

MINUTES FOR THE REGULAR SESSION OF COUNCIL
Tuesday, December 16, 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 **Regular Session** of City Council held Tuesday, December 2, 2014 be accepted as submitted.

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

LEGISLATION

Ordinance Number 77-14

Item a)

AN ORDINANCE ESTABLISHING CERTAIN FUND TO DEPOSIT AND EXPEND MONIES FOR THE PURPOSES SPECIFIED; 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: Dr. Stuart, Mr. Fishpaw, Mr. Valentine, Mrs. Detrow, Mrs. Tunnell

City Finance Director, Larry Paxton, spoke on behalf of the Ordinance, which he specified will create a new fund designated to economic development.

Director Paxton stated that the purpose of the Economic Development Fund is to deposit various revenue received from various programs and eventually utilize those funds in the future to pay for the City's share of the Ashland Economic Development Council.

Dr. Stuart asked if there were any questions for Mr. Paxton and there were none.

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

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

Ordinance Number 78-14

Item b)

AN ORDINANCE CREATING ADDITIONAL APPROPRIATIONS; 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 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

Director Paxton provided testimony on behalf of the Ordinance, which he explained will create additional appropriations.

Director Paxton explained that the City has collected more income tax revenue than anticipated for this year, which is a good thing; however, the City will need to have the ability to transfer all of the additional income tax collected between now and the end of the year so it can be deposited into the General Fund, the Park Fund, or the Street Fund.

Director Paxton stated that he does not anticipate the City receiving more than \$300,000.00, which is the amount specified within the legislation.

Director Paxton stated that the second item included within the legislation includes an appropriation for the remaining share for the Ashland Economic Development Council for the remainder of the year.

Lastly, the Finance Director explained a third item included within the legislation, which is an encumbrance that was acquired from last year and will need fifty-five dollars to cover the expense.

Dr. Stuart asked if there were any questions for Mr. Paxton and there were none.

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

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

Ordinance Number 79-14

Item c)

AN ORDINANCE TRANSFERRING APPROPRIATIONS 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: Dr. Stuart, Mr. Fishpaw, Mr. Valentine, Mrs. Detrow, Mrs. Tunnell

City Finance Director, Larry Paxton, provided testimony on behalf of the Ordinance.

Director Paxton stated that the Ordinance will transfer funds from lines with remaining moneys in them to lines that need them in order to pay for expenses leading up to the end of the year.

Director Paxton shared that the legislation was revised earlier in the afternoon in an effort to meet the needs of expenses such as payroll.

Director Paxton stated that the items within the General Fund, which accumulatively add up to about 110,000.00 dollars are additional expenses, which includes the City's contribution to the Police and Fire Pension Fund.

Director Paxton noted that some of the expense also includes the cost of one or two retirements and additional wages within the City.

Dr. Stuart asked if there were any questions for Director Paxton.

Mrs. Tunnell asked about the increase of about nine thousand dollars for the 5107 Fund and asked if the initial cost was an estimate.

Director Paxton responded to Mrs. Tunnell and stated that the previous amount for the 5107 Fund was indeed an estimate and that the amount has been finalized.

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 Mrs. Tunnell 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

Ordinance Number 80-14

Item d)

AN ORDINANCE AUTHORIZING THE ISSUING OF A "THEN AND NOW" CERTIFICATE FOR THE FOLLOWING ATTACHED EXPENDITURES FOR THE CITY OF ASHLAND, OHIO; AND DECLARING AN EMERGENCY.

Dr. Stuart announced that since the agenda was developed for this evening, there is an additional Ordinance that will need to be presented and read.

The Ordinance was read by City Finance Director, Larry Paxton, as follows:

WHEREAS, the City of Ashland, Ohio has authorized the attached expenditures and as such work has been completed; and

WHEREAS, the Ohio Revised Code Section 5705.41(D) requires a certificate of the fiscal officer of the subdivision be issued before expenditures are incurred; and

WHEREAS, the attached invoices for the payment of work that was completed before a purchase order with a certificate could be issued for said encumbrance; and

WHEREAS, the attached invoice exceeds the three thousand dollar threshold amount the Director of Finance can issue; and

WHEREAS, this Council desires to affirm, and ratify such expenditure and authorize the issuing of a "Then and Now" certificate for said expenditure; and

WHEREAS, for the above reason, this Ordinance is hereby declared to be an emergency measure necessary for the immediately preservation of the public peace, property, health, safety and welfare of said City of Ashland, Ohio; now therefore,

BE IT ORDAINED by the Council of the City of Ashland, State of Ohio ___ members thereto concurring:

Section 1. That the Director of Finance be, and is hereby, authorized to issue a “Then and Now” certificate on behalf of the City Council of the City of Ashland, Ohio and in doing so pay said invoices.

Section 2. That for that reason it is necessary to provide authorization for the issuing of the “Then and Now” certificate and payment of said invoice, this Ordinance is declared to be an emergency measure, immediate necessary for the preservation of the public peace, property, health, safety and welfare of said City of Ashland.

Section 3. 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 Director Paxton for his reading.

Director Paxton stated that the invoices attached to this legislation arrived within the last day and two even came to him this morning.

Director Paxton stated that one of the invoices is for storm sewer maintenance, which is in the amount of thirteen thousand six hundred and forty-six dollars.

The Finance Director shared that the other invoice is for the purchase of fuel for the City, which amounts to twenty-one thousand three hundred and thirty-two dollars.

The Finance Director shared that the remaining invoice is for the Community Housing Improvement Program, which included a home repair in the amount of six thousand three hundred and twenty-five dollars.

Director Paxton stated that all of the previously mentioned projects had appropriations made; however, the Purchase Order was received after the date the invoice was received.

Dr. Stuart asked if there were any questions from Council.

Mrs. Tunnell asked whether or not the City has already completed the storm sewer project and Director Paxton responded that it was.

Mrs. Tunnell asked for more information regarding the home repair.

Director Paxton stated that the home owner who received the financial aid for the home repair gained the assistance after applying to the City through the Community Housing Improvement Program and was determined qualified.

There were no further questions.

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

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

Ordinance Number 81-14

Item e)

AN ORDINANCE AMENDING SECITON 155.01(b), (c) AND (d) OF THE CODIFIED ORDINANCES OF THE CITY OF ASHLAND, OHIO PROVIDING FOR THE SALARIES OF CERTAIN ELECTED OFFICIALS OF THE CITY OF ASHLAND; AND REPEALING EXISTING SECTIONS 155.01 (b), (c) AND (d) OF SAID CODIFIED ORDINANCES.

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

Dr. Stuart provided testimony on behalf of the Ordinance, which intends to alter the salaries of the Director of Finance, City Law Director, and two positions within City Council for a period of four years, beginning January 1, 2016 and ending December 31, 2019.

Dr. Stuart noted that the changes contained within the legislation cannot be acted upon by someone holding office at the time, which is why it is before Council this evening.

There were no questions.

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. 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: 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:

Withdraw Request for Public Hearing for Liquor License Request – Pump House Ministries

Moved by Dr. Stuart and seconded by Mr. Valentin that Council withdraw its request for a public hearing regarding Pump House Ministries' liquor license request.

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

Nays: Mrs. Tunnell

NEW BUSINESS:

- **Ashland Board of Health Nomination** – Charmaine Kaylor (1-1-15 to 12-31-19)

Mayor Stewart commented that members of the Board of Health have four year terms and the member, whose term expires this year has asked to not be reappointed.

Mayor Stewart shared that Charmaine Kaylor has expressed interest in serving on the Board, has a

nursing degree, has three adult children, volunteers at Ashland Christian Health Clinic, member of Trinity Church, and has participated in a medical mission trip in Kenya.

Mayor Stewart stated that Ms. Kaylor has a lot of experience that would be an asset to the Health Board.

Dr. Stuart asked if there were any questions of Mayor Stewart.

There were none.

Moved by Mr. Fishpaw and seconded by Mr. Valentine to approve the nomination of Charmaine Kaylor to the Ashland Board of Health for a term beginning 1-1-15 and ending 12-31-19.

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

- **Update on County Resolution for Carter Lumber Annexation – Shane Kremser**

City Engineer, Shane Kremser, spoke to Council on the receipt of a County Resolution for the annexation of the Carter Lumber Company.

Mr. Kremser shared that the company was notified that in order for the company to receive water and sewer services from the City, they would have to annex.

Mr. Kremser stated that the County Resolution, which was unanimously approved, is part of the annexation process.

Mr. Kremser shared that the next step in the annexation process is for the City to approve it, which cannot take place until sixty days after Council has received the Resolution.

Dr. Stuart thanked Mr. Kremser for sharing his information.

COUNCIL COMMENTS:

Mr. Fishpaw commented about a call he received concerning the water on the street by the Sunoco Station.

Mr. Kremser explained to Mr. Fishpaw that the City is looking into the matter and that when a worker was conducting an inspection there was no evidence of water leaking onto the street.

Mr. Kremser added that so far it looks like the leak could be coming from a pump of some kind that discharges into the street; however, they aren't exactly sure.

Mr. Fishpaw stated that the resident he spoke with shared that this has been an issue for about four months now.

MAYOR'S COMMENTS:

Mayor Stewart shared that three very distinguished guests are in attendance this evening to share information regarding Ashland's Bicentennial Committee and events happening within the City.

Those in attendance were Tom McGhee, Rob Ward and Scott Young, who are all members of Main Street Ashland, and serve on the Ashland Bicentennial Committee.

Rob Ward came forward to Council and began sharing an update on everything that has occurred since the last meeting with the Mayor, City Council and other City officials.

Mr. Ward began with explaining how the study that was conducted by the City last year has been put to good use and has been utilized throughout the design and planning process for improving downtown.

Mr. Ward added that Scott Young and Tom McGhee have been very influential in raising funds, approximately ninety thousand dollars, for downtown improvements.

Mr. Ward stated that the funds raised have helped pay for over sixty trees, new electric wiring for the lights on the trees, twenty benches, fourteen bike racks, seventy-two hanging baskets, and they are getting closer to securing trash containers as well.

Mr. Ward noted that Mr. Young and Mr. McGhee have a goal of raising one hundred thousand dollars.

Mr. Ward shared that there are a total of thirty-two community members that have invested a lot of time in the revitalization of downtown.

Mr. Ward shared that various city officials, including the Fire Chief, Police Chief, City Engineer, Finance Director, City Arborist and Director of City Services, have all played an instrumental role in the process of improving the City and getting Ashland ready for the bicentennial celebration.

Mr. Ward also stated that two members of the City Planning Commission serve on the Committee, as well as numerous merchants who have businesses downtown.

Mr. Ward listed the four committees that are working together for the project, which includes the Logistics Committee, Landscaping Committee, Furniture and Facades Committee, and the Funding Committee.

Mr. Ward shared, in detail, all of the work each of the four committees has done so far in the improvement project and also shared some of the goals that the committees hope to accomplish in the near future.

Mr. Ward placed emphasis on the importance of improving the parking around downtown, which would include the possibility of added a few parking spots on some of the streets, improving and even changing various parking lots around town, and organizing agreements between the County and the City in an effort to improve parking for the public.

Mr. Ward shared that conducting a traffic-flow study would help the City discover ways to make the downtown area more pedestrian-friendly, and mentioned that the City Engineer will play a significant role in the study.

Mr. Ward shared that the Committee would like Council to consider closing five alleys downtown with four located between South Street and Main Street, and the fifth located between Main Street and Second Street.

Mr. Ward went on to explain the importance of making the alleys more pedestrian-friendly.

Mr. Ward also shared with the Mayor and City Council some of the Committee's ideas on signs and Christmas decorations throughout downtown.

Mr. Ward was excited to announce some important news regarding the flowers for the City's

bicentennial, which was that Green Valley Growers has agreed to gift the City all of the flowers for the seventy-two hanging baskets and thirty-six planters downtown, and also contribute significantly to the growth and care of the plants.

Mr. Ward announced that the Committee will be utilizing the services of an individual named Victor Stanley to purchase furniture that will go downtown, and listed the work that Mr. Stanley has done throughout Ohio.

Mr. Ward concluded with sharing that the Committee understands that it will not be an easy process accomplishing all of the goals that he shared with Council and also stated that it will be a difficult process for some of the community to get used to some of the changes as well.

Mr. Ward stated that it is important to the Committee that they do what is best for the people of Ashland and contribute to building a strong and prosperous future for the City.

Mayor Stewart and Dr. Stuart thanked Mr. Ward, Mr. McGhee and Mr. Young for all of their work.

COMMENTS FROM THE AUDIENCE:

David Yanchunas commented about how nice the lights on the trees downtown look and stated that he hopes the City will keep the lights throughout the year.

Dr. Stuart stated that the City intends to keep the trees lit throughout the year.

There were no further comments from the audience.

Dr. Stuart announced that Council will need to establish a meeting to hold another Council Session to go over some of the City's financial issues.

Moved by Dr. Stuart and seconded by Mr. Fishpaw to schedule a Special Council Session for December 31, 2014 at 12:00 P.M. to discuss and potentially pass financial legislation.

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

ADJOURNMENT FROM REGULAR SESSION: 8:15 p.m.

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

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

Respectfully Submitted by
Lindsey M. Gardiner, Clerk of Council