

MINUTES FOR THE REGULAR SESSION OF COUNCIL
Tuesday, June 3, 2014 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

PRESENTATION OF MINUTES

Moved by Mrs. Tunnell and seconded by Mr. Valentine that the minutes of the **Special Session** of City Council held Monday May 12, 2014 be accepted as submitted.

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

Moved by Mrs. Tunnell and seconded by Mrs. Detrow that the minutes of the **Regular Session** of City Council held Tuesday, May 20, 2014 be accepted as submitted.

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

LEGISLATION

Ordinance Number 37-14

Item a)

**AN ORDINANCE TRANSFERRING FUNDS WITHIN A FUND FROM ONE LINE TO ANOTHER;
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 this 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 Finance Directory, Larry Paxton, provided testimony on behalf of the Ordinance, which will enable the City to transfer funds within a fund from one line to another and enable the City to follow through with its financial responsibilities.

Dr. Stuart commented that of the three line items involved within the fund transfers, two of them are related to natural gas, which reflects the harsh winter the region has had.

Director Paxton confirmed Dr. Stuart's statement, and noted that the cost of natural gas did go up at the end of the winter.

Dr. Stuart asked if there were any questions from Council or the audience and there were none.

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 Mr. Fishpaw that 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 Number 38-14

Item b)

AN ORDINANCE ESTABLISHING CERTAIN FUND TO DEPOSIT AND EXPEND MONIES FOR THE PURPOSES SPECIFIED; 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 this 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 Finance Director, Larry Paxton, testified on behalf of the Ordinance, which will allow the Finance Department to establish a certain fund to deposit and expend monies related to the Community Housing Improvement Project (CHIP).

Director Paxton stated that CHIP provides low to moderate income households with various types of assistance related to their homes, including emergency housing payments.

He added that historically, the funds received from CHIP have been placed within the City's General Fund; however, it is now required that the funds be separated and kept within its own fund.

Director Paxton added that the funds collected from CHIP are not very significant and total to approximately five to six thousand dollars.

Dr. Stuart asked if there were any questions or comments from Council or the audience and there were none.

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

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

Ordinance Number 39-14

Item c)

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR, DIRECTOR OF PUBLIC SERVICE, TO ENTER INTO A CONTRACT WITH SIMONSON CONSTRUCTION SERVICES, INC. FOR THE TROY ROAD CULVERT REPLACEMENT 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 this 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, testified on behalf of the Ordinance, which would authorize the Mayor to enter into a contract with Simonson Construction Services, Inc. for the Troy Road Culvert Replacement Project.

Mr. Kremser added that the storm sewer is located on Troy Road just south of Ashland Chemical and is currently plated.

Mr. Kremser added that the replacement project will include replacing the old sandstone retaining wall among other things that need to be replaced.

Dr. Stuart asked if there were any questions and there were none.

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

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

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

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

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

Resolution Number 14-14

Item d)

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR, DIRECTOR OF PUBLIC SERVICE, TO ENTER INTO A CONSENT AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE U.S. 42 RECONSTRUCTION PROJECT WITHIN THE CITY CORPORATION LIMITS; 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 this 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

City Engineer, Shane Kremser, provided testimony on behalf of the Resolution, which will grant the City permission to enter into a consent agreement with the Ohio Department of Transportation for the U.S. 42 reconstruction project.

Mr. Kremser commented that the majority of Council has already expressed support in previous meetings for the project and that the City has completed its final submittal to the Ohio Department of Transportation.

Mr. Kremser stated that the total cost of the project is estimated to be 8.7 million dollars and that the City is expected to contribute approximately 233,000 dollars.

Mr. Kremser added that the current U.S. 42 ramp has contributed to major traffic congestion and is in need of improvements.

Mr. Valentine asked about the proposed start and end date of the project and Mr. Kremser stated that the project is expected to begin in June of 2015.

Mr. Kremser also stated that the project will include sidewalks on both side of the road that will extend all the way to Sugarbush Drive, a pedestrian corridor, and even an extension of the U.S. 250 bridge to make room for the sidewalks.

Mr. Kremser commented that the Ohio Department of Transportation has been great to work with and that he is looking forward to making the area not only more pedestrian-friendly, but improving the entry way of the City.

Dr. Stuart asked if there were any questions and there were none.

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

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

Nays: Dr. Stuart

OLD BUSINESS: None

NEW BUSINESS:

Approval of Liquor License for Jay Laxmi Ashland Corp (In N Out Food Mart)

Dr. Stuart asked if there were any comments regarding In N Out Food Mart's request to acquire a liquor license.

There were none.

Moved by Mrs. Tunnell and seconded by Mr. Valentine that City Council requests no hearing be heard on behalf of the application for the liquor license.

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

COUNCIL COMMENTS:

Mr. Fishpaw commented that he noticed the yellow line on Morgan Avenue was completed and that he has received various compliments from some of his constituents regarding the line completion.

There were no other comments from Council.

FINANCE DIRECTOR'S COMMENTS:

Director Paxton stated that his office has been working with the State Auditor's office and the Department of Local Government Services in an effort to take a proactive approach to the anticipated reduction of local government funds over the next few years.

Director Paxton stated that sources of revenue, such as the Tangible Personal Property tax and the Estate tax are being phased out, and that it is a goal for his department to properly manage the changes in revenue to

minimize the impact of the loss for the upcoming budget.

Director Paxton stated that the spreadsheet he distributed to Council shows an economic forecast of the City for the next 5 years and noted that the figures within the document represent a decrease in revenue, but an increase in costs for the City.

Director Paxton commented that his office is working to make a conscious effort to project revenue gains and losses as it works towards finalizing a budget for the upcoming year.

The Director also distributed a pie chart representative of departmental appropriations from a previous year, and shared that the diagram is for information purposes only.

Director Paxton offered to answer any questions of Council and reminded members that he is available to answer their questions at any time.

Dr. Stuart commented that it is important to emphasize and re-emphasize the critical financial shape the City is facing with the General Fund, which is forecasting an unencumbered cash balance of 7,400 dollars, a deficit of over one million dollars for 2015, which then goes geometrically to a deficit of 6.5 million dollars by 2019.

Director Paxton stated that Dr. Stuart is correct in his statement, and shared that the economic forecast does show how quickly things can snowball with regards to decreasing revenue and increasing expenditures.

City Law Director, Richard Wolfe, noted that in the last year the City has been seeing more and more legislation similar to the ones passed in today's meeting due to the unique economic environment and strict requirements placed on the City by the State.

Director Wolfe stated that the budget is much tighter than it used to be and requires adjustments to be made more frequently in order to the City to pay its bills.

The Director also mentioned that the increase in frequency of legislation involving the finances of the City are a result of fiscal necessity.

Director Paxton shared with Council that his office is also beginning its work on the tax budget for 2015 and that he will be in touch with the Clerk of Council soon to schedule a hearing.

Mrs. Detrow expressed her concern for the City's financial state and commented that it is important to recognize that there is just not much left at the bottom of the barrel.

The Law Director, Richard Wolfe, distributed a packet to each of the members of City Council and shared that the packet includes drafts of the three Charter changes proposed by the Charter Review Committee.

Director Wolfe mentioned that the changes he has put before them today are very straight forward; however, the change involving Section 97 may need to be further discussed.

The Director shared that he drafted two versions of the change related to Section 97, where one involves a percentage contract contingency, while the other includes a numerical contract contingency.

Director Wolfe shared that he expects to have the remaining two Charter changes ready for Council's review by the next Council meeting.

Dr. Stuart asked Director Wolfe if he would confirm an exact date for the deadline to have the Ordinances passed by Council.

Director Wolfe responded to Dr. Stuart's question and stated that the deadline is August 6, 2014, which means Council will need to shoot to pass the Ordinances by the first meeting of July.

MAYOR'S COMMENTS:

Mayor Stewart stated that he would like to add to Director Paxton's previous commentary regarding the City's income tax revenue.

Mayor Stewart stated that the income tax collection has started to recover; however, the buying power of those funds is down at least 20% from what it was in 2008.

Mayor Stewart added that the cost of fuel, vehicles, parts and labor are all services that simply cost more today than they did a few years ago.

The Mayor also emphasized that the City has been vigilant of all of its expenditures, up to the point of overseeing every single purchase requisition, and even hiring fewer employees today than it did in 2009.

Mayor Stewart commented that the budget is more than tight and that the City is struggling to keep up with maintenance.

The Mayor acknowledged that despite the less than perfect financial health of the City, it is still important to recognize the need to continue to build and improve the community.

Mayor Stewart added that the method the City may choose to address these issues may not be very pleasant, but it is in the best interest of the community.

Furthermore, the Mayor also presented to Council his concern about residents in the community, who have failed to properly maintain their lawns.

The Mayor shared that the his office has received numerous complaints and has sent out letters to those who have failed to maintain their lawns giving them two weeks to mow their lawns.

The Mayor added that if their lawns aren't mowed by the resident or property owner, the City will send a contractor out to mow their yard.

Mayor Stewart stated that he understands some individuals struggle to mow their yards due to various circumstances, but he also noted that some residents are simply too lazy.

The Mayor explained the importance of everyone to show pride for their community, and encouraged citizens to lend a helping hand to those who might not be able to mow their lawns.

Mayor Stewart commented that he would like to see those individuals, who are too lazy to maintain their yards, pick up their pride for the community they call home.

Mayor Stewart also brought forward the house on 507 Buckeye Street and asked Council if they knew whether the property is abandoned.

Mrs. Tunnell stated that if the home is not abandoned, whoever, lives there walks through high grass and a front porch that is in significant disrepair.

The Mayor also brought forward the house on 533 Sandusky Street, which was also stated to be in poor shape.

Dr. Stuart stated that each member of City Council has received calls and complaints regarding high grass and expressed his appreciation for the mayor's emphasis on the topic this evening.

Mr. Valentine commented about his fear of this year's increase in overgrown yards within his ward, and stated how disappointed he would be if this year's list of overgrown yards exceeds the number from previous years.

Lastly, Mayor Stewart shared corrections to this year's list of Council Committees.

Mayor Stewart stated that City Services, Street Maintenance and Park Maintenance have been grouped together as the third committee on the list.

COMMENTS FROM THE AUDIENCE: None

ADJOURNMENT FROM REGULAR SESSION: 8:47 P.M.

Moved by Mr. Valentine and seconded by Mrs. Tunnell to adjourn from Regular Session.

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

Respectfully Submitted by
Lindsey M. Gardiner, Clerk of Council