

MINUTES FOR THE REGULAR SESSION OF COUNCIL
Tuesday, July 1, 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 Mr. Fishpaw and seconded by Mr. Valentine that the minutes of the **Regular Session** of City Council held Tuesday, June 17, 2014 be accepted as submitted.

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

LEGISLATION

Ordinance Number 42-14

Item a)

AUTHORIZING AND DIRECTING THE MAYOR, DIRECTOR OF PUBLIC SERVICE, TO INCLUDE ADDITIONAL FUNDS TO BE USED IN LOW TO MODERATE INCOME AREAS AS A PART OF THE ANNUAL PAVING PROGRAM BID AS AUTHORIZED BY ORDINANCE NO. 35-14; 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: Mr. Fishpaw, Mr. Valentine, Mrs. Detrow, Mrs. Tunnell, Dr. Stuart

City Engineer, Shane Kremser, provided testimony on behalf of the Ordinance, which will authorize the City to include additional funds from a CDBG line item from previous years to be used in low to moderate income areas as part of the annual paving program bid.

Dr. Stuart asked Mr. Kremser if any streets have been identified for the program.

Mr. Kremser stated that portions of Miller Street, parts of Clark Avenue, and portions of Cleveland Avenue have been selected.

There were no further questions.

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

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

Ordinance Number 43-14

Item b)

AN ORDINANCE DECLARING IT NECESSARY TO PROVIDE FOR AN ADDITIONAL ONE FOURTH OF ONE PERCENT (0.25%) INCOME TAX TO BE LEVIED FOR THE PURPOSE OF GENERATING REVENUE FOR GENERAL FUND PURPOSES, DIRECTING THE BOARD OF ELECTIONS TO CONDUCT AN ELECTION; 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: Dr. Stuart, Mr. Fishpaw, Mr. Valentine, Mrs. Detrow

Nay: Mrs. Tunnell

City Finance Director, Larry Paxton, provided testimony on behalf of the Ordinance, which he stated proposes to raise the current income tax rate a quarter of a percent for the operation of the government including the Police Department, Fire Department, Engineer's Office, Court System, and various other departments throughout the City of Ashland.

Director Paxton stated, as he has shared in previous meetings, revenues continue to be restrictive whether it is a result of the economy, new restrictions imposed by the State, or the increase in overall costs of services.

Director Paxton stated that the City has found itself in a position where the revenues are not keeping up with the expenditures of government.

The Director shared that unfortunately the City has two choices at this time, which is either to consider the services the City will offer the community or look toward new ways to find the funds to afford continuing the services the City is required to provide its citizens.

Director Paxton stated that the quarter of a percent will go exclusively to the operation of the general fund and it will not be shared with any departments not included within the language of the document.

The Director stated that the currently eighty-seven percent of the current income tax collection is allocated to the general fund, which is then divided between the Street Department, City Services Department and the Parks Department.

The Director commented that the proposed increase of a quarter of a percent will gross an estimated 1.2 million dollars, which will also be subject to collection costs.

Mayor Stewart noted the importance to note that the proposal will not impose on retirement funds or property taxes, and is specifically a wage tax.

City Law Director, Richard Wolfe, commented that the current version of the legislation expresses collection to begin in 2014 and stated that the legislation is in fact intended to begin collection in the year 2015.

Moved by Mr. Valentine seconded by Mr. Fishpaw that the Ordinance be passed on the first reading.

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

Nay: Mrs. Tunnell

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, Dr. Stuart, Mr. Fishpaw

Nay: Mrs. Tunnell

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

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

Nay: Mrs. Tunnell

After votes were taken, Dr. Stuart expressed his disappointment in the vote of one of the members of Council.

Ordinance Number 44-14

Item c)

AN ORDINANCE DECLARING IT NECESSARY TO PROVIDE FOR AN ADDITIONAL ONE FOURTH OF ONE PERCENT (0.25%) INCOME TAX TO BE LEVIED FOR A PERIOD OF FIVE (5) YEARS, FOR THE PURPOSE OF GENERATING REVENUE FOR STREET MAINTENANCE PURPOSES, DIRECTING THE BOARD OF ELECTIONS TO CONDUCT AN ELECTION; 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: Dr. Stuart, Mr. Fishpaw, Mr. Valentine, Mrs. Detrow

Nay: Mrs. Tunnell

The City Finance Director provided testimony on behalf of the Ordinance, which is a quarter of one percent tax levy that will be presented to the voters for their consideration in November.

The Director stated that this proposed income tax increase is also expected to generate 1.2 million dollars, but stated that the difference between this piece of legislation and the previous legislation is that this one is exclusively dedicated for the repair and maintenance of streets and right-of-ways.

Director Paxton emphasized that the revenue generated by this levy cannot be comingled with other revenue streams within the City.

The Director also commented that the proposed levy will run for a five year period; however, the City will not realize the first installment of the collection until January 2016.

Director Paxton commented that if this levy is adopted by the citizens of Ashland, unfortunately the funds collected will not help until the first year of collection is completed.

Dr. Stuart asked if there were any questions and there were none.

Moved by Mr. Valentine seconded by Mr. Fishpaw that the Ordinance be passed on the first reading.

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

Nay: Mrs. Tunnell

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

Nay: Mrs. Tunnell

Moved by Dr. Stuart and seconded by Mr. Valentine that the Ordinance be passed.

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

Nay: Mrs. Tunnell

OLD BUSINESS: Sidewalk Extension Request – 110 Abbie Lane

Dr. Stuart brought forward the sidewalk extension request, which had been tabled at the previous City Council meeting on July 1, 2014.

City Engineer, Shane Kremser, shared that a request to not put in sidewalk had been submitted to the City; however, his office has recommended that a sidewalk be added and available for public use.

Dr. Stuart welcomed the owner of 110 Abbie Lane, Michael Welch, to the Council meeting.

Mr. Welch thanked Council for having him and shared his concerns about adding sidewalk in front of his property.

Mr. Welch stated that one of his major concerns is child safety, and the fact that adding sidewalk towards West Main Street with no adjoining sidewalks in the City could be a bad idea.

Mrs. Welch added that the addition of sidewalk would give children the ability to possibly ride their bikes into or close to traffic on West Main Street.

Mr. Kremser, Mr. Welch and Mrs. Welch utilized a diagram of their property in their discussion of the distance of the sidewalk extension and agreed on a common area approximately 75 feet, as previously proposed.

Moved by Mrs. Tunnell and seconded by Mr. Fishpaw that the sidewalk extension request be accepted as submitted.

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

PUBLIC HEARNG - Proposed Tax Budget for 2015 (7:20 p.m.)

City Finance Director, Larry Paxton, presented to Council and stated that part of the budgetary process is to hold a hearing for the citizens of Ashland.

Mr. Paxton thanked Council for allowing him to present and began his explanation of a packet that was distributed to them previously.

Mr. Paxton commented that he packet includes information of the City's current funds, the estimated balance of funds for 2015 and the anticipated revenues and expenditures for the year.

The Director emphasized that this is a best guess estimate and that his department has tried to estimate as closely as possible.

The Director stated that the second group of pages within the packet shows what his department has prepared for 2015 and provides a breakdown of all activities within various departments throughout the City.

Director Paxton stated that his department is trying to move away from line item appropriations system to a system that will provide the City much-needed flexibility.

Director Paxton explained another section of the packet, which provided information of income tax allocation from 2001 through 2015.

Director Paxton explained that the section in the packet for the 2015 budget is intended to show anticipated receiving and spending of funds for that year, and he also added that there has been a 1.5 percent increase in revenue for that year.

The Director stated that although the City anticipates a 1.5 percent increase in revenue, it is also important to take into consideration the increase in costs for labor contracts, insurance, and fuel costs.

The Director added that the revenue stream seems to be on target; however, the operating expenses seem to be going up as well.

Director Paxton shared that he anticipates the end of the year to be just as tight as the beginning and expects the City will be 443,000 dollars in the red for the beginning of 2015.

The Director thanked Council for their time and offered to answer any questions they might have.

Mr. Fishpaw asked if the City still expects to have a 443,000 deficit even with decreased staff throughout the Police and Fire Departments, and various department within the City.

Director Paxton confirmed that he City will still face a deficit despite staff cuts.

Mayor Stewart added that the Police and Fire Departments are understaffed compared to previous years, and also stated that other departments within the City are also understaffed as well.

Director Paxton concluded the public hearing and encouraged Council and members of the public to feel free to ask him any other questions at any time.

NEW BUSINESS: None

COUNCIL COMMENTS:

Mr. Valentine shared with Council that he has noticed all of the lawns have been mowed on Main and Sandusky, and expressed his gratitude to the City for addressing the issue.

Mr. Fishpaw asked if there were a lot of lawns being mowed at this time.

Mr. Kremser answered Mr. Fishpaw and stated that a lot of lawns are being mowed and added that most of the property owners have been responsive in mowing their lawns in a timely manner.

Mrs. Detrow also shared that she has received emails about a number of yards that need to be mowed, and has also received complaints about a few junk cars in one yard.

Mrs. Detrow added that she is aware that the process of getting the yards mowed has begun and expressed her gratitude.

Dr. Stuart stated that he thinks Council member Tunnell owes her fellow Council members, Mayor Stewart and other members of the administrative team an explanation for her votes this evening.

Mrs. Tunnell stated that she did not vote in support of the various Ordinances this evening, because she believes that the people of Ashland should be able to weigh in on the income tax increases and because she feels that the City could have explored other options instead of increasing taxes.

Mrs. Tunnell stated that she understands that the administration tries to find money where it can, but believes that there are other options.

Mayor Stewart commented that he would certainly entertain those options because we need money yet this year.

The Mayor also stated that the City has looked sorely for every penny.

Dr. Stuart communicated to Mrs. Tunnell and stated that it is only fair to your other Council members that you would have shared these concerns in advance.

Mrs. Tunnell responded to Dr. Stuart's comment and said thank you.

There were no further comments from Council.

MAYOR'S COMMENTS:

Mayor Stewart commented to the general public the laws regarding parking adjacent to a resident's driveway.

Mayor Stewart stated that you must park at least two feet from someone's driveway to enable the driver, who might be parked in a driveway, to turn onto the road.

The Mayor added that the narrower the street, the more important it is to have those two feet.

Mayor Stewart also shared with Council that the City is ready to move forward with the demolition of the City's former rental property on Sandusky Street and the Rumpke property.

Mayor Stewart added that he has received estimates for the demolition of the property on Sandusky, which is 5,000 dollars.

The Mayor stated that his office has considered utilizing the property for training for the Police and Fire Departments; however, it has been determined that costs from the required abatement of asbestos is too expensive.

Mayor Stewart added that the demolition would include a complete demolition of the property and removal of all debris.

Mayor Stewart also shared the estimated cost of demolishing the former service station at the Rumpke property, which added up to 5,000 dollars as well.

Mayor Stewart added that it is required that the City also pay the cost for the evaluation of asbestos within the commercial property, which he anticipates to be no more than 500 dollars.

Mayor Stewart added that the demolition would include a complete demolition of the building as well as the removal of the concrete in front of the building.

Mayor Stewart requested that Council consider approval of the funds for the demolition of the two properties.

Moved by Dr. Stuart and seconded by Mrs. Detrow that the estimated cost for the demolition of two properties be accepted.

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

Nay: Mrs. Tunnell

Mayor Stewart called forward Gary Underwood and Amy Daubenspeck to present on behalf of their proposed rebranding of the City of Ashland.

Ms. Daubenspeck shared with Council that the new logo Council has before them today has been eighteen months in the making and a collaborative effort by members of the community.

Ms. Daubenspeck shared that their work has been at no cost to the City, which she believes is a testament of the pride of the community.

Mr. Underwood also shared a few words and commented that their work is a result of an unprecedented effort by various companies within the community.

Mr. Underwood also commented that the incorporation of the new logo, if the Council decides to adopt it, is something that can be gradually phased in over time in an effort to address costs.

Mayor Stewart thanked Mr. Underwood and Ms. Daubenspeck for their work and stated that the logo looks very professional.

Mrs. Detrow also thanked Mr. Underwood and Ms. Daubenspeck and stated that she really likes the logo.

Director Wolfe commented that the current logo for the City has been trademarked and stated that the City will need to do the same for any new one.

Ms. Daubenspeck shared that her team assures approval and fully grants ownership of the logo they produced to the City of Ashland.

Mayor Stewart requested that Council include consideration of the proposed logo on the agenda for the next Council meeting, and Dr. Stuart confirmed.

Mayor Stewart also shared a concern from a resident regarding the operation of motorized wheelchairs on streets.

Mayor Stewart specified that the issue is the lack of visibility of the individuals who operate the motorized wheelchairs when they are on the roads.

Mayor Stewart shared that the issue has been discussed at recent Traffic Committee meetings and the City has no interest in bringing Ordinances forward to address the issue.

Mayor Stewart expressed his understanding that these individuals may not be able to utilize all of the sidewalks, but encouragement those individuals who use motorized wheelchairs to do something to improve their visibility.

Mr. Fishpaw and Mrs. Detrow agreed with Mayor Stewart's comment and stated that it has been a problem for some time now.

Mrs. Detrow mentioned the possibility of an organization to provide bicycle flags for the people who use motorized wheelchairs on the streets.

Director Wolfe added that those who operate their wheelchairs in the street are obligated to comply with the same rules as pedestrians.

COMMENTS FROM THE AUDIENCE:

One member of the audience expressed his concerns for the number of emergency Ordinances that have been passed by Council, specifically the ones passed at today's Council meeting.

The individual stated that the idea of requiring multiple readings of proposed legislation is to allow the public to have the ability to have some input.

The individual stated that he is very disappointed in the way City Council has not allowed the public to provide any input and added how disappointed he was in the way Council has conducted itself in addressing the financial trouble facing the City.

There were no other comments from the public.

ADJOURNMENT FROM REGULAR SESSION: 8:00 P.M.

Moved by Mrs. Tunnell 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. Gardiner, Clerk of Council