

MINUTES FOR THE REGULAR SESSION OF COUNCIL
Tuesday, March 18, 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. Fishpaw that the minutes of the **Regular Session** of City Council held Tuesday, March 4, 2014 be accepted as submitted.

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

LEGISLATION

Ordinance Number 13-14

Item a)

AN ORDINANCE TO VACATE A CERTAIN ALLEY SITUATED IN THE CITY OF ASHLAND, OHIO AND DECLARING AN EMERGENCY.

City Law Director, Richard Wolfe, shared with Council that the Board of Revision of Assessments reported that the alley be vacated.

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

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

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

Ordinance Number 14-14

Item b)

AN ORDINANCE REZONING A CERTAIN AREA OF THE CITY OF ASHLAND, OHIO FROM “M-4” INDUSTRIAL AND BUSINESS PARK DISTRICT TO “M-1” LIGHT INDUSTRIAL DISTRICT.

Dr. Stuart announced 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.

Dr. Stuart also confirmed with the City Law Director, Richard Wolfe, whether or not it would be necessary to read the description of the area in its entirety.

Director Wolfe affirmed that the description does not need to be read in full.

Ms. Queen read the Ordinance as follows:

WHEREAS, the City of Ashland Planning Commission has recommended that a certain area in the City of Ashland be Zoned as a "M-1" Light Industrial District; and

WHEREAS, said area is presently zoned as a "M-4" Light Industrial and Business Park District; and

WHEREAS, the Council of the City of Ashland has held a public hearing concerning the Planning Commission's recommendation; and

WHEREAS, Council caused publication of notice of said hearing according to law; and

WHEREAS, this Council has determined that the recommended zoning is necessary to permit a more suitable type of business and land usage within said area, which area is hereinafter described, and the public necessity, convenience, general welfare and good zoning practice justify such action; now therefore,

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

Section 1. That the following described area be and the same is hereby rezoned as a "M-1" Light Industrial District:

Section 2. That the foregoing zoning be incorporated in a revision of the Zoning Map and that said revision of the Zoning Map be filed with the Clerk of Council in accordance with the requirements of the Zoning Ordinance.

Section 3. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

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

City Engineer Shane Kremser testified on behalf of the Ordinance stating that this particular rezoning was recommended by the City Planning Commission, which will rezone the area from an "M-4" Light Industrial and Business Park District to an "M-1" Light Industrial District.

Mr. Kremser shared that the abutting properties are also zoned as "M-1" Districts and that it is the property owner's request to also be zoned as an "M-1" District.

Dr. Stuart shared that Council has held a public hearing regarding the rezoning issue and the change has been approved by the Ashland Planning Commission.

Dr. Stuart asked Council if there are any questions, and if none, if there is a motion.

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

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

Abstain: Mr. Valentine

Ordinance Number 15-14

Item c)

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF MATERIAL FOR THE STREET DIVISION OF THE CITY OF ASHLAND, OHIO, OBVIATING FORMAL ADVERTISING AND BIDDING; 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 Services Director, Jerry Mack, testified on behalf of the Ordinance, which would allow the City to participate in the salt bid for the 2014 to 2015 season.

Director Mack shared that this would be opening up the bidding process a bit early; however, due to the harsh winter, the issues related to the shipment of the salt, and cities across the State who have depleted their salt supplies this season, changes to the normal format to purchase the material has been changed a bit.

The Director stated that this year, there is going to be a “summer fill”, which will be completed by April 15th this year.

The Director specified that he will be taking the City’s current salt supply, which is between 1,200 and 1,500 tons into consideration as the bidding process gets closer.

Director Mack stated that the City usually begins bidding for the street salt in November, which is called a “winter fill”; however, the Director shared his preference to begin a bit sooner so he can ensure the City will begin the season as it usually does with a full dome.

The Director shared that the contract has to be submitted by April 8th, in order to participate in the “summer fill”.

Director Mack stated he would be happy to answer any questions Council might have.

Mrs. Tunnell asked if the “summer fill” would allow the City to purchase more salt than we normally would.

The Director answered Mrs. Tunnell’s question saying that this would allow the City to purchase more salt, because the salt purchased during the “summer fill” is designed to help cities with depleted salt supplies balance themselves out; therefore the “summer fill” would not go against the usual “winter fill”.

Dr. Stuart asked if there are no further questions, is there a motion?

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 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: 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

Public Hearing – 2014 Community Development Grant Block Program (CDBG)

Dr. Stuart asked if the City Engineer, Shane Kremser, would like to come forward on behalf of the first hearing of the CDBG program.

City Engineer, Shane Kremser, shared with Council that this hearing is intended to provide citizens with pertinent information of the CDBG program, including a general inclination of eligible activities and program requirements; hence provide for public input on community develop needs, and the needs of the low and moderate income population.

Mr. Kremser shared the CDBG program's objectives include providing communities with a flexible housing and community development resource that can be used to address locally identified needs that are eligible Community Development Block Grant activities and qualify under the national objective of Low-and Moderate-Income (LMI) Benefit or Elimination of Slum and Blight.

Mr. Kremser stated that local governments have the responsibility to consider local needs, prepare grant applications for submission to the State and carryout the funded community development activities. He stated that local governments must comply with both Federal and State requirements.

Mr. Kremser shared that communities receiving funds from the State may use the funds for many kinds of community development activities including, but not limited to, the acquisition of property for public use; construction or reconstruction of streets, water, sewer facilities and other public works; demolition; public services; and assistance non-profit entities serving LMI clientele.

Mr. Kremser shared the previous activities that the City has performed, which included assisting Associated Charities, building renovations projects, various storm sewer replacement projects, the Council on Aging Building Rehabilitation Project, the Regional Dispatch Center Feasibility Study, Safe Haven Domestic Violence Center Roof Replacement Project, Orange Street Resurfacing Project, Ashland Street Resurfacing Project and 9th Street Resurfacing Project.

Mr. Kremser shared with Council information regarding the program's budget and that the final allocation for the City of Ashland has not yet been finalized; however, the current requirement specifies that each city is designated a minimum of \$75,000.00 with a maximum of three overall projects per city.

Mr. Kremser went on to explain the process for individuals and groups to apply for consideration.

Mr. Kremser instructed that anyone who would like their ideas considered should submit a letter to the City Engineer for the CDBG Program, and the letter should include the proposed project in detail and the estimated cost of the project.

Mr. Kremser added that once the letter is submitted, the City Engineer's office will evaluate the projects and devise a finalized estimate of the cost of the projects selected.

Mr. Kremser stated that the deadline to submit projects for consideration is April 18th at 4:00 p.m.

Furthermore, Mr. Kremser stated that a list of proposed projects will be evaluated by the City, and once the projects have been determined, there will be additional public hearings regarding the projects.

Mr. Kremser shared that the deadline to submit projects to the Ohio Department of Development is June 20, 2014, and construction of any CDBG projects must be completed by December 31, 2015.

Mr. Kremser asked if there are any questions from the Council or from the audience.

Dr. Stuart asked if the non-profits were aware of the April 18th application deadline consideration.

Mr. Kremser stated that agencies have been calling and the City has been reaching out and holding public hearings on the program in an effort to get the public involved.

There were no further questions.

Dr. Stuart thanked Mr. Kremser for his testimony.

Ordinance Number 16-14

Item d)

AN ORDINANCE CREATING ADDITIONAL APPROPRIATIONS; 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 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 Finance Director, Larry Paxton, provided testimony on behalf of the Ordinance, which will create additional appropriations for various line items including computer supplies, workers' compensation, and unemployment.

Dr. Stuart asked the Director if the unemployment was overlooked.

Director Paxton said that it was, and that two employees are currently drawing unemployment and a third is expected to draw unemployment soon.

Dr. Stuart asked if there were any further questions.

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

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

Moved by Dr. Stuart and seconded by Mrs. Detrow 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 Mrs. Tunnell that the Resolution be passed.

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

Resolution Number 8-14

Item a)

RESOLUTION AUTHORIZING THE MAYOR, DIRECTOR OF PUBLIC SERVICE OF THE CITY OF ASHLAND, TO FILE AN APPLICATION WITH THE OHIO ENVIRONMENTAL PROTECTION AGENCY FOR THE PURPOSE OF ACQUIRING FUNDS THROUGH THE STATEWIDE GLASS RECYCLING INITIATIVE GRANT 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: Mr. Valentine, Mrs. Detrow, Mrs. Tunnell, Dr. Stuart, Mr. Fishpaw

City Engineer, Shane Kremser, provided testimony on behalf of the Resolution, which will authorize the City to file an application with the Ohio Environmental Protection Agency for the purpose of acquiring funds through the Statewide Glass Recycling Initiative Grant Program.

Mr. Kremser reminded City Council of Resolution 3-14, which was a similar Resolution passed earlier in the year.

Mr. Kremser added that the Grant contained within this particular Resolution does not require the City to match an awarded amount, while Resolution 3-14 requires local governments to match the money granted by the State.

Mr. Kremser stated that his office learned of this grant after the City was contacted by the Ohio Environmental Protection Agency.

Dr. Stuart asked if there were any questions, and if none if there was a motion.

Moved by Mrs. Tunnell and seconded by Mrs. Detrow that the Resolution 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 Resolution be passed on the second and third readings.

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

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

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

OLD BUSINESS: None

NEW BUSINESS: None

COUNCIL COMMENTS:

Mr. Fishpaw shared with Council that he has been hearing a number of complaints involving the trash accumulating on Columbus Circle North, and asked if Director Mack would like to comment.

Director Mack stated that if we could get the facility to use a dumpster, then that would alleviate the situation, and any help Council could give him he would take it.

Mrs. Detrow shared some concerns regarding the annual spring cleanup routes, and that one individual addressed changing up the route every year so those who are usually first to receive pick-up can alternate with those who get a bit more time to place their unwanted items by the road. She noted that after calling the Street Department, she learned that the City already alternates the route each year.

Mrs. Detrow added that some residents have also had a difficult time figuring out exactly when their streets will have their spring-cleaning trash picked up, but noted that the information regarding the spring cleanup is available in the local paper as well as on the City's website, which can be found at www.Ashland-ohio.com.

On another note, Mrs. Detrow shared with Council that she received numerous calls concerning a fire at a funeral home.

Mrs. Detrow stated that after doing some investigating and research on her own, and discovered that there was fire and black smoke coming up from the chimney.

Mrs. Detrow shared with Council that the flames are normal and there is no reason to be alarmed, and it is completely safe. She added that the flames coming from the chimney is a rare occurrence; however, the City's zoning as it is today allows a crematory in a "B-2" District.

Mrs. Detrow offered to answer any questions the public might have.

Mr. Fishpaw added that after speaking with the owner of the funeral home, the owner is more than willing to come to a Council meeting to explain why the smoke and flaming occurs.

City Law Director, Richard Wolfe, addressed that Council members should have received information regarding the changes to Chapter 13-15, pertaining to fees for the Residential Building Permit Fees.

Director Wolfe added that he would like to have this issue presented to Council involving the fee structure of the Permit Fees in the next City Council meeting, which will be April 1, 2014.

Dr. Stuart noted Mayor Stewart's presence for today's meeting, thus no commentary.

MAYOR'S COMMENTS: None

COMMENTS FROM THE AUDIENCE: None

ADJOURNMENT FROM REGULAR SESSION: 7:33 p.m.

Moved by Mrs. Tunnell and seconded by Mr. Valentine to adjourn from Regular Session to Executive Session.
Ayes: Dr. Stuart, Mr. Fishpaw, Mr. Valentine, Mrs. Detrow, Mrs. Tunnell

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