

MINUTES FOR THE REGULAR SESSION OF COUNCIL
Tuesday, November 3, 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 G. Detrow	Present
Ward 4:	Sandra Tunnell	Present

PLEDGE OF ALLEGIANCE

PRESENTATION OF MINUTES

Moved by Mrs. Tunnell and seconded by Mr. Valentine that the minutes of the **Regular Session** of City Council held Tuesday, October 20, 2015 be accepted as submitted.

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

Abstain: Dr. Stuart

LEGISLATION

Ordinances:

Ordinance No. 83-15

Item a)

AN ORDINANCE AUTHORIZING THE ISSUING OF A “THEN AND NOW” CERTIFICATE FOR THE FOLLOWING ATTACHED EXPENDITURE FOR 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: Mr. Fishpaw, Mr. Valentine, Mrs. Detrow, Mrs. Tunnell, Dr. Stuart.

Finance Director, Larry Paxton provided testimony.

Mr. Paxton stated there is an attached invoice for the Community Corrections Probation Department that works out of Municipal Court.

Mr. Paxton stated they receive a grant every year for about a \$110, 547.00.

Mr. Paxton stated this year they received a cash balance plus the one hundred and ten thousand bringing it up to \$115, 255.33.

Mr. Paxton stated this grant requires that it be spent or refunded back to the State of Ohio.

Mr. Paxton stated in this case they spent every dollar they could up until the last day that we could submit that to the State for reimbursement.

Mr. Paxton stated unfortunately we have to refund \$5983.00 back to the state.

Mr. Paxton stated it's a catch twenty two and that the program was just not able to spend all the money.

Mr. Paxton stated where they spent their money was labor, benefits and intense probation.

Mrs. Tunnell questioned why we have a balance from the beginning of the year.

Mr. Paxton stated because this year the state wants the money back.

There were no additional comments.

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. 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 Mrs. Detrow and seconded by Mr. Fishpaw that the Ordinance be passed.

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

Ordinance No. 84-15

Item b)

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO CONTRACTS FOR RENEWAL OF THE HEALTH INSURANCE AND LIFE, DENTAL AND VOLUNTARY LIFE INSURANCE FOR 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.

Human Resource Director, Mark Burgess provided testimony.

Mr. Burgess stated this is a routine ordinance that we pass and this is the third year in a row we have done this.

Mr. Burgess stated it authorizes the Mayor to go out and get bids for our health insurance.

Mr. Burgess stated we have already started this process and will be finalizing it this week.

Mr. Burgess stated again this was routine.

Dr. Stuart asked if we have the bid information now.

Mr. Burgess stated yes and we are finalizing it.

Dr. Stuart asked if we have received it.

Mr. Burgess stated yes they have been working on it for the last month or so.

Mr. Burgess stated we start early and the goal is to have open enrollment the month of November and into part of December so payroll deduction can start for new employees.

Mr. Burgess stated it is also important that the employees have their insurance cards in their hands by the first of the year.

Mr. Burgess stated that is their goal to start early.

Dr. Stuart asked how it looked for the cost of it.

Mr. Burgess stated he has an idea but he would like to hold off until they make their recommendation.

There were no additional comments.

Moved by Mrs. Tunnell and seconded by Mr. Valentine that the Ordinance be passed on the first reading.

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

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

Moved by Mrs. Detrow and seconded by Mr. Fishpaw that the Ordinance be passed.

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

Ordinance No. 85-15

Item c)

AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF EQUIPMENT FOR THE CITY SERVICES DIVISION OF THE CITY OF ASHLAND, OHIO, OBTAINING FORMAL ADVERTISING AND BIDDING; 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. Tunnell, Dr. Stuart, Mr. Fishpaw, Mr. Valentine, Mrs. Detrow.

Mayor Stewart provided testimony.

Mayor Stewart stated Mr. Mack couldn't be here this evening but this piece of equipment is a state bid item, which is why we are obtaining formal advertisement and bidding .

Mayor Stewart stated the piece of equipment they want to replace is 30 years old and it has been used in the salt bin for some time.

Mayor Stewart stated we are assured of an \$8,000.00 trade in value but that does not satisfy the need for comparative bidding to establish the real value.

Mayor Stewart stated they have put it on Egov, and stated if someone wants to pay more then what we are assured of for trade in then we will sell it to them.

Dr. Stuart asked if this was for Water, Sewer and Street.

Mayor Stewart stated all three are paying for it.

Mr. Paxton confirmed that is correct.

Dr. Stuart stated he didn't streets in the coding for expiditures.

Mr. Paxton stated it is Water, Sewer and Sanitation and that all three of those departments will be using it.

There were no additional comments.

Moved by Mrs. Detrow and seconded by Mrs. Tunnell that the Ordinance be passed on the first reading.

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

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: Mr. Fishpaw, Mr. Valentine, Mrs. Detrow, Mrs. Tunnel, Dr. Stuart.

Moved by Mrs. Tunnell and seconded by Mr. Valentine that the Ordinance be passed.

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

Resolutions:

Resolution No. 27-15

Item a)

RESOLUTION AUTHORIZING AND RATIFYING THAT THE CITY OF ASHLAND CELEBRATED ITS 200th ANNIVERSARY IN 2015 AND COMMEMORATED THIS BY BURING A TIME CAPSULE AT BROOKSIDE PARK; AND DECLARING AN EMERGENCY

Moved by Mrs. Tunnell and seconded by Mrs. Detrow 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: Mrs. Detrow, Mrs. Tunnell, Dr.Stuart, Mr. Fishpaw, Mr. Valentine.

Human Resource Director, Mark Burgess provided testimony

Mr. Burgess stated this resolution memorializes the location of the time capsule.

Mr. Burgess stated the Bicentennial Committee charged the City for coming up with the time capsule.

Mr. Burgess stated they had a process they followed and received input from elected officials.

Mr. Burgess stated they put it together and had its finally buried and done for fifty years.

Mr. Burgess stated they learned from other time capsules in the community like the one that is out at Montgomery School that was buried beside the old tree that they still haven't found.

Mr. Burgess stated they did not want that to happen so they worked with Engineering and the Street Department to make sure that it was buried properly with the right location.

Mr. Burgess stated being in a resolution it makes it a permanent record and a copy of this resolution will be kept at The Historical Society so that it has two locations.

Mrs. Detrow asked if there was a monument.

Mr. Burgess stated the monument is close to it.

Mr. Burgess stated they buried it back a little ways from it and the street department took care of burying it so they picked the location.

Mr. Burgess stated it was buried deep enough that if someone buried a stake in the ground it won't impact it.

Mr. Burgess stated this was a good process and there was a lot of community involvement.

Mr. Burgess stated Ohio Electric Control donated the box and it has a seal on it and is good for thirty years.

Mr. Burgess stated they siliconed the heck out of it to by another 20 years.

Mr. Burgess stated this was well thought out and a group project by many departments.

Mr. Burgess stated he thinks they will be surprised when they open it.

There were no additional comments.

Moved by Mrs. Tunnell and seconded by Mr. Valentine that the Resolution be passed on the first reading.

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

Moved by Dr. Stuart and seconded by Mrs. Detrow 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. Detrow that the Resolution be passed.

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

PUBLIC HEARING ITEMS: None

OLD BUSINESS: None

NEW BUSINESS: - Fair Housing Board Presentation by Dan Hartle.

Mr. Hartle stated he is here tonight to talk about the Fair Housing Board because the City has been a recipient of some Federal money for the Public Transit Project.

Mr. Hartle stated because we have received some Federal funding that the State requires there be some type of Fair Housing Presentation.

Mr. Hartle stated he gave the Mayor a sign in sheet tonight so he hopes we can all sign that because they have to keep record of it for the State.

Mr. Hartle stated because we received Federal funding for projects, we have to be given a presentation by the Fair Housing Board.

Mr. Hartle stated they are not attorneys, they just provide information.

Mr. Hartle stated the Federal Laws cover Fair Housing and it started way back in 1866 with the Civil Rights Act

Mr. Hartle stated there are protections against discrimination against people for a variety of reasons.

Mr. Hartle stated Congress has set 7 Federal and protected classes so that people can't be discriminated against.

Mr. Hartle stated people can't be discriminated against because of their race, religion, color, national origin, sex or their familiar status or disabilities.

Mr. Hartle stated Ohio came along in 1965 and passed its own sets of Fair Housing laws in addition to the Federal laws.

Mr. Hartle stated Ohio added an 8th area that you can't be discriminated against and it is if you are a veteran.

Mr. Hartle stated Ohio went on to say veterans are protected too.

Mr. Hartle stated in the brochure he passed out to everyone that their number is there and you can call them anytime with questions.

Mr. Hartle stated they do not prosecute because they are not attorneys; they simple refer cases to the Civil Rights Commissioner of Ohio.

Mr. Hartle stated they have done this for a number of years and they do not see discriminations of Fair Housing in the city of Ashland.

Mr. Hartle stated most frequently the issues that come to their attention have to do with tenant/landlord issues.

Mr. Hartle stated that it mostly does not have to do with Fair Housing issues.

Mr. Hartle thanked Dr. Stuart for the time to come and speak. He again stated their number is on the brochure he handed out.

There were no questions.

-County Resolution for Annexation of St Rte. 96 West presented by Andrew Bush, Assistant Law Director.

Mr. Bush stated this involved a series of properties on Sandusky Street that are entirely surrounded by the city.

Mr. Bush stated it is a small set of properties that for practical sense are a part of the City.

Mr. Bush stated therefore they filed to annex the properties to be a part of the City.

Mr. Bush stated for Council purposes the next thing we will see is a proposed ordinance laying out what services the City will provide to those properties.

Dr. Stuart asked if that would be on the next Council agenda.

Dr. Stuart stated the next meeting date is December 17th, 2015 and he asked if it would be before that.

Mr. Bush stated it will be at least 10 days prior to the meeting date.

Mr. Bush stated it will be on one of the next few Council Meetings.

COUNCIL COMMENTS:

Mr. Valentine questioned the traffic committee about why there is a flashing school zone sign at Dale Roy School when there are no walkers.

Mr. Valentine stated that Reagan and the Middle School don't have lights and they are a school zone.

Mr. Kremser stated the manual doesn't require them.

Mr. Valentine questioned why they are required at Dale Roy.

Mr. Kremser stated Dale Roy requested it.

Mr. Valentine asked if the new middle school wanted lights too.

Mr. Kremser stated Reagan Elementary requested it.

Mayor Stewart stated the lights are on order for the new elementary school.

Mr. Valentine questioned why we would want to waste lights when there are no walkers.

Mr. Kremser stated it is to slow traffic down and draw attention to the school zone.

Mrs. Tunnell stated it is also because of the busses stopping and to slow traffic down.

Mrs. Detrow stated she wanted to say thank you to Jerry Mack, who is not here.

Mrs. Detrow stated she brought it to his attention that a lady in town was very upset up that her street was falling apart right in front of her house.

Mrs. Detrow stated this lady was hoping something could be done about the big chunks of pavement that were in front of her house.

Mrs. Detrow stated something was done and she got a nice call from the lady.

Mrs. Detrow stated it was Jerry's department that did it.

MAYOR'S COMMENTS:

Mayor Stewart stated everything is pretty much status quo as far as development goes.

Mayor Stewart stated the hotel is moving forward and Carter Lumber Property is still in limbo.

Mr. Kremser stated it is still in purchase agreement.

Mrs. Tunnell asked the Mayor if he had an introduction to make.

Mayor Stewart stated we have a new director for the City Services including utilities, water, storm sewer and billing.

Mayor Stewart introduced Vaughn Klingler who started yesterday.

Dr. Stuart welcomed Vaughn.

FINANCE DIRECTOR: None

COMMENTS FROM THE AUDIENCE:

David Yanchunas stated that he read in the paper that the suppliers of the 911 will not start till April now.

Mr. Yanchunas stated it was originally supposed to start around December 1st, 2015.

Mayor Stewart stated it could out to April.

Mr. Yanchunas stated that was going to cost about \$30,000 a month.

Mayor Stewart stated it would be either paying the sheriff or paying for the new location.

Mayor Stewart stated they are paying wages to the Director and are spending money to buy equipment.

Mr. Yanchunas asked if there was some reason for the hold up.

Mayor Stewart stated it is a big job.

Mr. Yanchunas stated he realizes that.

Mayor Stewart stated they have good Director and that he is very knowledgeable.

Mayor Stewart stated the Director is leading them in the right direction and that the City can't afford to stumble on this.

Mr. Yanchunas asked if the equipment was in.

Mayor Stewart stated the equipment is being reviewed as we speak but it is not in.

Mayor Stewart confirmed this will not start the first of the year and that it could be late March or April.

ADJOURNMENT FROM REGULAR SESSSION TO EXECUTIVE SESSION: 7:30 p.m.

Moved by Mr. Valentine and seconded by Mrs. Detrow to adjourn to executive session for the discussion of negotiation strategies and potential litigation.

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

ADJOURNMENT FROM EXECUTIVE SESSSION TO REGULAR SESSION: 8:12 p.m.

Moved by Mrs. Tunnell and seconded by Mr. Valentine to adjourn to regular session.

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

ADJOURNMENT FROM REGULAR: 8:13 p.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
Jody M Toms, Clerk of Council

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Attest To: _____
Jody M Toms, Clerk of Council

Date: _____

Approved: _____
Stephen L Stuart, President of Council