

**MINUTES FOR THE REGULAR SESSION OF COUNCIL**  
**Tuesday, February 4, 2014 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**

Dr. Stuart announced the Council will depart the agenda at this point to allow Mayor Stewart to introduce the City's new Health Commissioner.

Mayor Stewart introduced Commissioner Jelayne Dray, and specified that she has served the City of Ashland for three weeks so far, and has done a great job.

Mrs. Dray expressed her appreciation to City Council and stated how much she looks forward to serving the City. Mrs. Dray also shared with the Council that she has experience working in this capacity when she was previously employed by another local Health Department.

Dr. Stuart, along with the rest of the Council members, welcomed and congratulated Mrs. Dray.

**PRESENTATION OF MINUTES**

**Moved** by Mrs. Tunnell and seconded by Mr. Valentine that the minutes of the **Regular Session** of City Council held Tuesday, January 21, 2014 be accepted as submitted.

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

**Moved** by Mr. Fishpaw and seconded by Mrs. Tunnell that the minutes of the **Special Session** of City Council held Monday, January 27, 2014 be accepted as submitted.

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

**LEGISLATION**

**Ordinance Number 05-14**

**Item a)**

**AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACTS FOR THE PURCHASE OF SUPPLIES AND MATERIALS FOR THE CITY OF ASHLAND, OHIO; AND DECLARING AN EMERGENCY.**

**Moved** by Mr. Valentine and seconded by Mrs. Detrow 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

The City Engineer, Shane Kremser, presented testimony on behalf of the Ordinance, which will authorize the Mayor and Director of Public Service and Public Safety to advertise for bids to enter into contracts for the purchase of the following hereinafter named supplies and materials for the City of Ashland, Ohio; and declaring this Ordinance an emergency measure necessary for the immediate preservation of the public peace, property, health and safety for the reason that it is immediately necessary to purchase said supplies and materials in order to provide for the efficient and effective operation of the several departments of the City of Ashland, Ohio.

Mr. Kremser stated that this Ordinance is renewed on annual basis and that nothing has changed since last year.

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

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

#### **Ordinance Number 06-14**

##### **Item b)**

**AN ORDINANCE ENACTING NEW PROVISIONS OF CHAPTER 1501 OF THE CODIFIED ORDINANCES OF THE CITY OF ASHLAND, OHIO RELATIVE TO THE OHIO FIRE CODE, REPEALING EXISTING SECTIONS 1501.01 THROUGH .03; AND DECLARING AN EMERGENCY.**

**Moved** by Mrs. Detrow and seconded by Dr. Stuart 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

The City Fire Chief, Richard Anderson, testified on behalf of the Ordinance, which will enact new provisions of the City's fire code addressing conditions hazardous to life and property from fire, explosion, handling or use of hazardous materials and the use and occupancy of buildings.

Chief Anderson stated that this Ordinance is basically an update to the codified Ordinance of the latest revisions made to the International Fire Code as amended by the State Fire Marshal of Ohio.

**Moved** by Mrs. Detrow 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 07-14**

##### **Item c)**

**AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF EQUIPMENT FOR THE POLICE DIVISION OF THE CITY OF ASHLAND, OHIO; AND DECLARING AN EMERGENCY.**

Dr. Stuart announced to there is a new Ordinance to add to today's agenda; however, it was not received within the required 48 hour notice. Dr. Stuart requested the Ordinance be read in its entirety by Interim Clerk of Council, Lindsey Queen.

Lindsey read the Ordinance as follows:

**Whereas**, this Council deems it necessary and advisable to immediately purchase equipment for the Division of Police of the City of Ashland, Ohio; 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 and for the further reason that the equipment herein specified is immediately needed in order to provide for the continued efficient and effective operation of the Division of Police of said City of Ashland, Ohio, now therefore,

**Be It Ordained** by the Council of the City of Ashland, State of Ohio, \_\_ members there to concurring:

**Section 1.** That the Mayor be, and he is hereby, authorized and directed to enter into a contract for the purchase the following equipment for the Police Division of the City of Ashland, Ohio, obviating formal advertising and bidding, due to the purchase through the existing State Cooperative purchasing agreement contract, or per House Bill 204:

**One (1) 2014 Police Interceptor,  
at a price not to exceed \$35,000.00.**

and conforming to specifications on file at the Ashland Police Division.

**Section 2.** That the money for said equipment be paid out of the 405 Capital Improvement fund in a method as determined by the Director of Finance.

**Section 3.** That for reason that the equipment herein specified is immediately needed in order to provide for the continued efficient and effective operation of the Division of Police of the City of Ashland, this Ordinance is hereby declared to be an emergency measure immediately needed for the preservation of the public peace, property, health, safety and welfare of said 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.

Dr. Stuart thanked Ms. Queen for reading the Ordinance, and welcomed any testimony on behalf of the Ordinance.

Finance Director, Larry Paxton, offered testimony on behalf of the Ordinance, which will authorize and direct the Mayor to enter into a contract for the purchase of equipment for the police division of the City of Ashland, Ohio.

Director Paxton apologized for the lateness of the Ordinance, and shared that after recent communication with the insurance company, the City was able to arrive at a total cost of the value of the police cruiser and the equipment contained by the vehicle.

Director Paxton also stated that the Insurance company is willing to settle the claim.

Dr. Stuart stated that the police cruiser involved in the crash was totaled, and Director Paxton responded that he is correct.

Dr. Stuart asked Police Chief, David Marcelli, if he would like to comment, and Chief Marcelli stated that he does not have any further comments; however, he did mention that the officer involved in the accident has made a full recovery and is back on duty. Chief Marcelli also commented that the equipment is not reliable

after the accident and recommended to the Council that it will need replacing.

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

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

#### **Resolution Number 04-14**

##### **Item a)**

**DECLARING COUNCIL'S INTENTION TO REZONE A CERTAIN AREA OF THE CITY OF ASHLAND, OHIO FROM "M-4" INDUSTRIAL AND BUSINESS PARK DISTRICT TO "M-1" LIGHT INDUSTRIAL DISTRICT.**

**Moved** by Mrs. Tunnell and seconded by Mr. Fishpaw to invoke Section 113.01 of the Codified Ordinances as the distribution of this 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

The City Engineer, Shane Kremser, presented testimony on behalf of the Resolution, which will declare Council's intention to rezone a certain area of the city of Ashland from an "M-4" Industrial and Business Park to "M-1" Light Industrial District.

Mr. Kremser commented that City Council should have received a letter from the Department regarding this rezoning.

Mr. Kremser stated the area is located near Sugarbush and will most likely involve the development of an assisted living facility.

Dr. Stuart brought to the Council's attention that the Resolution requires the Council to establish a public hearing, which will need to be at least 30 days from today.

The Council scheduled the hearing for the rezoning for Tuesday, March 18<sup>th</sup>, 2014, at 7:05 p.m.

Dr. Stuart asked the Council if there were any questions, and there were none.

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

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

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

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

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

**Abstain:** Mr. Valentine

**Resolution Number 05-14**

**Item b)**

**RESOLUTION AUTHORIZING FILING OF APPLICATION: FY 2014 STATE OF OHIO COMMUNITY DEVELOPMENT ALLOCATION PROGRAM; AND DECLARING AN EMERGENCY.**

**Moved** by Mrs. Tunnell and seconded by Mr. Fishpaw to invoke Section 113.01 of the Codified Ordinances as the distribution of this 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

City Engineer, Shane Kremser, offered testimony for the Resolution, which will authorize the City of Ashland to apply for the Ohio Community Development Allocation Program for Fiscal Year 2014.

Mr. Kremser stated that the City received \$75,000.00 last year, and was able to apply the funds to up to three projects. He also mentioned that the program will require public hearings to provide citizens the opportunity to assist the City in deciding which projects to take on.

Mrs. Tunnell asked Mr. Kremser if he knew when the hearings would begin, and Mr. Kremser responded that hearings typically begin in the month of March.

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

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

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

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

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

**OLD BUSINESS: None**

**NEW BUSINESS: None**

**COUNCIL COMMENTS:**

Mr. Fishpaw brought to the Council's attention a number of complaints he has received involving all of the "fox" streets within the city and the condition of the roads.

**MAYOR'S COMMENTS:**

Mayor Stewart commented about the snow expected to fall over the next 24 hours and asked City Services Director, Jerry Mack, to comment further about the City's salt levels, and the possible impact of the expected storm.

Director Mack shared with the Council that at this point we are expected to receive 5 to 8 inches, but from what we're seeing at this point, the snow hasn't started yet, so we may be gaining a few hours.

Director Mack said that road crews will be spot salting the main roads tonight, and if it gets to a point of where it needs to be ploughed we will start ploughing. He added that the roads aren't going to be as nice as they have been in the past due to the shortage of salt.

The Director stated that he doesn't believe there is a salt shortage per say; however, Ashland and many surrounding cities are focused on conserving the salt that they have due to trucking shortages. He stated that the main cause for the salt shortages is not the supply for the salt, but the availability of trucks to deliver the salt.

It was announced that Ashland has been fortunate and has been receiving three to four loads of salt a day, which doesn't go very far but the addition of 24 tons of salt from each load will have a positive impact on our community. He added that at this point the Department's top priority is making the most out of the salt we still have and try to keep everything as safe as we can.

Director Mack asked City Council if there were any questions.

Mrs. Tunnell asked the Director about how much salt the City usually has to start off with, and the Director replied the City usually starts with 2,900 tons, which is the maximum capacity of the storage facility.

Director Mack added that last year we only needed to use 80% of the salt the City ordered, which totaled to about 3,200 tons and that left the City with a full supply for the next season.

Mayor Stewart asked Director Mack to further clarify why we don't use steel cutting blades on the ploughs.

The Director shared with the Council that the road crews do not use ploughs with steel cutting edges because of the damage they could cause to manholes and small water valves on the roads. The steel cutting edges can actually catch the cement used to repair manholes and pull them out.

The Mayor and Dr. Stuart thanked Director Mack for answering their questions.

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

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

Dr. Stuart welcomed former Council member Jesse Hamilton, who attended the meeting, along with Steve Berry, of Leadership Ashland.

The Council also recognized, Chelsea Schar, a new reporter from the Ashland Times Gazette.

#### **ADJOURNMENT FROM REGULAR SESSION: 7:26 p.m.**

**Moved** by Dr. Stuart and seconded by Mr. Valentine to adjourn from Regular Session.

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

Respectfully Submitted by  
Lindsey M. Queen, Interim Clerk of Council