

MINUTES FOR THE SPECIAL SESSION OF COUNCIL
Friday, March 27 2015 at 9:00 a.m.
Council Chambers

Council President Stephen Stuart called the meeting to order at 4:30 p.m.

ROLL CALL

Ward 1: Duane R. Fishpaw	Present
Ward 2: Robert M. Valentine	Present
Ward 3: Ruth Detrow	Present
Ward 4: Sandra Tunnell	Present
Council-at-Large & President: Stephen L. Stuart	Present

PLEDGE OF ALLIGENCE

LEGISLATION

Dr. Stuart announced that since City Engineer, Shane Kremser, had another meeting to attend the Resolutions would be heard first.

Resolution No. 8-15

Item a)

A RESOLUTION REPEALING RESOLUTION NO. 6-15; AND DECLARING AN EMERGENCY. A RESOLUTION REPEALING RESOLUTION NO. 6-15; AND DECLARING AN EMERGENCY.

The Resolution was read in full by City Engineer, Shane Kremser, as follows:

WHEREAS, this Council previously passed Resolution No. 6-15, authorizing the Mayor, Director of Public Service, to enter into a contract with the Ohio Department of Transportation for the US-42 Reconstruction Project within the City corporation limits; and

WHEREAS, changes were necessitated by both the Ohio Department of Transportation and the Ohio Public Works Commission;

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

Section 1. That Resolution No. 6-15 is hereby repealed in its entirety.

Section 2. That in order to proceed with presenting a revised Final Resolution for this Council's consideration, this Resolution is declared to be an emergency measure immediately necessary for the preservation of the public peace, property, health, safety and welfare of said City of Ashland.

Section 3. That this Resolution 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 asked Mr. Kremser to explain.

Mr. Kremser explained that the Resolution that was previously passed there was nothing pertaining to the Ohio Public Works Commission Grant and Loan which the City received. The total amount in Resolution was for over one million dollars. The OPWC requested that the amount of the loan/grant be stated in the resolution, which will be the next resolution (9-15).

Moved by Mrs. Tunnell seconded by Mr. Valentine that the Resolution 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. Fishpaw that rules requiring the reading on three separate days be suspended and that the Resolution be passed on the second and third readings.

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

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

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

Resolution No. 9-15

Item b)

A FINAL RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR, DIRECTOR OF PUBLIC SERVICE, TO ENTER INTO A CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE US-42 RECONSTRUCTION PROJECT WITHIN THE CITY CORPORATION LIMITS; AND DECLARING AN EMERGENCY.

The Resolution was read in full by City Engineer, Shane Kremser, as follows:

The following Final Resolution enacted by the City of Ashland, Ohio, hereinafter referred to as the Legislative Authority/Local Public Agency or "LPA", in the matter of the stated described project.

WHEREAS, on the 3rd day of June, 2014, the LPA enacted legislation proposing cooperation with the Director of Transportation for the described project:

The project consists of reconstruction of US 42 and replacement of the existing grade separated intersection with SR 96/US250, bridge widening and culvert work to accommodate the intersection improvements, lying within the City of Ashland; and

WHEREAS, the LPA shall cooperate with the Director of Transportation in the above described project as follows:

The City agrees to assume and bear a lump sum of \$100,000.00 plus one hundred percent (100%) of the entire cost of the improvement, less the amount of Federal-aid Safety, Small City and State funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation.

The share of the cost of the LPA is now estimated in the amount of One Million One Thousand Forty Seven and ----00/100 Dollars (\$1,001,047.00) less Ohio Public Works Commission grant/loan (CP14R/CP15R) in the amount of Eight Hundred Twenty Two Thousand Two Hundred Ninety Four ----18/100 Dollars (\$822,294.18), leaving a balance due of One Hundred Seventy Eight Thousand Seven Hundred Fifty Two and ---82/100 Dollars (\$178,752.82), but said estimated amount is to be adjusted in order that the LPA's ultimate share of said improvement shall correspond with said percentages of actual costs when said actual costs are determined; and

WHEREAS, The Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above described highway and has transmitted copies of the same to this legislative authority; and

WHEREAS, The LPA desires the Director of Transportation to proceed with the aforesaid highway improvement; now therefore,

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

1. That the estimated sum of One Hundred Seventy Eight Thousand Seven Hundred Fifty Two and ---- 82/100 Dollars (\$178,752.82) is hereby appropriated for the improvement described above and the fiscal officer is hereby authorized and directed to issue an order on the treasurer for said sum upon the requisition of the Director of Transportation to pay the cost and expense of said improvement. We hereby agree to assume in the first instance, the share of the cost and expense over and above the amount to be paid from Federal funds.
2. That the LPA hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.
3. That the LPA enter into a contract with the State, and that the Mayor be, and is hereby authorized to execute said contract, providing for the payment of the LPA the sum of money set forth herein above for improving the described project.
4. That the LPA transmit to the Director of Transportation a fully executed copy of this Resolution.
5. That in order to proceed with said project at the earliest possible time, this Resolution is declared to be an emergency measure immediately necessary for the preservation of the public peace, property, health, safety and welfare of said City of Ashland.
6. That this Resolution 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 asked if there were questions for Mr. Kremser and there were none.

Moved by Mrs. Tunnell seconded by Mr. Valentine that the Resolution 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. Fishpaw that rules requiring the reading on three separate days be suspended and that the Resolution 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 Mr. Valentine that the Resolution be passed.

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

Nays: Dr. Stuart.

Ordinance No. 9-15

Item a)

AN ORDINANCE AMENDING ORDINANCE NO. 7-15, RELATIVE TO THE ACCOUNT NUMBER REFERENCED FOR PAYMENT; AND DECLARING AN EMERGENCY.

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

Whereas, Ordinance Number 7-15 authorized entering into a contract with J&A Construction, Inc. for the Crack Sealing Project; and

Whereas, the Account Number referenced therein is incorrect and needs to be corrected; and

Whereas, in order to ensure that the proper funds are authorized to be paid from the proper account and to ensure the effective and efficient financial administration of the Crack Sealing project, this Ordinance is declared to be an emergency measure immediately necessary for the preservation of the public peace, property, health, safety and welfare, now therefore,

Be It Ordained by the Council of the City of Ashland, Ohio, ____ members thereto concurring:

Section 1. That Section 3 of Ordinance Number 7-15, be, and the same is hereby, amended as follows:

Section 3. That the estimated cost for the crack sealing is twenty -four thousand eight hundred forty dollars (\$24,840.00). The money will be appropriated and paid from Account Number ~~202-1001-53016~~ **202-1001-56025** once the 2015 appropriations has been adopted.

Section 2. That in order to ensure that the funds are authorized to be paid from the proper account and to ensure the effective and efficient financial administration of the Crack Sealing Project, this Ordinance is declared to be an emergency measure immediately necessary for the preservation of the public peace, property, health, safety and welfare.

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

Moved by Mr. Fishpaw and seconded by Mr. Valentine that the Resolution 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. Tunnell that the rules requiring the reading on three separate days be suspended and that the Resolution 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. Tunnell that the Resolution be passed.

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

Ordinance No. 10-15

Item b)

AN ORDINANCE TRANSFERRING FUNDS FROM ONE FUND TO ANOTHER; AND DECLARING AN EMERGENCY.

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

WHEREAS, it is necessary, in order to meet the immediate financial needs of the City of Ashland, Ohio - Brookside Golf Course for the calendar year 2015, to transfer funds from one fund to another; now therefore,

Be It Ordained, by the Council of the City of Ashland, State of Ohio, ____ members thereto concurring:

Section 1. That the following transfer of funds for the calendar year 2015 for the City of Ashland, Ohio, Brookside Golf course be, and the same is hereby made as follows:

Transferring One Hundred Thirty Seven Thousand Eight Hundred Thirty Six Dollars and Sixty-Three Cents (\$137,836.63) from Fund 453 Golf Course Capital Improvement to Fund 617 Brookside Golf

Course to the Brookside Golf Course 617-0090-40931

**From Golf Course Capital Improvement Fund 453-5601-55001
To Brookside Golf Course 617-0090-40931**

Section 2. That in order to meet the immediate financial needs of the City of Ashland, Ohio this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, property, health and welfare of said City of Ashland, Ohio.

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.

Mr. Paxton provided testimony after reading the Ordinance in full.

Mr. Valentine wanted to discuss the sale of the property which was to be placed in the Capital Improvement Fund. Mr. Valentine stated that the City is utilizing these funds for other things that he did not see fit.

Mr. Paxton responded to Mr. Valentine's concerns. Mr. Paxton stated that half of the monies was set aside for Capital Improvements and after the 2015 Budget was set up, some of that money was necessary for the operating costs.

Mr. Valentine stated that we need to make sure improvements are made to keep the Golf Course viable and profitable.

Mr. Paxton responded to Mr. Valentine's statement and explained the current budget for the Golf Course. That all the money is staying with the Golf Course.

Mr. Paxton stated that there will be monies available for repairs, etc. through the operating fund.

Mrs. Detrow asked if this will zero out the Capital Improvement Fund.

Mr. Paxton confirmed that with purchases that are pending the fund is now zeroed out and that the line will not appear on the 2016 Budget.

Mayor Stewart commented on various equipment upgrades and ongoing improvements in the Golf Course Club house. He also stated that the new Superintendent and Golf Pro Terry Valentine are aware of the restraints regarding the budget. He stated that the new Superintendent knows what is possible for the Golf Course and will work towards that.

Mrs. Tunnell questioned how he would be able to do this without the Capital Improvement Fund.

Mayor Stewart responded that putting it in the operating fund gives better versatility with the funds.

Dr. Stuart asked if there is a motion.

Mr. Valentine asks an additional question to verify that the funds can now be used for operations or improvements.

Mr. Paxton confirmed.

Mr. Valentine asked what will happen next year.

Mayor Stewart states that we have roughly 17,000 rounds played/season which generates roughly \$340,000/year. It takes nearly \$500,000/year to operate the Golf Course.

Mr. Valentine questions if we will be able to find the balance to fund them for next year.

Mayor Stewart states if Council has a better idea he is open to adjusting the budget.

Mrs. Tunnell states her concerns that Capital Improvements should be kept separate to fund future projects.

Mayor Stewart states that we have to make it work this year and make improvements to raise profits to secure next year's operation.

Mr. Valentine states that he wants to make sure the new Superintendent has a fair shake to make the Golf Course profitable and has the tools to do so.

Human Resources Director, Mark Burgess, states that after speaking with the new Superintendent he has a plan that is going to require more maintenance and not as much in large Capital costs. He has budgeted for the improvement purchases that need to be made. Right now he is focusing on better maintenance and better training for the employees to improve the appearance of the Golf Course.

Mayor Stewart stated that he requested that Mark Burgess assist the Golf Course with their budget this year which is why he asked him to speak.

Mrs. Tunnell states that she feels the Capital Account causes people to carefully think before making large purchases.

Mayor Stewart states that there would be no carry over if there hadn't been funds added to it this year.

Mr. Paxton confirms that any monies not used will be carried over to next year.

Dr. Stuart asks for further questions and there were none.

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

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

Ordinance No. 11-15

Item c)

AN ORDINANCE TO MAKE PERMANENT APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF ASHLAND, OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2015, REPEALING ALL TEMPORARY APPROPRIATIONS ; AND DE-

CLARING AN EMERGENCY.

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

AN ORDINANCE TO MAKE PERMANENT APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF ASHLAND, OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2015, REPEALING ALL TEMPORARY APPROPRIATIONS ; AND DECLARING AN EMERGENCY.

WHEREAS, this Council desires to make permanent appropriations for the current expenses and other expenditures of the City of Ashland, Ohio and repealing all temporary appropriations, for the fiscal year ending December 31, 2015; and

WHEREAS, this Council has conducted public hearings upon this appropriations ordinance; and

WHEREAS, such appropriations measure is immediately necessary due to the expiration of the temporary appropriations measure on April 1, 2015; now therefore

Be it ordained, by the Council of the City of Ashland, State of Ohio, _____ members thereto concurring:

Section 1. That to provide for the current expenditures of the City of Ashland, Ohio, during the fiscal year ending December 31, 2015, the following attached herein sums are hereby set aside and appropriated from the attached following funds:

Section 2. That in order for the appropriations hereinabove set forth to be in effect not later than April 1, 2015, this Ordinance is declared to be an emergency measure immediately necessary for the preservation of the public peace, property, health, safety and welfare.

Section 3. That the provision of 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.

Mr. Paxton provided testimony regarding the budget for 2015.

Mrs. Tunnell asked what the difference is in this copy.

Mr. Paxton stated that there are none, that this is the public version from the electronic copy.

Mr. Paxton stated that the last change was two days prior for a change to funding for the 96 Intersection requested by City engineer, Shane Kremser.

Mr. Paxton that we are appropriating by “activity” rather than “line item.”

Mr. Paxton addressed Council concerns regarding the General Fund. He stated that there will only be approximately \$17,000 in the General Fund after this year. We started with \$750,000 in the general fund. It is considerably better than a month ago when we were facing a -\$438,000 hole in the general fund.

Mr. Paxton states that the appropriations today allow all the services the City offers today to operate through the end of the year. At that time we will have to re-evaluate.

Mayor Stewart states that we are extremely restricted on many repair/replacement items. The budget is very tight. Appropriations set aside for last year were not used and returned to the General Fund, only in the tens of thousands.

Mrs. Tunnell questioned the budget with projections out to 2020. She questioned the difference in amounts on the General Fund in the budgets handed out.

Mr. Paxton explained that one included the carry over and one did not.

Mrs. Tunnell stated that she is frustrated with the budget and confusion. The statement was agreed with.

Dr. Stuart asked for further questions and there were none.

Moved by Mr. Fishpaw and seconded by Mrs. Detrow that the Resolution 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 the rules requiring the reading on three separate days be suspended and that the Resolution 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 Mr. Valentine that the Resolution be passed.

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

Nays: Mrs. Tunnell

Mr. Stuart expressed praise and thanks to Lindsey Gardiner for her service to the City and Council. Wishing her luck in the future.

ADJOURNMENT FROM SPECIAL SESSION: 9:50 A.M.

Moved by Mrs. Tunnell and seconded by Mr. Valentine to adjourn.

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

Respectfully Submitted by
Elizabeth A. McClurg, Interim Clerk of Council

(word-Mins-RS 3-27-15.doc)