013.98	$ 55,521.76	$ -	$ 55,521.76	$ 52,846.41	$ 2,675.35	$ 54,167.57	$ 67,933.42
10	4/1/2025	$ 54,167.57	$ 55,521.76	$ -	$ 54,167.57	$ 52,813.38	$ 1,354.19	$ -	$ 69,287.61

Wooster & Ashland, Additional Entities A, B, & C

1/23/2015

(Budget and Cost Sharing based on CSU Study and Typical Dispatch Service Formulas, and Contract Costs as quoted by Motorola)

Assumptions:

Base Personnel Costs		$ 796,360.22
Base Annual Operational Costs *		$ 64,000.00
Total		$ 860,360.22
Population		
Ashland	20337	32.42%
Wooster	26384	42.07%
Entity A	10000	15.94%
Entity B	5000	7.97%
Entity C	1000	1.59%
	62721	100.00%

Basic Fee Structure $ 860,360.22

PD based on population

65% of Costs

$559,234.14

Ashland	20,337	$8.90	$180,908.02
Wooster	26,384	$8.90	$234,699.18
Entity A	8,432	$8.90	$75,006.96
Entity B	6,541	$8.90	$58,185.54
Entity C	1,173	$8.90	$10,434.44
	62,867		$559,234.14

Total Cost for Police

65% of total cost divided by total population

Cost per call $8.90

Fire

35% of Costs

$301,126.08

Based on Calls For Service

Ashland	3,587	$31.79	$114,047.01
Wooster	3,795	$31.79	$120,660.27
Entity A	690	$31.79	$21,938.23
Entity B	1,027	$31.79	$32,652.99
Entity C	372	$31.79	$11,827.57
	9,471		$301,126.08

Total Cost for Fire

35% of total cost divided by total calls

Cost per call $31.79

Annual O&M Cost per Entity

	Personnel & Operations
Ashland	$294,955.03
Wooster	$355,359.46
Entity A	$96,945.19
Entity B	$90,838.53
Entity C	$22,262.00
	$860,360.22

Base Annual Operational Costs *

Contracts for services:

LEADS	$ 9,000.00
Network Support	$ 800.00
Software/Backup Support	$ 12,000.00
CAD Support (Emergitechm wireline.wireless interface)	$ 28,000.00
Weather Monotoring	$ 1,800.00
Radio/Console Maintenance	$ 4,000.00
Subtotal for Contracts	$ 55,600.00
Supplies	$ 3,500.00
Repairs	$ 2,500.00
Misc.	$ 2,400.00
Total Operating Costs	$ 64,000.00
Debt Service (See Capital Budget)	$ 55,521.76

Total Cost per Entity

	Personnel & Operations	Debt Service	Total Annual Cost
Ashland	$294,955.03	$ 19,034.38	$313,989.41
Wooster	$355,359.46	$ 22,932.47	$378,291.93
Entity A	$96,945.19	$ 6,256.18	$103,201.37
Entity B	$90,838.53	$ 5,862.10	$96,700.63
Entity C	$22,262.00	$ 1,436.64	$23,698.64
	$860,360.22	$ 55,521.76	$915,881.98

First year Start-Up Capital Cost: $ 300,000.00

ORDINANCE NO. 57-13

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT FOR THE CREATION OF THE WOOSTER-ASHLAND REGIONAL COUNCIL OF GOVERNMENTS; AND DECLARING AN EMERGENCY.

Whereas, the city councils of the cities of Wooster and Ashland have engaged outside counsel to assist in the negotiation and establishment of a regional council of governments (the "COG") for the principal purpose of providing for a public safety dispatching system, and such other purposes as may be capable of being accomplished through the COG; and

Whereas, such negotiations have resulted in a tentative agreement a copy of which is attached hereto, marked as Exhibit "A"; and

Whereas, for the reason that it is necessary to provide our citizens with prompt and efficient dispatching services, this Council believes it to be in the best interests of the City to authorize the mayor to enter into a proposed regional COG agreement; and

Whereas, for the reason that there are imminent deadlines for grant applications which may result in additional funding to assist in the development of the COG and this Council desires to enable the filing of such applications, this Ordinance is declared to be an emergency measure immediately necessary for the preservation of the public peace, property, health, safety and welfare, now therefore,

Be It Ordained by the Council of the City of Ashland, Ohio, 5 members thereto concurring:

Section 1. That this Council, having found and determined that it is in the best interests of the citizens of the City of Ashland to form and join a regional COG charged with implementing a regional public safety dispatching system for safety services in both communities, the Mayor, on behalf of the City of Ashland, is hereby authorized to enter into Articles of Agreement establishing the Wooster-Ashland Regional Council of Government, which Articles shall be in substantial conformity with Exhibit "A" attached hereto.

Section 2. That this Council finds and declares that all formal actions concerning and relating to the adoption of this ordinance occurred in an open meeting of this Council of its committees, in compliance with law.

Section 3. That this Ordinance is hereby declared to be an emergency measure necessary to the immediate preservation of the public peace, property, health, safety and welfare of the City, and for the further reason that the prompt establishment of the regional COG will expedite the development and implementation of a regional public safety dispatch system, including timely submission of grant application, that will greatly enhance the public health and safety of the residents of the City of Ashland.

Section 4. That this Ordinance shall take effect and be in force from and after its passage by Council and approval pursuant to Section 12 of the Charter of the City of Ashland, Ohio.

Passed: September 17, 2013

Stephen L. Stuart, President of Council

Attest: Kimberly S. Calhoon, Clerk of Council

Approved: Glen P. Stewart, Mayor

Approved as to form and correctness:

Richard P. Wolfe II, Director of Law

Date: September 19, 2013

RESOLUTION NO. 12-13

A RESOLUTION AUTHORIZING THE CITY OF ASHLAND TO JOIN A REGIONAL COUNCIL OF GOVERNMENTS PURSUANT TO CHAPTER 167 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY.

WHEREAS, the Councils of the cities of Wooster and Ashland wish to establish a regional public safety dispatching system; and

WHEREAS, forming a Regional Council of Governments pursuant to Chapter 167 of the Ohio Revised Code has been determined by the parties to be a necessary step in planning for, establishing, and operating a regional dispatching system; and

WHEREAS, for the foregoing reasons, this Council of the City of Ashland believes it to be in the best interests of the City to form and join such a Regional Council of Governments; now therefore.

BE IT RESOLVED by the Council of the City of Ashland, State of Ohio, 4 members thereto concurring:

Section 1. This Council finds and determines that it is in the best interests of the citizens of the City of Ashland to assist in the establishment of a regional public safety dispatching system and, to that end, to form and join a Regional Council of Governments charged with implementing such a system.

Section 2. The Mayor, on behalf of the City of Ashland, is hereby authorized to enter into negotiations for the purpose of formulating the Articles of Agreement to establish the Wooster-Ashland Regional Council of Governments.

Section 3. This Council finds and declares that all formal actions concerning and relating to the adoption of this resolution occurred in an open meeting of this Council of its committees, in compliance with law.

Section 4. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City, and for the further reason that the prompt formulation of the structure of the Regional Council of Governments will expedite the development and implementation of a regional public safety dispatch system that will greatly enhance the public health and safety of the residents of the City of Ashland.

Section 5. That this Resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed: July 16, 2013

Stephen L. Stuart, President of Council

Attest: Kimberly S. Calhoon
Kimberly S. Calhoon, Clerk

Approved: Glen F. Stewart, Mayor

Approved as to form and correctness:

Richard P. Wolfe II, Director of Law

Date: July 22, 2013

The City of Ashland
PROPOSED LEGISLATION
Ordinance Requesting Certification to Enforce the Residential Code of Ohio

DATE: March 31, 2015

TO: Honorable Mayor Glen P. Stewart & City Council

FROM: Shane Kremser, P.E., City Engineer

LEGISLATION SUMMARY: This Ordinance authorizes the Mayor to sign and submit an application for certification by the Ohio Board of Building Standards to enforce the Residential Code of Ohio within the City of Ashland.

LEGISLATIVE HISTORY: Council previously passed Resolution 2-15, which authorized the Mayor to enter into an Agreement with the Richland County Building Department for the purpose of back-up personnel required for Board certification.

LEGISLATIVE PURPOSE: The State of Ohio requires that the local legislative authority pass legislation to request certification by the Ohio Board of Building Standards to enforce the Residential Code of Ohio within the City. We are staffed appropriately to enforce all provisions of the Residential Code of Ohio, including plumbing. This means that all permits and inspections will be issued and performed directly by City personnel with no need to go to any other external entity. This will make it easier for residents and contractors to obtain the required permits and inspections.

FISCAL IMPACT: Permit Fees will be collected in accordance with Codified Ordinance 1315, which was revised last year.

DIRECTOR'S RECOMMENDATION: After reviewing with the Mayor, it is recommended that this Ordinance be passed so that we can forward with submitting the Certification Request to enforce the Ohio Building Code to the Ohio Board of Building Standards.

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A REQUEST TO THE OHIO BOARD OF BUILDING STANDARDS TO CERTIFY THE CITY OF ASHLAND, OHIO, FOR ENFORCEMENT AUTHORITY AND TO ACCEPT AND APPROVE PLANS AND SPECIFCATIONS, AND MAKE INSPECTIONS; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Ashland, Ohio desires to enforce the Residential Code of Ohio for the purpose of providing uniform standards and requirements for the erection, construction, repair, alteration, and maintenance of buildings specified in section 3781.06 of the Ohio Revised Code; and

WHEREAS, the City of Ashland, Ohio seeks to obtain the authority for enforcement of the provisions of the Residential Code of Ohio through certification by the Ohio Board of Building Standards pursuant to Section 3781.10(E) of the Ohio Revised Code to exercise the enforcement authority and accept plans and specifications, and make inspections in accordance with the Residential Code of Ohio; and

WHEREAS, the said Board of Building Standards has certified the City of Ashland Building Department to exercise enforcement authority in accordance with the Residential Code of Ohio, effective _____, as set forth in said Board's certification; and

WHEREAS, it is necessary in accordance with law to administer and enforce the Residential Code of Ohio within the limits of the City of Ashland; and

WHEREAS, this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety, and welfare of said City; now therefore,

BE IT ORDAINED by the Council of the City of Ashland, State of Ohio, _____ ( ) members thereto concurring:

Section 1. That Ohio Administrative Code 4101:8 – Residential Code of Ohio as promulgated by the Ohio Board of Building Standards, shall apply and be enforced within the City of Ashland, Ohio.

Section 2. That this Ordinance shall be in full force and effect from and after the earliest period permitted by law following promulgation of the Residential Code of Ohio by the Board of Building Standards through the certification process, adoption and effective date of certification issued by the Ohio Board of Building Standards

Section 3. That the Mayor of the City of Ashland is hereby authorized and directed to sign and submit an application to the Ohio Board of Building Standards requesting said Board to certify the City of Ashland for enforcement of the Residential Code of Ohio.

Section 4. That this Ordinance is hereby declared to be an emergency measure, the immediate passage of which is necessary for the public health, safety and welfare and for the further reason that said Code must be enforced and administered according to law and particularly pursuant to the requirements of Chapter 3781 of the Ohio Revised Code; wherefore, this Ordinance shall take effect and be in force immediately upon its passage and effective date of certification issued by the Ohio Board of Building Standards.

Passed:_____, 2015

_____
Stephen L. Stuart, President of Council

Attest: _____
Elizabeth A. McClurg, Interim Clerk of Council

Approved: _____
Glen P. Stewart, Mayor

Approved as to form and correctness:

_____
Richard P. Wolfe, Director of Law

Date: _____, 2015

The City of Ashland
PROPOSED LEGISLATION
Ordinance – Mielke Development Ashland, LLC CRA Agreement

DATE: March 31, 2015

TO: Honorable Mayor Glen P. Stewart & City Council

FROM: Shane Kremser, P.E., City Engineer

LEGISLATION SUMMARY: This Ordinance authorizes the Mayor to enter into an Agreement with Mielke Development Ashland, LLC for Community Reinvestment Area (CRA) tax abatement at a rate of 50% for 10 years on the proposed real property improvements noted within the Agreement.

LEGISLATIVE HISTORY: None

LEGISLATIVE PURPOSE: Mielke Development Ashland, LLC submitted a CRA Application committing to $250,000 in rehabilitation, $200,000 in machinery and equipment, and $10,000 for furniture and fixtures at the existing structure located at 856 Clark Avenue (SW corner of East 9th/Clark intersection. The building and parcel were sold at auction by ODOT last year.

FISCAL IMPACT: There will be loss of potential revenue from the City's allocation of property tax on any abated real property improvements.

DIRECTOR'S RECOMMENDATION: The CRA Negotiating Committee recommended that this Agreement be enacted based on the parameters set forth within.

ORDINANCE NO. _____

AN ORDINANCE APPROVING THE RECOMMENDATION OF THE COMMUNITY REINVESTMENT AREA NEGOTIATING COMMITTEE WITH REGARD TO COMMUNITY REINVESTMENT AREA TAX INCENTIVES APPLICATION FOR MIELKE DEVELOPMENT ASHLAND, LLC

WHEREAS, a Community Reinvestment Area Tax Incentives Application has been submitted to the City of Ashland by Mielke Development Ashland, LLC; and

WHEREAS, the Community Reinvestment Area Negotiation Committee (The Committee) met on February 4, 2015 and reviewed said Application; and

WHEREAS, the Committee felt that expanding and/or improving businesses in the City were primary objectives of the Community Reinvestment Area and by offering these tax incentives, the economic viability of the project would be enhanced; and

WHEREAS, the Application involves the repurposing and renovation of an existing facility located at 856 Clark Avenue; Parcel #P430250007300, Ashland, Ohio; and

WHEREAS, the repurposed facility will be renovated by Mielke Development Ashland, LLC and shall be used as a construction office and warehouse for Mielke Development Ashland, rental company office, repair shop, and warehouse for rental equipment; and lease space for additional prospective tenants.; and

WHEREAS, Mielke Development Ashland, LLC shall create within twelve months after commencement of construction, the equivalent of four (4) new full-time permanent and (1) part-time permanent job opportunities; and

WHEREAS, these new employees are estimated to result in approximately one hundred thirty five thousand dollars ($135,000) of additional annual payroll; and

WHEREAS, based on the application and information provided by Mielke Development Ashland, LLC, the Committee unanimously voted to recommend to Council to provide to Mielke Development Ashland, LLC, reductions in real property tax of fifty percent (50%) for ten (10) years for the proposed real property improvements noted in the Application; and

WHEREAS, the City provided the Ashland City School Board of Education and the Ashland County-West Holmes Career Center notice of the application prior to formal action as required within Ohio Revised Code Section 5709.83; and

WHEREAS, time is of the essence and this Council wishes to proceed with approval of the recommendation for a fifty percent (50%) tax reduction for ten (10) years for the real property improvements set forth above; and

WHEREAS, this Council must consider such recommendations and either approve or disapprove them; now therefore,

BE IT ORDAINED by the Council of the City of Ashland, State of Ohio, _____ members thereto concurring:

Section 1. That based upon the recommendations of the Community Reinvestment Area Negotiation Committee, duly adopted at the meeting of February 4, 2015, the Community Reinvestment Area Application of Mielke Development Ashland, LLC for certain tax incentives is hereby approved.

Section 2. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed:_____, 2015

_____
Stephen L. Stuart, President of Council

Attest: _____
Elizabeth A. McClurg, Interim Clerk of Council

Approved: _____
Glen P. Stewart, Mayor

Approved as to form and correctness:

_____
Richard P. Wolfe, Director of Law

Date: _____, 2015

COMMUNITY REINVESTMENT AREA AGREEMENT

This agreement made and entered into by and between the City of Ashland, Ohio, an Ohio municipality, with its main offices located at 206 Claremont Avenue, Ashland, Ohio hereinafter referred to as "The City of Ashland" and M.W. Mielke Industrial Constructors, LLC, an Ohio Limited Liability Company with its main offices located at 1040 Industrial Parkway, Medina, Ohio 44256, hereinafter referred to as "Mielke Development Ashland", an Ohio Company with its offices located at 856 Clark Avenue, Ashland, Ohio 44805 WITNESSETH;

WHEREAS, the City of Ashland has encouraged the development of real property and the acquisition of personal property located in the area designated as a Community Reinvestment Area; and

WHEREAS, Mielke Development Ashland is desirous of renovating and upgrading an existing (30,000 SF) thirty thousand square foot building which will allow for a company relocation and expansion of M.W. Mielke Industrial Constructors, LLC, as they move from 113 North Funk Road, Wooster, Ohio 44691, (hereinafter referred to as the "PROJECT") within the boundaries of the aforementioned Community Reinvestment Area, provided that the appropriate development incentives are available to support the economic viability of said PROJECT; and

WHEREAS, the City Council of Ashland, Ohio by Ordinance No. 21-10 adopted on May 18, 2010, designated the area as a "Community Reinvestment Area" pursuant to Chapter 3735 of the Ohio Revised Code; and

WHEREAS, effective May 19, 2010, the Director of Development of the State of Ohio determined that the aforementioned area designated in said Ordinance No. 21-10 contained the characteristics set forth in Section 3735.66 of the Ohio Revised Code and confirmed said area as a Community Reinvestment Area under said Chapter 3735; and

WHEREAS, the City of Ashland having the appropriate authority for the stated type of project, is desirous of providing Mielke Development Ashland with incentives available for the development of the PROJECT in said Community Reinvestment Area under Chapter 3735 of the Ohio Revised Code; and

WHEREAS, Mielke Development Ashland has submitted a proposed agreement application (herein attached as Exhibit A) to the City of Ashland (hereinafter referred to as "APPLICATION"); and

WHEREAS, Mielke Development Ashland has remitted the required state application fee of $750.00 made payable to the Ohio Development Services Agency with the application to be forwarded to said department with a copy of the final agreement, authorizing legislation, and the local application fee of $750.00 made payable to the Treasurer, State of Ohio; and

WHEREAS, the City of Ashland has investigated the application of Mielke Development Ashland and has recommended the same to the Council of the City of Ashland on the basis that Mielke Development Ashland is qualified by financial responsibility and business experience to create and preserve employment opportunities in said Community Reinvestment Area and improve the economic climate of the City of Ashland; and

WHEREAS, the project site as proposed by Mielke Development Ashland is located in the Ashland City School District and the Ashland County-West Holmes Career Center and the Board of Education of the Ashland City Schools has been notified in accordance with Section 5709.83 and been given a copy of the APPLICATION; and

WHEREAS, pursuant to Section 3735.67(A) of the Ohio Revised Code and in conformance with the format required under Section 3735.671(B) of the Ohio Revised Code, the parties hereto desire to set forth their agreement with respect to matters hereinafter contained;

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained and the benefit to be derived by the parties from the execution hereof, the parties herein agree as follows:

1. Mielke Development Ashland shall renovate a (30,000 SF) thirty thousand square foot building to be used as a construction office and warehouse for Mielke Development Ashland; rental company office, repair shop, and warehouse for rental equipment; and lease space for 2 (two) to 4 (four) tenants. Said building is located at 856 Clark Avenue, Ashland, Ohio 44805 and is identified as Parcel ID P430250007300. Mielke Development Ashland purchased 1.4592 acres of a 2 acre parcel which will have a new Parcel ID in January 2016 of P43020007302 when it is split as the same is known and designated by the Auditor's revised records and falls within the fourth ward of Ashland, Ohio.

The PROJECT will involve building improvements, a new roof, interior and exterior painting, new exterior siding panels, new lighting, and other upgrades to the existing structure which has not been productive for a number of years.

The PROJECT will involve a total investment by Mielke Development Ashland of $523,000 (five hundred twenty-three thousand) dollars, plus or minus 10%, at the Clark Avenue site. Included in this investment are $63,000 (sixty-three thousand) dollars for the acquisition of the buildings; $250,000 (two hundred fifty thousand) dollars for the improvements to the existing building; $200,000 (two hundred thousand) dollars for machinery and equipment; $5,000 (five thousand) dollars for furniture and fixtures; and $5,000 (five thousand) of inventory.

The PROJECT will begin after receipt of approval from the Ohio Development Services Agency and after a copy of the this Agreement is delivered to the County Auditor, and all acquisition, renovation, and installation will be completed by September 30, 2017.

2. Mielke Development Ashland, LLC shall create within a time period not exceeding 12 months after the commencement of renovation of the aforesaid building, the equivalent of 4 new full-time permanent job opportunities and 1 part-time job opportunity at the Clark Avenue building. Mielke Development Ashland, LLC will use its best efforts to retain 4 existing full-time jobs and 1 part-time job at the Clark Avenue building.

   Mielke Development Ashland's schedule for hiring is as follows: create 3 new jobs in 2015; 1 in 2016; and 1 in 2017. The job creation period begins March 31, 2015 and all jobs will be in place by September 30, 2017.

   Mielke Development Ashland currently has 0 employees, at the project site. In total, M.W. Mielke Industrial Constructors, LLC has 20 full-time permanent employees (2 office staff, General Manager, General Field Superintendent, 16 skilled trade employees), 0 part-time permanent employees, 0 full-time temporary employees, and 0 part-time temporary employees in the State of Ohio.

   This increase in the number of employees will result in approximately ($135,000) (one hundred thirty-five thousand) dollars of additional annual payroll for Mielke Development Ashland. The following is an itemization by the type of new jobs created: full-time permanent $120,000, full-time temporary $0, part-time permanent $15,000, and part-time temporary $0.

3. Mielke Development Ashland shall provide to the proper Tax Incentive Review Council any information reasonably required by the Council to evaluate the property owner's compliance with the agreement, including returns filed pursuant to section 5711.02 of the Ohio Revised Code if requested by the Council.

4. Mielke Development Ashland shall give preference to residents of the zone within which the agreement applies relative to residents of this state who do not reside in the zone when hiring new employees under the agreement.

5. Mielke Development Ashland shall maintain memberships in the Ashland Area Chamber of Commerce and the Ashland Area Council for Economic Development.

6. The City of Ashland hereby grants Mielke Development Ashland a tax exemption for real property improvements made to the PROJECT site pursuant to Section 3735.67 of the Ohio Revised Code and shall be in the following amounts:

Year of Tax Exemption	Tax Exemption Amount
1	50%
2	50%
3	50%
4	50%
5	50%
6	50%
7	50%
8	50%
9	50%
10	50%

Each identified project improvement will receive a ten (10) year exemption period. The exemption commences the first year for which the Real Property exemption would first be taxable were that property not exempted from taxation. No exemption shall commence after January 1, 2016 nor extend beyond December 31, 2025).

Mielke Development Ashland must file the appropriate tax forms with the County Auditor to effect and maintain the exemptions covered in the agreement.

7. Mielke Development Ashland shall pay an annual fee equal to the greater of one percent of the dollar value of incentives offered under the agreement or five hundred dollars ($500), provided, however, that if the value of the incentives exceeds two hundred fifty thousand dollars, the fee shall not exceed two thousand five hundred dollars ($2,500).

The fee shall be made payable to the City of Ashland once per year for each year the agreement is effective on the days and in the following forum (certified check). The fee is to be paid to the City Finance Director and made out to the City of Ashland. This fee shall be deposited in a special fund created for such purpose and shall be used exclusively for the purpose of complying with section 3735.671(D) of the revised code and by the tax incentive review council created under section 3735.671(D) of the revised code exclusively for the purposes of performing the duties prescribed under that section.

8. Mielke Development Ashland shall pay such real and tangible personal property taxes as are not exempted under this agreement and are charged against such property and shall file all tax reports and returns as required by law. If Mielke Development Ashland fails to pay such taxes or file such returns and reports, all incentives granted under this agreement are rescinded beginning with the year for which such taxes are charged or such reports or returns are required to be filed and thereafter.

9. The City of Ashland shall perform such acts as are reasonably necessary or appropriate to effect, claim, reserve, and maintain exemptions from taxation granted under this agreement including, without limitation, joining in the execution of all documentation and providing any necessary certificates required in connection with such exemptions.

10. If for any reason the Community Reinvestment Area designation expires, the Director of the Ohio Development Services Agency revokes certification of the zone, or the City of Ashland revokes the designation of the zone, entitlements granted under this agreement shall continue for the number of years specified under this agreement, unless Mielke Development Ashland materially fails to fulfill its obligations under this agreement and the City of Ashland terminates or modifies the exemptions from taxation granted under this agreement.

11. If Mielke Development Ashland materially fails to fulfill its obligations under this agreement, or if City of Ashland determines that the certification as to delinquent taxes required by this agreement is fraudulent, the City of Ashland may terminate or modify the exemptions from taxation granted under this agreement and may require the repayment of the amount of taxes that would have been payable had the property not been exempted from taxation under this agreement.

12. Mielke Development Ashland hereby certifies that at the time this agreement is executed, Mielke Development Ashland does not owe any delinquent real or tangible personal property taxes to any taxing authority of the State of Ohio, and does not owe delinquent taxes for which Mielke Development Ashland is liable under Chapter 5733., 5735., 5739., 5741., 5743., 5747., or 5753. of the Ohio Revised Code, or, if such delinquent taxes are owed, Mielke Development Ashland currently is paying the delinquent taxes pursuant to an undertaking enforceable by the State of Ohio or an agent or instrumentality thereof, has filed a petition in bankruptcy under 11 U.S.C.A. 101, et seq., or such a petition has been filed against Mielke Development Ashland. For the purposes of the certification, delinquent taxes are taxes that remain unpaid on the latest day prescribed for payment without penalty under the chapter of the Ohio Revised Code governing payment of those taxes.

13. Mielke Development Ashland affirmatively covenants that it does not owe: (1) any delinquent taxes to the State of Ohio or a political subdivision of the State; (2) any moneys to the State or a state agency for the administration or enforcement of any environmental laws of the State; and (3) any other moneys to the State, a state agency or

a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not.

14. Mielke Development Ashland and the City of Ashland acknowledge that this agreement must be approved by formal action of the legislative authority of the City of Ashland as a condition for the agreement to take effect. This agreement takes effect upon such approval.

15. The City of Ashland has developed a policy to ensure recipients of Community Reinvestment Area tax benefits practice non-discriminating hiring in its operations. By executing this agreement, M.W. Mielke Industrial Constructors, LLC is committing to following non-discriminating hiring practices acknowledging that no individual may be denied employment solely on the basis of race, religion, sex, disability, color, national origin, or ancestry.

16. Exemptions from taxation granted under this agreement shall be revoked if it is determined that Mielke Development Ashland, any successor property owner, or any related member (as those terms are defined in Section 3735.671 of the Ohio Revised Code) has violated the prohibition against entering into this agreement under Division (E) of Section 3735.671 or Section 5709.62 or 5709.63 of the Ohio Revised Code prior to the time prescribed by that division or either of those sections.

17. Mielke Development Ashland affirmatively covenants that it has made no false statements to the State or local political subdivisions in the process of obtaining approval of the Community Reinvestment Area incentives. If any representative of Mielke Development Ashland has knowingly made a false statement to the State or local political subdivision to obtain the Community Reinvestment Area incentives, Mielke Development Ashland shall be required to immediately return all benefits received under the Community Reinvestment Area Agreement pursuant Section 9.66(C)(2) of the Ohio Revised Code and shall be ineligible for any future economic development assistance from the State, any state agency or a political subdivision pursuant to Section 9.66(C)(1) of the Ohio Revised Code. Any person who provides a false statement to secure economic development assistance may be guilty of falsification, a misdemeanor of the first degree, pursuant to Section 2921.13(D)(1) of the Ohio Revised Code, which is punishable by a fine of not more than $1,000 and/or a term of imprisonment of not more than six months.

18. This agreement is not transferrable or assignable without the express, written approval of the City of Ashland.

IN WITNESS WHEREOF, the City of Ashland, Ohio, by Glen P. Stewart, its Mayor, and pursuant to Ordinance No. _____ has caused this instrument to be executed this _____ of _____, 2015 and Mielke Development Ashland, LLC by Jason Chio, its President, has caused this instrument to be executed on this _____ of _____, 2015.

City of Ashland

By _____
Glen P. Stewart, Mayor

Mielke Development Ashland, LLC

By _____
Jason Chio, President

Approved as to form:

By _____
Richard P. Wolfe II, Director of Law

The City of Ashland
PROPOSED LEGISLATION
Ordinance – FY14 CDBG Holbrook Avenue Resurfacing Project

DATE: March 31, 2014

TO: Honorable Mayor Glen P. Stewart & City Council

FROM: Shane Kremser, P.E., City Engineer

LEGISLATION SUMMARY: This Ordinance authorizes the Mayor to advertise for bids and enter into a construction contract for the asphalt pavement resurfacing of Holbrook Avenue.

LEGISLATIVE HISTORY: City Council previously passed Resolution No. 5-14, which authorized the Mayor to file an Application with the Ohio Development Services Agency for financial assistance under the FY 2014 Community Development Block Grant (CDBG) Allocation Program. This Project was one of the projects included as a part of the Application.

LEGISLATIVE PURPOSE: The purpose of this Ordinance is to authorize the Mayor to enter into a contract with the best and most responsive bidder to perform the pavement rehabilitation of Holbrook Avenue. The asphalt pavement rehabilitation consists of pavement planing, full depth pavement replacement, where applicable, and surface course replacement per the City of Ashland and ODOT specifications. This area was targeted due to the existing pavement condition and the high percentage of LMI households that the project will serve as direct beneficiaries per the requirements set forth by the CDBG Program.

FISCAL IMPACT: The approved Engineering Estimate for this project is $58,500 and will be funded entirely with CDBG Allocation Program funds.

DIRECTOR'S RECOMMENDATION: After reviewing with the Mayor, it is recommended that this Ordinance be passed so that we can forward with advertising and awarding this Project.

ORDINANCE NO. _____

AUTHORIZING AND DIRECTING THE MAYOR, DIRECTOR OF PUBLIC SERVICE, TO ADVERTISE FOR BIDS AND TO ENTER INTO A CONTRACT FOR THE HOLBROOK AVENUE RESURFACING PROJECT WITHIN THE CITY OF ASHLAND, OHIO; AND DECLARING AN EMERGENCY.

WHEREAS, portions of roadway on Holbrook Avenue have deteriorated and are in need of repairs and resurfacing; and

WHEREAS, improving this area would meet HUD's national objective of benefiting an area where the majority of the households are Low to Moderate Income (LMI) households; and

WHEREAS, because the project meets a national objective, the Ohio Development Services Agency has agreed to provide grant funds for the project through the FY14 Community Development Block Grant (CDBG) Allocation Program; and

WHEREAS, detailed plans and specifications for the project have been prepared; and

WHEREAS, this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, property, health, safety, and welfare of the City of Ashland, Ohio; now therefore,

BE IT ORDAINED by the Council of the City of Ashland, State of Ohio, _____ members thereto concurring:

Section 1. That the Mayor be, and hereby is, authorized and directed to advertise for bids and enter into contracts for the Holbrook Avenue Resurfacing Project, in accordance with the plans and specifications on file in the Engineering Division.

Section 2. That the Mayor is hereby authorized to eliminate any or all of the above improvements from the above project if he shall determine that same shall be in the best interest of the City of Ashland.

Section 3. That the estimated cost for this project is fifty-eight thousand five hundred dollars ($58,500.00). The money for said improvement project has been appropriated to be paid from Account No. 231-3903-58199.

Section 4. That upon the acceptance of the lowest and best bid for the Holbrook Avenue Resurfacing Project, Council does hereby authorize the Mayor to expend up to an additional ten

percent (10%) above the awarded contract cost as a construction allowance for the purpose of addressing unforeseen construction conditions and quantity adjustments. The combined cost of the original contract and construction allowance shall not exceed the engineering estimate listed herein without further approval from Council.

Section 5. That for the reason the project has a rigid grant schedule, this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City of Ashland.

Section 6. That this Ordinance shall take effect and be in force from and after its passage by Council and approval pursuant to Section 12 of the Charter of the City of Ashland, Ohio.

Passed:_____, 2015

_____
Stephen L. Stuart, President of Council

Attest: _____
Elizabeth A. McClurg, Interim Clerk of Council

Approved: _____
Glen P. Stewart, Mayor

Approved as to form and correctness:

_____
Richard P. Wolfe, Director of Law

Date: _____, 2015

The City of Ashland
PROPOSED LEGISLATION
Ordinance – 2015 Annual Paving Project

DATE: March 31, 2015

TO: Honorable Mayor Glen P. Stewart & City Council

FROM: Shane Kremser, P.E., City Engineer

LEGISLATION SUMMARY: This Ordinance authorizes the Mayor to advertise for bids and enter into a contract for the repair and resurfacing of various streets within the City of Ashland.

LEGISLATIVE HISTORY: Annual

LEGISLATIVE PURPOSE: There are very limited funds available for pavement rehabilitation so we plan to utilize what's available to rehabilitate portions of arterial or secondary streets based on the existing pavement conditions.

FISCAL IMPACT: $239,093 total from funds 202-1001-56019 ($66,804), 206-1401-55501 ($75,000) and 208-1401-55501 ($97,289).

DIRECTOR'S RECOMMENDATION: After reviewing with the Mayor, it is recommended that this Ordinance be passed so that we can proceed with preparing plans and specifications, advertise for bids, and enter into a contract with the lowest and most responsive bidder.

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR, DIRECTOR OF PUBLIC SERVICE, TO ADVERTISE FOR BIDS AND TO ENTER INTO CONTRACTS FOR THE 2015 REPAIR AND RESURFACING OF VARIOUS STREETS IN THE CITY OF ASHLAND, OHIO, TOGETHER WITH ALL INCIDENTALS AND APPURTENANCES NECESSARY THERETO; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Ashland needs to repair and resurface various streets in the City of Ashland; and,

WHEREAS, the Council believes it to be in the best interest of said City to maintain its streets in proper condition; and,

WHEREAS, it is immediately necessary to begin proceedings for said repair and resurfacing in order to complete said repair and resurfacing this construction season; and,

WHEREAS, for the above reasons, this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare; now therefore,

BE IT ORDAINED by the Council of the City of Ashland, State of Ohio, _____ members thereto concurring:

Section 1. That the Mayor, Director of Public Service be and he is hereby authorized and directed to advertise for bids and to enter into contracts as deemed necessary for the repair and resurfacing of various streets in the City of Ashland, Ohio, together with all incidentals and appurtenances necessary thereto.

Section 2. The Engineering estimate for this work is two hundred thirty nine thousand ninety-three dollars ($239,093.00). That the money for said resurfacing project shall be paid from Account Nos. 202-1001-56019 ($66,804.00), 206-1401-55501 ($75,000.00) and 208-1401-55501 ($97,289.00).

Section 3. That for the reason it is immediately necessary to repair and resurface the said streets as provided for in Section 1, hereof, in order to complete said repair and resurfacing this construction season, this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare.

Section 4. That upon the acceptance of the lowest and most responsive bid for the 2015 Repair and Resurfacing Project, Council does hereby authorize the Mayor to expend up to an additional ten percent (10%) above the awarded contract cost as a construction allowance for the purpose of addressing unforeseen construction conditions and quantity adjustments. The combined cost of the original contract and construction allowance shall not exceed the engineering estimate listed herein without further approval from Council.

Section 5. That this Ordinance shall take effect and be in force from and after its passage by Council and approval pursuant to Section 12 of the Charter of the City of Ashland, Ohio.

Passed:_____, 2015

_____
Stephen L. Stuart, President of Council

Attest: _____
Elizabeth A. McClurg, Interim Clerk of Council

Approved: _____
Glen P. Stewart, Mayor

Approved as to form and correctness:

_____
Richard P. Wolfe, Director of Law

Date: _____, 2015

The City of Ashland
PROPOSED LEGISLATION
Ordinance – Amending Ordinance No 21-10 and Consolidating and Expanding the Community Reinvestment Area (CRA)

DATE: March 31, 2015

TO: Honorable Mayor Glen P. Stewart & City Council

FROM: Shane Kremser, P.E., City Engineer

LEGISLATION SUMMARY: This Ordinance amends Ordinance No. 21-10 to consolidate and expand the Community Reinvestment Area within the City of Ashland

LEGISLATIVE HISTORY: City Council passed Ordinance No. 21-10, which established the City of Ashland's CRA under the post-1994 rules adopted by the State.

LEGISLATIVE PURPOSE: The Ohio Community Reinvestment Area program is a tool administered by municipal and county government that provides real property tax exemptions for property owners who renovate existing or construct new buildings. The purpose of the CRA is to encourage revitalization of the existing housing stock and the development of new structures (including non-residential). The proposed CRA boundary revision would be expanded to include all portions of land within the corporation limits and any future portions of land that are annexed. Non-residential CRA abatements are require negotiation by the City Negotiating Committee with ultimate approval from City Council. Residential abatements are automatic per the criteria set forth in Ordinance 21-10 after certification by the Housing Officer.
Please see attached map for the current CRA boundaries within the City.

FISCAL IMPACT: Abatements forgive a negotiated percentage for a certain term based on the qualifying real property improvements assessments. So there will be loss of potential revenue from the City's allocation of property tax on any abated real property improvements.

DIRECTOR'S RECOMMENDATION: After reviewing with the Mayor, it is recommended that this Ordinance be passed so that we can forward with submitting the CRA boundary revision to the State.

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 21-10 CONSOLIDATING AND INCREASING THE OVERALL BOUNDARIES OF THE COMMUNITY REINVESTMENT AREA WITHIN THE CITY OF ASHLAND; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 21-10 implemented Sections 3735.65 through 3735.70 of the Ohio Revised Code, established and described the boundaries of a Community Reinvestment Area in the City of Ashland, designated a Housing Officer to administer the program, and created a Community Reinvestment Housing Council and a Tax Incentive Review Council.

WHEREAS, this Council desires to expand the boundaries of the overall Community Reinvestment Area within the City of Ashland; and

WHEREAS, such additional area was found to be similar to already established Community Reinvestment Areas within the City of Ashland; and

WHEREAS, a survey of housing, as required by Ohio Revised Code Section 3735.66, is on file in the office of the Mayor, having been prepared for the additional area to be included in the proposed Community Reinvestment Area; and

WHEREAS, the maintenance of existing and construction of new structures in such areas would serve to encourage economic stability, maintain real property values, and generate new employment opportunities; and

WHEREAS, the remodeling of existing structures or the construction of new structures in this Community Reinvestment Area constitutes a public purpose for which real property exemptions may be granted; now therefore,

BE IT ORDAINED by the Council of the City of Ashland, State of Ohio, ____ members thereto concurring:

Section 1. That the area designated as the 2015 Community Reinvestment Area constitutes an area in which housing facilities or structures of historical significance are located, and in which new construction or repair of existing facilities has been discouraged.

Section 2. That pursuant to ORC Section 3735.66, the 2015 Ashland Community Reinvestment Area is hereby established in the following described area:

Situated in the County of Ashland, State of Ohio, the 2015 City of Ashland Community Reinvestment Area will encompass all portions of land within the corporation limits of the City of Ashland and shall be amended hereafter to include all portions of land upon annexation.

Section 3. That the provisions of Ordinance No. 21-10 shall apply to the above described area of consolidation and expansion of the Community Reinvestment Area within the City of Ashland.

Section 4. That this Council finds that the area included within the above described area of consolidation and expansion of the Community Reinvestment Area is one in which housing facilities or structures are located and new residential, commercial and industrial construction and repairs of existing facilities or structures are discouraged.

Section 5. That this Council reserves the right to re-evaluate the designation of the 2015 Community Reinvestment Area after December 31, 2025, at which time the Council may direct the Mayor to reassess the boundaries of said area.

Section 6. That the Council hereby finds and determines that all formal actions relative to the passage of this Ordinance were taken in an open meeting of this Council, that all deliberations of this Council and of its committees, if any, which resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements, including Section 121.22 of the ORC.

Section 7. That this Ordinance shall take effect and be enforced from and after the earliest period allowed by law and upon confirmation by the Director of the Ohio Development Services Agency of the findings in this Ordinance.

Section 8. That the Mayor of the City of Ashland is hereby directed and authorized to petition the Director of the Ohio Development Services Agency to confirm the findings contained within this Ordinance.

Passed:_____, 2015

_____
Stephen L. Stuart, President of Council

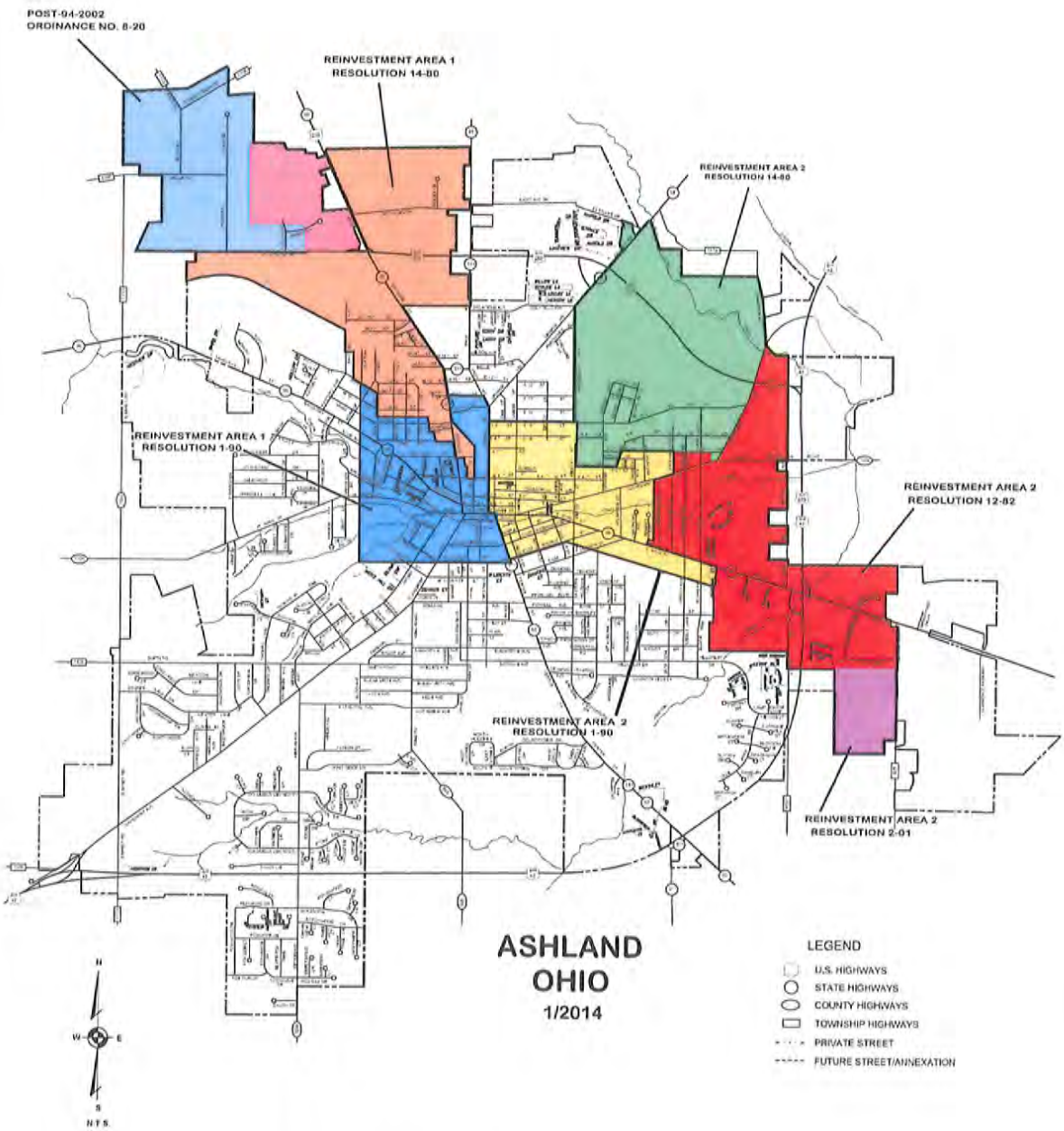
Attest: _____
Elizabeth A. McClurg, Interim Clerk of Council

Approved: _____
Glen P. Stewart, Mayor

Approved as to form and correctness:

_____
Richard P. Wolfe, Director of Law

Date: _____, 2015



COMMUNITY REINVESTMENT AREAS

REINVESTMENT AREAS

ORDINANCE NO. _____

AN ORDINANCE CREATING ADDITIONAL APPROPRIATIONS; AND DECLARING AN EMERGENCY.

WHEREAS, it is necessary, in order to meet the immediate financial needs of the City of Ashland, Ohio for the calendar year 2015, to make certain additional appropriations; now therefore,

Be It Ordained, by the Council of the City of Ashland, State of Ohio, ____ members thereto concurring:

Section 1. That additional appropriations for the calendar year 2015 for the City of Ashland, Ohio, be, and the same are hereby approved, as follows:

Creating Additional Appropriations – Exhibit attached

Section 2. That in order to meet the immediate financial needs of the City of Ashland, Ohio this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, property, health and welfare of said City of Ashland, Ohio.

Section 3. That this Ordinance shall take effect and be in force from and after its passage by Council and approval pursuant to Section 12 of the Charter of the City of Ashland, Ohio.

Passed _____, 2015

_____
Stephen Stuart, President of Council

Attest: _____
Elizabeth A. McClurg Interim Clerk of Council

Approved_____
Glen P. Stewart, Mayor

Approved as to form and correctness:

_____
Richard P. Wolfe II, Director of Law

Date: _____, 2015

Creating Additional Appropriations Exhibit A						
From			To			
			Industrial Park Fund			
265-0000-11010	unappropriated funds	$ 46,353.52	265-3501-58003	park development	$ 46,353.52	
			Golf Course Capital Improvement			
453-0000-11010	unappropriated funds	2,955.00	453-5601-55001	construction	$2,955.00	$0.00
				to purchase equipment		
		49,308.52			$49,308.52	

Detailed Trial Balance

YEAR: 2015

DATE 04/02/2015

INDUSTRIAL PARK FUND

TARGET PERCENT .25

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	BUDGETED AMOUNT	M-T-D AMOUNT	Y-T-D AMOUNT	% YTD	OUTSTANDING ENCUMBRANCE	UNENCUMBERED BALANCE	% VAR
265-0000-11010	INDUSTRIAL PARK FUND	223350.82		223350.82			223350.82	
1	** ASSET TOTAL	223350.82		223350.82	100.0		223350.82	100.0
0000	** CASH ACCOUNT	223350.82		223350.82	100.0		223350.82	100.0
00	** CASH ACCOUNT	223350.82		223350.82	100.0		223350.82	100.0
	TOTAL CASH	223350.82		223350.82	100.0		223350.82	100.0
265-0009-40200	INDUSTRIAL PARK LAND RENT	38500.00						
265-0009-40300	INDUSTRIAL PARK HOUSE RENT	23400.00	1950.00	5850.00	25.0			
265-0009-40400	SALE OF LAND							
265-0009-40700	MISC INCOME							
0	** **	61900.00	1950.00	5850.00	9.5			9.5
0009	GEN MISC REVENUE	61900.00	1950.00	5850.00	9.5			9.5
00	REVENUE	61900.00	1950.00	5850.00	9.5			9.5
	TOTAL REVENUE	61900.00	1950.00	5850.00	9.5			9.5
	CASH BALANCE & RECEIPTS	285250.82	1950.00	229200.82	80.3		229200.82	80.3
265-3501-58001	MISC PARK EXPENSE	20000.00	322.00	533.18	2.7	5404.82	14062.00	29.7
265-3501-58002	PARK MAINTENANCE	20000.00					20000.00	
265-3501-58003	PARK DEVELOP/PROMOTION	120000.00				166353.52	46353.52-	138.6
265-3501-58010	REAL ESTATE TAX	28000.00		26994.66	96.4		1005.34	96.4
8	** OTHER	188000.00	322.00	27527.84	14.6	171758.34	11286.18-	106.0
3501	*****	188000.00	322.00	27527.84	14.6	171758.34	11286.18-	106.0
35	****	188000.00	322.00	27527.84	14.6	171758.34	11286.18-	106.0
	TOTAL EXPENDITURES	188000.00	322.00	27527.84	14.6	171758.34	11286.18-	106.0
265	INDUSTRIAL PARK FUND	97250.82	1628.00	201672.98	207.4	171758.34	29914.64	384.0

Detailed Trial Balance

YEAR: 2015

DATE 04/02/2015

GOLF COURSE CAP IMPROVEMENT

TARGET PERCENT .25

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	BUDGETED AMOUNT	M-T-D AMOUNT	Y-T-D AMOUNT	% YTD	OUTSTANDING ENCUMBRANCE	UNENCUMBERED BALANCE	% VAR
453-0000-11010	GOLF COURSE CAP IMPROVEMENT	140261.63		140261.63			140261.63	
1	** ASSET TOTAL	140261.63		140261.63	100.0		140261.63	100.0
0000	** CASH ACCOUNT	140261.63		140261.63	100.0		140261.63	100.0
00	** CASH ACCOUNT	140261.63		140261.63	100.0		140261.63	100.0
	TOTAL CASH	140261.63		140261.63	100.0		140261.63	100.0
453-0000-40011	MISC	530.00	530.00	530.00	100.0			
0	** **	530.00	530.00	530.00	100.0			100.0
0000	REVENUE	530.00	530.00	530.00	100.0			100.0
453-0002-40001	SALE OF ASSETS							
0	** **							
0002	** **							
00	REVENUE	530.00	530.00	530.00	100.0			100.0
	TOTAL REVENUE	530.00	530.00	530.00	100.0			100.0
	CASH BALANCE & RECEIPTS	140791.63	530.00	140791.63	100.0		140791.63	100.0
453-5601-55001	CONSTRUCTION (TRANSFER OUT)	137836.63	140791.63	140791.63	102.1		2955.00-	102.1
5	** CAPITAL OUTLAY	137836.63	140791.63	140791.63	102.1		2955.00-	102.1
5601	* *	137836.63	140791.63	140791.63	102.1		2955.00-	102.1
56	****	137836.63	140791.63	140791.63	102.1		2955.00-	102.1
	TOTAL EXPENDITURES	137836.63	140791.63	140791.63	102.1		2955.00-	102.1
453	GOLF COURSE CAP IMPROVEMENT	2955.00	140261.63-					

The City of Ashland
PROPOSED LEGISLATION
Richland County Public Health Department Back-up Agreement

DATE: March 31, 2015

TO: Honorable Mayor Glen P. Stewart & City Council

FROM: Shane Kremser, City Engineer

LEGISLATION SUMMARY: This Resolution authorizes the Mayor to enter into an Agreement with the Richland County Public Health Department for **back-up personnel** to enforce and administer the plumbing provisions of the Residential Code of Ohio within the City.

LEGISLATIVE HISTORY: None

LEGISLATIVE PURPOSE: The purpose of this Agreement is to fulfill the back-up personnel requirements required to attain certification from the Ohio Board of Building Standards to administer and enforce the plumbing provisions of the Residential Code of Ohio. Back-up personnel must be identified on the Application for certification. The purpose of requiring back-up personnel is to resolve short term vacancies and conflicts of interest situations that may arise.

FISCAL IMPACT: None Anticipated. The required building permit fees should cover the costs of any back-up inspections and/or hourly plan review and administration.

DIRECTOR'S RECOMMENDATION: After reviewing with the Mayor, it is recommended that this Resolution be passed so that we can move forward with the Agreement and certification of our Residential Building Department.

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR, DIRECTOR OF PUBLIC SERVICE OF THE CITY OF ASHLAND, OHIO TO ENTER INTO AN AGREEMENT WITH THE RICHLAND COUNTY PUBLIC HEALTH DEPARTMENT FOR THE PROVISION OF SERVICES TO PROVIDE BACK-UP PERSONNEL TO ENFORCE THE PLUMBING PROVISIONS OF THE RESIDENTIAL CODE OF OHIO WITHIN THE CITY OF ASHLAND; AND DECLARING AN EMERGENCY.

WHEREAS, the Board of Building Standards for the State of Ohio has certified personnel from the Richland County Public Health Department to exercise plumbing provisions enforcement authority in accordance with the Residential Code of Ohio; and

WHEREAS, the City of Ashland, Ohio desires to utilize said health department for back-up personnel to administer and enforce the plumbing provisions of the Residential Code of Ohio, within the corporation limits of the City of Ashland, Ohio; and

WHEREAS, in order to facilitate the effective and efficient implementation of the Residential Code of Ohio within the City of Ashland, Ohio, this Ordinance is declared to be an emergency measure, immediately necessary for the preservation of the public peace, property, health, safety and welfare; now therefore

BE IT RESOLVED by the Council of the City of Ashland, State of Ohio, _____ members thereto concurring:

Section 1. That the Mayor, be and he is hereby authorized to enter into an agreement with the Richland County Public Health Department for the provision of services to provide back-up personnel to enforce and implement the plumbing provisions of the Residential Code of Ohio, a copy of which Agreement is attached hereto and made a part hereof.

Section 2. That this Resolution shall be deemed to be an emergency measure immediately necessary for the preservation of the public peace, property, health, safety and welfare of said City of Ashland, Ohio

Section 3. That this Resolution shall take effect and be in force from and after its passage by Council and approval pursuant to Section 12 of the Charter of the City of Ashland, Ohio.

Passed:_____, 2015

_____
Stephen L. Stuart, President of Council

Attest: _____
Elizabeth A. McClurg, Interim Clerk of Council

Approved: _____
Glen P. Stewart, Mayor

Approved as to form and correctness:

_____
Richard P. Wolfe, Director of Law

Date: _____, 2015

CONTRACT
FOR
PLUMBING SERVICES

By and Between
RICHLAND PUBLIC HEALTH
&
THE CITY OF ASHLAND

Richland Public Health (hereinafter referred to as **"RICHLAND"**), whose address is 555 Lexington Avenue, Mansfield, Ohio 44907, and The City of Ashland (hereinafter referred to as **"ASHLAND"**), whose address is 206 Clermont Avenue, Ashland, Ohio 44805, hereby enter into this contract (hereinafter referred to as "Contract" and "Agreement"). Both RICHLAND and ASHLAND shall hereinafter also be known individually as a "Party" and collectively as "Parties".

WHEREAS, RICHLAND has the ability to provide plumbing services, including but not limited to plan reviews, inspections and plumbing related consultations (hereinafter referred to as "Plumbing Services") to assist other health departments and cities; and

WHEREAS, ASHLAND has indicated a need for Plumbing Services; and

NOW, THEREFORE, it is mutually agreed by and between the Parties hereto as follows:

1. TERM.
This Contract shall be in effect from April 1, 2015, or upon execution by both Parties, whichever is later (hereinafter referred to as "Effective Date"), through December 31, 2015. Upon expiration of this initial term, the Contract shall continue in full force and effect until either Party provides the other Party with written notice of its intent to terminate this Contract, in which case this Contract shall terminate thirty (30) calendar days after the date of the written notice.

2. SCOPE OF THE SERVICES.
Pursuant to R.C. §3703.01(C)(2), ASHLAND hereby authorizes RICHLAND to inspect residential buildings, which are located within ASHLAND's jurisdiction as follows:

A. RICHLAND shall use Certified Plumbing Inspectors/Plumbing Plan Examiners to perform Plumbing Services for ASHLAND.

B. RICHLAND shall perform plan reviews on plumbing plans submitted to it for review by ASHLAND. Such plan reviews shall include a professional analysis of the plans, recommendations and/or requirements for changes to the plans and approval or denial of the plans.

C. RICHLAND shall perform plumbing inspections requested by ASHLAND, based upon availability of qualified RICHLAND staff to perform such requested inspections. In addition, RICHLAND shall either approve or reject the plumbing work being inspected.

D. As requested by ASHLAND, RICHLAND shall consult with and advise plumbers on plumbing related issues under the authority of ASHLAND.

E. ASHLAND shall provide RICHLAND with the information necessary to competently perform the Plumbing Services.

3. PAYMENT.
ASHLAND shall pay RICHLAND for all reasonable time spent by the Certified Plumbing Inspectors/Plumbing Plan Examiners in performing the Plumbing Services (including travel time). Such time shall be compensated at a rate of $48.51 per hour.

ASHLAND shall pay RICHLAND for all reasonable mileage incurred while performing the Plumbing Services at the then current IRS rate per mile.

4. NO ASSIGNMENT, TRANSFER, OR SUBCONTRACT.
No part of this Agreement may be assigned, delegated, or subcontracted by any Party to any other person or third party without the prior written approval of the other Party.

5. INDEPENDENT CONTRACTOR.
No agency, employment, joint venture or partnership has been or will be created between the Parties hereto pursuant to the terms and conditions of this Agreement. Inasmuch as ASHLAND is interested in RICHLAND's end product, ASHLAND does not control the manner in which RICHLAND performs its duties under this Agreement.

No provision contained in this Agreement shall be construed as entitling ASHLAND to participate in any hospital plans, medical plans, sick leave benefits, vacation, and other benefits available to employees of RICHLAND.

6. SUSPENSION or TERMINATION.
In the event of a suspension or termination of this Agreement, **RICHLAND** shall be entitled to compensation, upon submission of a proper invoice, for the Plumbing Services and related expenses performed prior to the notice of termination or suspension, which shall be calculated by **RICHLAND** based on the rate set forth herein, less any funds previously paid by or on behalf of **ASHLAND.**

7. BREACH OR DEFAULT.
(a) Upon breach or default by either Party of any of the provisions, obligations or duties contained in this Agreement, the other Party may exercise all administrative, contractual, equitable or legal remedies available, without limitation.
(b) If either Party fails to perform an obligation or obligations under this Agreement, and thereafter such failure is waived by the other Party, such waiver shall be limited to the particular failure so waived and shall not be deemed to waive any other failures hereunder.

8. LIMITATION OF LIABILITY.

(a) ASHLAND agrees to accept and be fully and exclusively responsible for its own acts and/or omissions, as well as those acts and/or omissions of its employees and agents, (excluding RICHLAND), and nothing in this Agreement shall be interpreted or construed to place any such responsibility for the professional acts or omissions of any of these individuals or organizations onto RICHLAND.

(b) Neither Party is responsible to the other Party for non-performance or delay in performance of the terms of this Contract due to acts of God, wars, riots, strikes, or other causes beyond the reasonable control of the Parties.

9. SEVERABILITY.

This Agreement shall be governed, construed and enforced in accordance with the laws of the State of Ohio. Further, the Ohio courts shall have jurisdiction over the subject matter and the Parties hereto in connection with disputes concerning validity and enforcement of this Agreement. Should any portion of this Agreement be found unenforceable by operation of law, statute or by administrative or judicial decision, the enforceability of the balance of this Agreement shall not be affected thereby, provided that the absence of the unenforceable provision does not render the performance of the remainder of the Agreement impossible.

10. AMENDMENTS

This Agreement may be amended only by a writing signed by both Parties. However, it is agreed by the Parties that any amendments to laws or regulations that are cited herein will result in the correlative modification of this Agreement without the necessity for executing written amendments. Any written amendments to this Agreement shall be prospective in nature. When a new or different term or condition is added, additional consideration is not necessary to bind the Parties.

11. DISCRIMINATION

Acceptance of this Agreement is evidence of the Parties intent to comply with Title VI and VII of the 1964 Civil Rights Act and Section 504 of the Rehabilitation Act which prohibits discrimination because of race, color, national origin, handicap, age, sex, military status and/or religion in any facet of our operation.

THE REMAINDER OF THIS PAGE WAS INTENTIONALLY LEFT BLANK

12. COUNTERPARTS

This Agreement may be executed in duplicate counterparts, all of which shall be deemed to be a part of one integrated complete document. Any counterpart or other signature hereupon delivered by facsimile or electronic image shall be deemed for all purposes as constituting good and valid execution and delivery of this Agreement by such Party.

IN WITNESS WHEREOF, with due authorization, the Parties to this Agreement have hereunto set their hands through their authorized representatives, as of the day and year first written above.

CITY OF ASHLAND

_____

Glen Stewart
Mayor
City of Ashland

Date: _____

RICHLAND PUBLIC HEALTH

_____

Martin Tremmel
Health Commissioner
Richland Public Health

Date: _____

The City of Ashland
PROPOSED LEGISLATION
Resolution – Council's intention to Vacate a Certain Alley

DATE: March 30, 2015

TO: Honorable Mayor Glen P. Stewart & City Council

FROM: Shane Kremser, P.E., City Engineer

LEGISLATION SUMMARY: This Resolution declares Council's intention to vacate a public alley and establishes a public hearing before Council and the Board of Revisions and Assessments.

LEGISLATIVE HISTORY: None

LEGISLATIVE PURPOSE: The current owner of the commercial buildings located at 703 and 715 Cottage Street requested that these portions of alleys be vacated as they no longer serve a public purpose. The remainder of the east/west alley that provide access to the rear of the residential properties at 629, 633 and 637 Cottage will remain public.

FISCAL IMPACT: None

DIRECTOR'S RECOMMENDATION: After reviewing with the Mayor, it is recommended that this Resolution be passed so that we can proceed with presenting the alley vacation to Council.

RESOLUTION NO. _____

DECLARING COUNCIL'S INTENTION TO VACATE A CERTAIN ALLEY LOCATED IN THE CITY OF ASHLAND, OHIO

WHEREAS, Council is considering whether certain alleys located in the City of Ashland, Ohio, are no longer necessary for the public use, and that the vacation thereof will not be detrimental to the general interest; now therefore,

BE IT RESOLVED by the Council of the City of Ashland, State of Ohio, _____ members thereto concurring:

Section 1. That Council's intention be and hereby is to vacate certain alleys located in the City of Ashland, Ohio, described as follows:

two certain 12 foot wide alleys, situated between Lot Nos. 489A and 441, North Ashland, and a 0.867 acre parcel; being an east-west alley, beginning 100 feet east from the east right of way line of Cottage Street (60') to the east line of Lot No. 441, North Ashland; and a north-south alley from the north line of Lot No. 441, North Ashland, to the north line of Lot No. 489A, North Ashland;

Section 2. That the vacation is to be subject to the right of the City to use all or any part of said alleys for the construction, operation, and maintenance of any existing public utility, and the right of private utility companies including, but not limited to, gas, electric, cable and telephone, to use all or any part of said alley for the operation and maintenance of existing facilities, and if any costs in using said alley as aforesaid are incurred by said City or private utility companies at any time, which costs are greater than would otherwise be, as a result of the erection of buildings or any other structures or obstructions thereon, said costs shall be borne by the property owner or owners of said property of said alleys.

Section 3. That the Board of Revision of Assessments shall hold a hearing for the purpose of considering objections to the vacating of said alleys on Tuesday, the _____ day of _____, 2015, at ____ p.m., in the Council Chambers, Municipal Building, 206 Claremont Avenue, Ashland, Ohio.

Section 4. That the Clerk of Council shall cause notice of said intention to vacate and said hearing of objection to be served in accordance with Section 105 of the Charter of the City of Ashland, Ohio, upon those abutting owners who have not signed petitions waiving said notice.

Section 5. That this Resolution shall take effect and be in force from and after the earliest period allowed by Law.

Passed:_____, 2015

_____
Stephen L. Stuart, President of Council

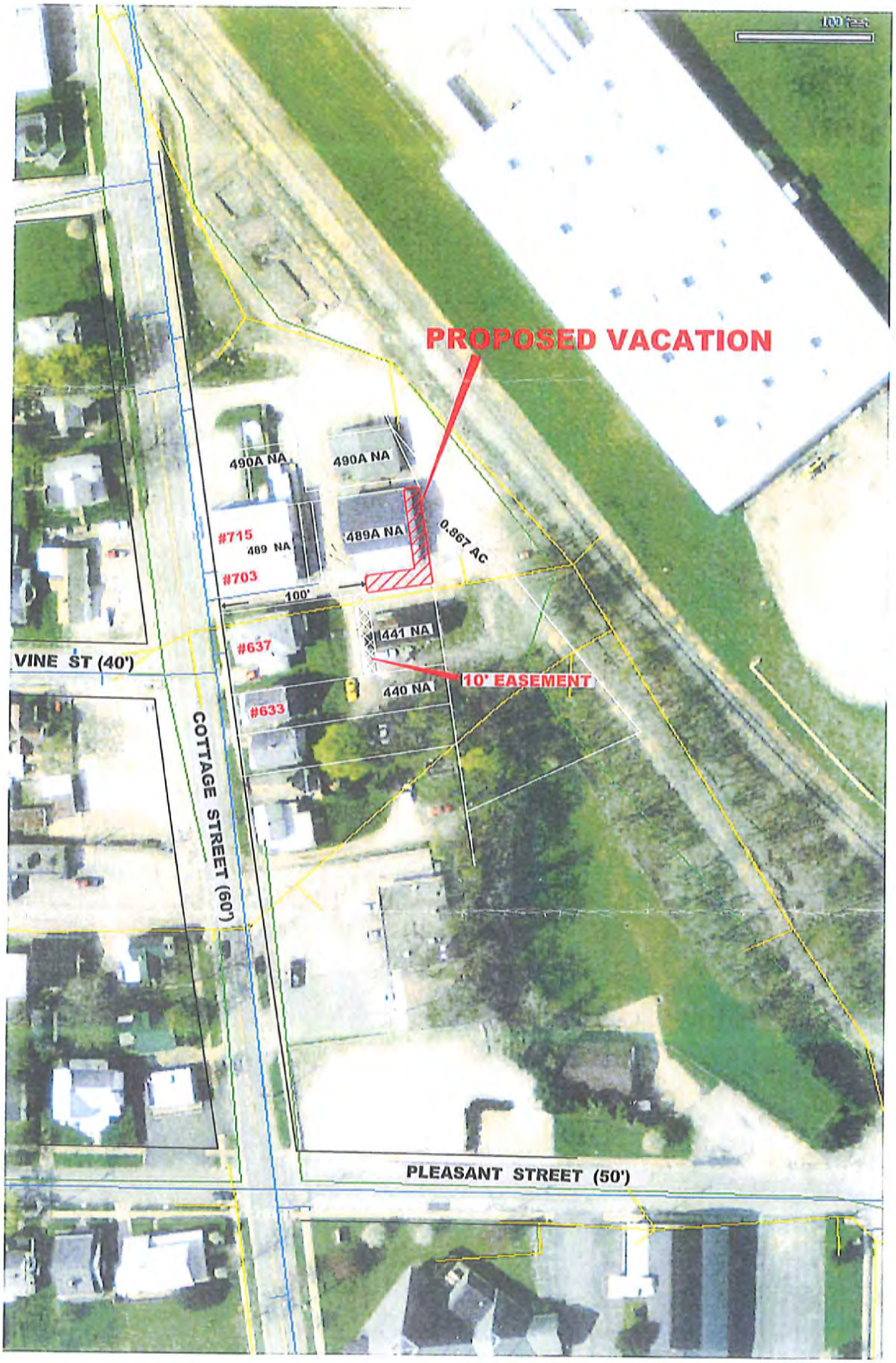
Attest: _____
Elizabeth A. McClurg, Interim Clerk of Council

Approved: _____
Glen P. Stewart, Mayor

Approved as to form and correctness:

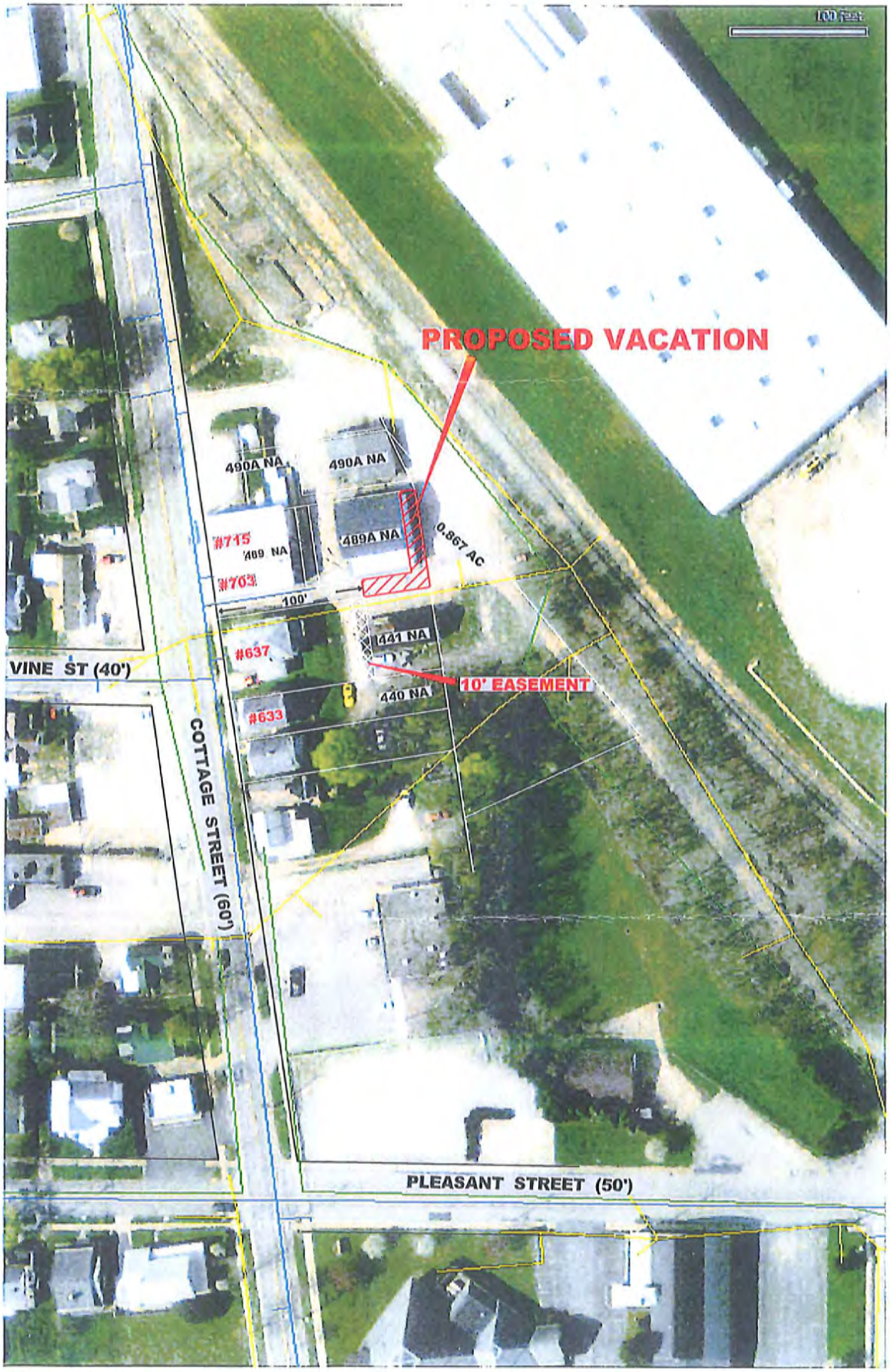
_____
Richard P. Wolfe, Director of Law

Date: _____, 2015


100 feet
PROPOSED VACATION
490A NA
490A NA
#715
489 NA
489A NA
0.867 AC
#703
100'
441 NA
#637
10' EASEMENT
VINE ST (40')
440 NA
#633
COTTAGE STREET (60')
PLEASANT STREET (50')

N

1" = 100'


100 feet
PROPOSED VACATION
490A NA
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469 NA
489A NA
0.867 AC
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100'
441 NA
#637
10' EASEMENT
440 NA
#633
VINE ST (40')
COTTAGE STREET (60')
PLEASANT STREET (50')

N

1" = 100'

This petition has been signed by 2 of 2 adjoining property owners and was delivered to the Mayor's office for the Clerk of Council on March 23, 2015. Shane A. Kremser, P.E., City Engineer

By: Laura J. Bullard

Laura J. Bullard, P.S.

Date: December 24, 2014

PETITION

TO: COUNCIL OF THE CITY OF ASHLAND, STATE OF OHIO:

We, the undersigned, owners of the lots and lands bounding and abutting on: two certain 12 foot wide alleys, situated between Lot Nos. 489A and 441, North Ashland, and a 0.867 acre parcel;

do hereby petition your honorable body to vacate the alleys: being an east-west alley, beginning 100 feet east from the east right of way line of Cottage Street (60') to the east line of Lot No. 441, North Ashland;

and a north-south alley from the north line of Lot No. 441, North Ashland, to the north line of Lot No. 489A, North Ashland;

That this vacation is to be subject to the right of the City to use all or any part of said alley for the construction and maintenance of water lines, sewer lines, and any other public utility, and the right of public utility companies including, but not limited to, gas, electric, cable and telephone, to use all or any part of said alley for the operation and maintenance of existing facilities, and if any costs in using said alley as aforesaid are incurred by said City at any time, which costs are greater than would otherwise be, as a result of the erection of buildings or any other structures or obstructions thereon, said costs shall be borne by the property owner or owners of the respective alley.

Said alley is no longer of use to the public and its vacation will not be detrimental to the general interest.

We, the undersigned, hereby waive any notice of passage of the resolution declaring the intention of Council to vacate the above mentioned alley as specified, and we do further waive any notice of the time and place of the hearing before the board of Revision and Assessments.

OWNER	SPOUSE	LOT NO.
Signature	Signature	489A N.A.
JOHN D. SIDLE	Stacie L. Sidle	489 N.A.
Printed Name	Printed Name	490 N.A.
		441 N.A.
Signature	Signature	0.867 Ac.
Jarrett K. Mankin, Director-Real Estate Ashland Railway		
Printed Name	Printed Name	
Signature	Signature	
Printed Name	Printed Name	

CHECK LIST FOR ALLEY AND/OR STREET
WHICH HAS BEEN PETITIONED TO BE VACATED

Name: JOHN SIDLE A & M FIRE

Address: P.O. BOX 331 715 COTTAGE

Phone: 419-289-0585

Date: 12-29-14

Petition returned: 3-3-15

Letters and copy of petition and map sent to and received from:

	Sent	Reply Received	Approved	Disapproved	No Objection
Police Department	3-3-5				
Fire Department	"		3-23-15		
City Engineer	"		✓		
Water Department	"				
Street & Sanitation	"		3-9-15		
Sewer Department	"				
Columbia Gas Co.	"				
Verizon	"	3-12-15	3-12-15		
Ohio Edison Co.	"		3-6-15	HAS FACILITIES RETAIN RIGHT OF WAY	
Armstrong Cable	"		3-9-15		

Recommendation of City Engineer: _____

Property owners names checked at Court House: Date: ~~12-29-14~~ 3-3-15 By: LSB

Petition to Clerk of Council thru Mayor's office for submission to City Council: _____

Recommendation of Council's Street and Alley Committee: _____

_____ Date: _____

Resolution Number: _____ Date: _____ Hearing Date: _____

Ordinance Number: _____ Date: _____ Vacation Denied: _____

Ordinance Recorded: Vol. _____ Page. _____ Date: _____

Comments: _____

FirstEnergy

March 6, 2015

Attn: Laura Bullard, P.S.
Municipal Building
206 Claremont Avenue
Ashland, Ohio 44805

STREET VACATION PETITION
COTTAGE STREET
CITY OF ASHLAND

Dear Ms. Bullard:

This is in regard to the vacation of a street at the above-mentioned location in Ashland per your letter of March 3, 2015.

Ohio Edison has facilities in this area and needs to retain the right-of-way for the maintenance of these facilities.

Very truly yours,

Karen J. Young
Distribution Technician

Bullard, Laura <bullard.laura@ashland-ohio.com>

Re:

1 message

Anderson, Rick <anderson.rick@ashland-ohio.com> Mon, Mar 23, 2015 at 11:04 AM
To: "Bullard, Laura" <bullard.laura@ashland-ohio.com>

Sorry....yes, no problems.
Rick

On Mon, Mar 23, 2015 at 10:58 AM, Bullard, Laura <bullard.laura@ashland-ohio.com> wrote:
Hi Chief,
I have not received your comments for the two alley vacation requests sent to you on March 3, 2015..
Please respond asap!
Thank you,
Laura

Laura J. Bullard, P.S.
Engineering Division
206 Claremont Avenue
Ashland, Ohio 44805
419-289-8331 wk
419-281-8052 fx
bullard.laura@ashland-ohio.com

--
Rick Anderson, OFE
Chief
City of Ashland
Division of Fire
274 Cleveland Ave.
Ashland, Ohio 44805
419-289-6575 w
419-289-7660 f
anderson.rick@ashland-ohio.com

Bullard, Laura <bullard.laura@ashland-ohio.com>

FW: Send data from MFP07513587 03/09/2015 08:37

1 message

Edwards, Michael J <medwards@agoc.com> Mon, Mar 9, 2015 at 8:39 AM
To: "bullard.laura@ashland-ohio.com" <bullard.laura@ashland-ohio.com>

Armstrong Utilities does not have any issues with the 2 petitions. Thank you

-----Original Message-----
From: TOSHIBA COPIER [mailto:SCANNER@ARMSTRONGCABLESERVICES.COM]
Sent: Monday, March 09, 2015 8:38 AM
To: Edwards, Michael J
Subject: Send data from MFP07513587 03/09/2015 08:37

Scanned from MFP07513587
Date:03/09/2015 08:37
Pages:1
Resolution:400x400 DPI

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DOC030915-03092015083709.pdf
61K

Bullard, Laura <bullard.laura@ashland-ohio.com>

Alley vacations

1 message

Sauber, James <Jim.Sauber@ftr.com> Thu, Mar 12, 2015 at 3:16 PM
To: "Bullard, Laura" <bullard.laura@ashland-ohio.com>

Laura,

Frontier does not have any objections to the alley vacation:

Lots 399A, 441A,440B,440, 439

Lots 489A, 489, 490, and 441

Jim Sauber

Engineer- Frontier Network Engineering

1534 Sr.511 South

Ashland, Ohio 44805

419-282-6551-office

419-651-5874-cell

419-289-2198-Fax

" If tomorrow was a gift, What would you do with it?"