

**MINUTES FOR THE REGULAR SESSION OF COUNCIL**  
**Tuesday, December 3, 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 Mrs. Tunnell and seconded by Mr. Fishpaw that the minutes of the **Regular Session** of City Council held Tuesday, November 19, 2013 be accepted as submitted.

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

**LEGISLATION**

**Ordinance Number 67-13**

**Item a)**

**AN ORDINANCE PROVIDING FOR THE 2014 TEMPORARY APPROPRIATIONS FOR THE CITY OF ASHLAND, OHIO TO MEET THE ORDINARY OPERATING EXPENSES OF SAID CITY, PURSUANT TO THE AUTHORITY OF THE OHIO REVISED CODE SECTION 5705.38; AND DECLARING AN EMERGENCY.**

**Moved** by Mrs. Detrow 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. Valentine, Mrs. Detrow, Mrs. Tunnell, Dr. Stuart, Mr. Fishpaw

Mr. Paxton stated this is the legislation for Temporary Appropriations for 2014. It is the ordinary operating budget without capital improvements. It is only to keep the City operating until the official 2014 appropriations are passed.

**Moved** by Mrs. Tunnell 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 Mrs. Detrow 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

**Ordinance Number 68-13**

**Item b)**

**AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE PURCHASE OF AN EXHAUST REMOVAL SYSTEM FOR THE FIRE DEPARTMENT FOR THE CITY OF ASHLAND, OHIO; AND DECLARING AN EMERGENCY.**

(The ordinance was read aloud by the Council Clerk.)

Chief Anderson stated this Ordinance is another step in the process for the exhaust system at the Fire Station. It allows the department to go out for bid. The maximum out-of-pocket for the city is \$8,000; the Federal Grant is for \$80,000 with a 10 percent match. The system to be installed at the Fire Department vents exhaust so vehicles can be started with the doors shut and as the vehicles leave the garage, the cords come off the vehicle automatically.

Mayor Stewart stated this cannot be completed by the end of the year.

Mr. Fishpaw asked if this system would eliminate the exhaust from all three garages.

Chief Anderson stated it would do that.

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

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

**OLD BUSINESS:** None

**NEW BUSINESS:** None

**COUNCIL COMMENTS:**

Mrs. Detrow stated she had received calls about the overpopulation of deer in the area. There was discussion about how to resolve the problem. One approach that is taken in Ontario has wild animal population control legislation and allows bow hunting. There was discussion of the rules having to do with bow hunting. Some communities have a ban on feeding wild animals. She stated the Division of Wildlife will provide a presentation.

The Mayor asked how many deer Ontario has taken out and if the population has been reduced.

Mrs. Detrow stated she would look into that and provide an answer at a later time. She had a magazine that had a story about the fact that the reason there is prolific wildlife is that in the early 1900s when there was no wildlife, people brought wildlife in and now have an overpopulation.

Our legislation regarding shooting a deer with a bow and arrow makes the shooter liable for any damage an injured deer might cause after being shot/shot at.

The Mayor stated there is an overpopulation of ducks and geese in the area as well. People should not be feeding them.

**FINANCE DIRECTOR'S COMMENTS:**

Mr. Paxton stated the audit will be done for three years by the auditing candidate that is chosen by the State Auditor's office.

HB5 has become Substitute Bill 5. Mr. Paxton has analyzed the impact of this bill on the top 25 businesses in Ashland. If this bill is passed the City could lose \$185,000 the first year. Since some of the businesses lost money over the last five years, the loss carried forward portion of the Substitute Bill 5 will allow the companies to carry the loss for five years. The City will not be receiving taxes for future profits of those companies that show a profit loss. Our State Representative, Dave Hall, has voted for this bill. We need to put pressure on the State Senator, Larry Obhoff, to make sure he does not approve this bill.

Mayor Stewart stated the State Senator, Larry Obhoff, will be in the Mayor's office on Friday morning before the Friday Focus luncheon. He invited everyone to attend to hear what he has to say. The Mayor stated he has not heard anything in support of this bill. It is another financial detriment to the cities in the State of Ohio.

This bill began as an income tax simplification.

Mr. Paxton asked Council to consider a special council meeting on December 31 at noon to balance the books of the City. If the meeting is not needed, it will be cancelled.

Mr. Paxton would like Council to consider passing the 2014 budget in January. Public hearings must be held before passing the 2014 budget.

Mr. Paxton asked that costs for charges for services be reviewed. For example, ambulance billing, water, chipping, have not been reviewed and asked that they be reviewed for 2014. He is asked that the City be current with operating expenses.

Mrs. Tunnell asked if there should be a review of how the billing is being done; for example ambulance billing.

Mr. Paxton stated yes, and perhaps there are some operations that should no longer be done by the City. The costs and processes need to be reviewed. He discussed, for instance, brush removal services and fees need to be reviewed.

Mayor Stewart stated he would like to look at all-encompassing charges in sanitation, sewer, water; a review of all the operating costs needs to be done. He asked Council members if they would like to continue with a two-person committee process for 2014. He stated the responsibility of the committee meetings is on the department heads. When the committee members have a question, they should ask it of the department head or the Mayor.

Dr. Stuart stated it is the only way to do business. When looking at any level of government, committee function is the way to start a process. He stated we should be comparing our charges to comparable areas. He asked if the City was losing revenue based on the current level of charges.

Mr. Paxton stated Medicare drives the cost of the ambulance billing run billing, and the billing is heavily discounted.

Mr. Fishpaw mentioned the discussion regarding who should be doing the billing for the ambulance billing runs. He stated he feels the private billing companies are trained to be the most cost efficient in their billing and they utilize the appropriate coding charges. Mr. Fishpaw stated that as a past paramedic he would not want to be responsible for the billing codes and charges; he is not trained in it, and he would not have felt comfortable that it was accurate. The code currently is done by City staff; they are not trained.

Mr. Valentine stated the private billing companies are better at collections for the bills. It was tried by the City two years ago.

Mayor Stewart stated the City stopped using the private billing company because they wrote off the charges too quickly (in three months). They were also charging seven percent of the charge, not what was

collected, so could be a greater percentage charge for what was actually collected. The problem from the past was with the former Finance Director. At times billing was two months or more behind, so the Fire Department was not getting their income. Also at that time, the billing was done at the Income Tax office; today it is done in the Finance Office, and there are long-term software issues.

Mr. Paxton stated there were hundreds of thousands of dollars that were not collected. The comparison should be not revenue to revenue, but runs to revenue. The runs last month were \$400,000, just over 1000 runs. Medicare billed 2000 runs and they collected \$650,000 and earned \$50,000. Mr. Paxton wants to earn every dollar we can so is concerned about the portion the private billing companies charge to do the billing.

Mrs. Tunnell stated a professional company does the medical coding and billing exclusively. Our City employee does other things in addition to the medical billing. Mrs. Tunnell stated she and Mr. Fishpaw are on the Fire Committee and they have discussed this issue. She asked if there should be a meeting to review all the billing procedures.

Mr. Paxton stated his employee does the medical billing and miscellaneous billing. But due to a software issue, there has not been any miscellaneous billing.

Dr. Stuart stated each committee that is involved with the fees under their committee jurisdiction should be reviewed, as opposed to one committee reviewing all billing and fee procedures.

Mayor Stewart stated the ambulance billing needs to include Mr. Paxton, the Mayor, Chief Anderson, and the committee members. If Mr. Paxton would like a member of his staff to attend as well, he should have someone attend.

#### **MAYOR'S COMMENTS:**

Mayor Stewart stated he would like to sell 60 acres at the City Golf Course. He asked for a consensus from Council as to how to put that property up for sale. Discussion was held regarding an auction and how it has been attempted in the past. It had been appraised at \$3800/acre approximately 2.5 years ago.

Mr. Valentine asked about splitting the acreage.

Mayor Stewart stated it cannot be split in a westerly direction due to a lack of land access. There is a lot on Fairview that is an easement.

Mr. Paxton asked if the acreage had been rezoned. It would be researched.

Mrs. Detrow suggested talking to an auctioneer to get advice as to how to sell it and present it for sale.

Dr. Stuart suggested the subject matter be discussed further in executive session.

Mayor Stewart stated Mr. Warren Jones is going to bring two softball tournaments to Ashland. One or both may be at Brookside West, but he would request a temporary beer permit for Brookside Main only. Since there were no issues last year, Mr. Jones wanted to apply for a permit if Council will authorize the permit.

Council members stated they would authorize the permit.

Mayor Stewart asked Council to go to Executive Session to discuss the sale of property.

#### **COMMENTS FROM THE AUDIENCE: None**

#### **ADJOURNMENT TO EXECUTIVE SESSION: 8:02 p.m.**

**Moved** by Dr. Stuart and seconded by Mrs. Tunnell to adjourn to executive session for the purpose of discussing personnel issues and the sale of property.

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

#### **ADJOURNMENT FROM EXECUTIVE SESSION: 9:01 p.m.**

**Moved** by Mrs. Tunnell and seconded by Mr. Valentine to adjourn from executive session.

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

**ADJOURNMENT TO EXECUTIVE SESSION: 9:02 p.m.**

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

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

Respectfully Submitted by  
Kimberly S. Calhoon, Clerk of Council

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