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Ashland City Council

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**MINUTES FOR THE REGULAR SESSION OF COUNCIL**  
**Tuesday, October 15, 2013 at 7:00 p.m.**  
**Council Chambers**

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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 Mr. Fishpaw and seconded by Mrs. Tunnell that the minutes of the **Regular Session** of City Council held Tuesday, October 1, 2013 be accepted as submitted.

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

**LEGISLATION**

**Ordinance: None**

**Resolution Number 18-13**

**Item a): A RESOLUTION AUTHORIZING AND A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT FOR THE PURCHASE OF A REPLACEMENT VEHICLE (an MMV, Modified Mini-Van) FOR ASHLAND PUBLIC TRANSIT, OBTAINING FORMAL ADVERTISING AND BIDDING; 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 this Ordinance has satisfied the requirements of said Section and that a further reading be dispensed with at this time.

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

Mayor Stewart stated the replacement van is available for \$6800, approximately 12 percent of the total cost of the van. He stated the City normally pays 20 percent for a transit van. There are vans that the City owns that have extremely high mileage and are still in use. He stated the State prefers to have high-mileage vans out of service. Since ours are still functioning well, the State has made an offer to Ashland of \$6800 to replace one of our vehicles. A Dodge van is all that is offered, which is different from what we have in the fleet.

Dr. Stuart asked about the status of another new vehicle that has been ordered. Mrs. Schumaker stated it is not yet delivered.

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

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

**OLD BUSINESS:** None

**NEW BUSINESS:**

a) Advertising on private property permit from Come Alive Community Church.

**Moved** by Mr. Valentine and seconded by Mrs. Tunnell that the permit be approved.

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

b) Request for a new liquor permit – Bella Blue at Waters Edge Event Center

**Moved** by Mrs. Detrow and seconded by Mrs. Tunnell that the permit be approved without a hearing.

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

c) Ashland Trails Association presentation regarding a City Bike Route.

Mr. Ken Rinehart spoke, representing the Ashland Trails Association. He gave background information about the Ashland Trails Association that organized a year ago. A map of the Bike Route was presented to Council with the following information regarding the Bike Route:

“The Ashland Trails Association meets once a month the 3<sup>rd</sup> Monday.

- In the past year we have designed a City Bike Route that connects all schools and parks.
- ATA Members have ridden the route extensively for user-friendliness.

The purpose of the City Loop:

- Bring awareness to Ashland drivers that bicyclists will be on the road
- Provide a healthy alternative for fun for children
- Support buy-Ashland mindset by promoting businesses along the way
- Brings attention to an alternative and healthy way to travel

What is needed to finalize the proposal:

- Street designation
- Signage
- Local Government support
- Safety Services support”

Mr. Rinehart stated ATA is hoping for Council support in working with law enforcement and safety services in putting in signs at intersections and stencils in the roadway to highlight the route. Since most of the roads in the bike route have parking on them, it is the hope that the roads be shared as they are. ATA focused on the safety of the roads while using what the City has to offer by way of a City Bike Route.

Mayor Stewart stated the proposal should go to Traffic Committee. He stated there is a code book that designates signage and other requirements. Ohio Manual of Uniform Traffic Control Devices needs to be followed because of the impact this route has to the community. He noted there are street repairs to be made, and this route could run into street repair problems.

Dr. Stuart asked what else needs to happen, other than signage, to be a viable bike trail.

Mr. Rinehart stated arrows and a bicycle stencil in the roadway at intersections to indicate the route and direction of turns along the route. He stated because of the time spent on revising the map over and over again, he feels ATA has done what it can until additional suggestions are offered if there are any.

Mr. Wolfe asked if any portions of the route are going to be dedicated lanes for bicycle lanes only.

Mr. Rinehart stated that would be ideal if we have the width of a street that has no parking on it; there were no streets available like that at this time, so it is not something the Association had anticipated having. There are no one-way streets on the current route.

Mr. McGee stated some of the one-way streets closer to downtown might be a possibility at a later time.

Mr. Wolfe stated Mr. Rinehart had done an excellent job of presenting a starting point for Council to look at. The next step is to have the Traffic Committee review the route. He stated this time of year is a good time to be presenting this for review so there is the time to get the process going.

Mrs. Tunnell asked if the signs, stencils, and manpower were something the Association was proposing the City provide.

Mr. Rinehart stated that would be something the Association would prefer. He stated there is the potential opportunity for grants.

Mr. McGee stated there are several organizations in town that have offered financial assistance.

Dr. Stuart recommended the proposal go to the traffic committee and come back to Council with a recommendation.

Mrs. Tunnell asked about the designations of the "spurs" on the map.

Mr. Rinehart stated the Association was hesitant to make a recommendation that one spur was better than another so riders could take what route they wanted to take.

Mrs. Detrow asked what cities have something similar to this proposal, and she wondered how it would work on the streets that are narrow.

Suggested cities were Avon Lake, Lakewood, western suburbs of Cleveland, Delaware, Ohio.

Mr. McGee stated Route 6 is a main street and there is a stencil-designated bicycle route in the middle of the street in Lakewood.

**Moved** by Mrs. Tunnell and seconded by Mr. Valentine to refer the Bike Route proposal to the Traffic Committee.

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

d) Request for proposed rezoning.

Mr. Kremser read the letter from Planning Commission to Council regarding the noted area be rezoned from M-2 Heavy Industrial District to M-1 Light Industrial District. The letter provided a legal description and a map. He stated the area is the former Hospira Property and the Ashland Christian Health Center Property. If the property stayed in the M-2 zoning, it would be limited in use. M-1 allows more flexibility for permissible use that are allowed within the deed restrictions. The M-1 zoning is also contiguous with adjacent properties.

Mr. Fishpaw asked who owned the land. Mr. Kremser stated Community Improvement Corporation owns the land.

Mr. Valentine asked for clarification of the possible soil contamination.

Mr. Kremser stated he had not read the environmental assessment. He stated a letter had been received from the Ohio EPA indicating no further assessment of the soil need to be made as long as the area is zoned appropriately for restricted land use.

Mr. Valentine stated hundreds of thousands of tons of contaminated dirt at the current ODOT site had to be sent to Cleveland to be “baked” and returned so the building could be built on clean soil.

**Moved** by Mrs. Tunnell and seconded by Dr. Stuart that a request for a Public Hearing be advertised 30 days prior to taking action on the rezoning on Tuesday, November 19, 2013.

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

#### **COUNCIL COMMENTS:**

Mrs. Detrow stated she heard from a citizen that has trouble remembering to travel 25 miles per hour. He suggested a painted stamp on the pavement indicating 25 miles per hour.

Dr. Stuart welcomed students in the audience, Katelyn Exner, Hillary Krause from Ashland University and Hanna Cain from Akron University.

#### **FINANCE DIRECTOR’S COMMENTS:**

Mr. Paxton had no report.

#### **MAYOR’S COMMENTS:**

Mayor Stewart stated he has had requests to start the fall leaf cleanup. He stated the process is to get the winter plowing equipment ready before the leaf cleanup is begun. The scheduled time for the start of leaf pick up is the 1<sup>st</sup> of November; it could start the last week of October. He stated there will be yellow grass when the leaves are left on the tree lawn, but they still cannot be left on the street because of the dangers of children playing in the leaves and cars driving through the leaves.

#### **COMMENTS FROM THE AUDIENCE:**

Mr. Tom McGee thanked Mrs. Detrow for her “I Didn’t Know That” articles that have been in the paper. He stated they are very informative.

Mrs. Jody Benton and her husband Michael have lived on Sandusky Street since 2001. She stated her husband is a Viet Nam veteran. She stated they have a yard sale at their home once or twice a year since they have moved in. Recently several of Mrs. Benton’s relatives have passed away and she has added their possessions to the yard sales. She stated she does the sale as a service to her family. She stated she had a yard sale in June and a yard sale in September, 90 days later. Mrs. Benton stated she received a letter from the Law Director threatening her home and family with fines in June during the first

yard sale this year. She waited 90 days, another family member passed away, and she had another yard sale. She received another letter from the Law Director. She stated she and her family are treated as criminals in Ashland. Their neighbors make calls many times a day to the point of the police arriving at their home. Last year the police officers told the Bentons that the neighbors making the calls were in the wrong and that she should continue to have the yard sale.

This year there is a new policy in Ashland. In June of this year, again she was told she was in the right by the police. After she received the letter from the Law Director and has consistently been harassed by her neighbors, she has called the police. She stated she does not feel this is a good use for the police force to deal with neighbor grievances.

Mrs. Benton stated she does not understand the letter other than the Law Director says the Bentons will be fined. She wants to know what law she is violating. She asked that the violation be explicit, for instance if she had the yard sale too long, too frequently, and what that means. She stated she is uncomfortable being treated as a criminal in their home; they keep up with their taxes and maintain their home, and Mr. Benton has served our country. She stated there is a problem with this treatment. Mrs. Benton stated she does not want to continue to live in Ashland, but they are not in a position to move right now. She stated she expects the leadership of this community should state that they do not have to live this way. She pointed out that they are citizens and have neighbors and everyone should be treating each other with respect.

**ADJOURNMENT:**

**Moved** by Mrs. Tunnell and seconded by Mr. Valentine to adjourn. 7:43 p.m.

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

Respectfully Submitted by  
Kimberly S. Calhoon, Clerk of Council