

MINUTES FOR THE REGULAR SESSION OF COUNCIL
Tuesday, May 5, 2015 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, April 21, 2015 be accepted as submitted.

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

LEGISLATION

Ordinance No. 30-15

Item a)

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A PARTNERSHIP AGREEMENT WITH THE ASHLAND COUNTY, OHIO BOARD OF COMMISSIONERS FOR THE APPLICATION AND ADMINISTRATION OF THE PY2015 COMMUNITY HOUSING IMPACT AND PRESERVATION PROGRAM (CHIP); 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 the 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.

Testimony provided by Finance Director, Larry Paxton.

Mr. Paxton stated that the State has requested that the County handle the administration of CHIP applications.

Mr. Paxton stated that this Ordinance would allow the City to partner with the Ashland County Commissioners for to administer the CHIP program, and residents of both the City and County would benefits as additional money would be granted because of the partnership.

Mr. Paxton stated that the State is requesting this in many counties, consolidating, thereby lowering the number of grant programs from 160 to 88.

There were no questions.

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. Tunnell that the 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 No. 31-15

Item b)

AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF EQUIPMENT FOR THE CITY SERVICES DEPARTMENT OF THE CITY OF ASHLAND, OHIO, OBTAINING 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 the 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.

Testimony was given by City Services Director, Jerry Mack.

Mr. Mack stated that the current stump grinder is a 1990 and has given good service, but is badly in need of replacement.

Mr. Mack stated that three different grinders were considered, with a fourth Manufacturer not responding to requests for information.

Mr. Mack discussed the different models and engines available and which was the best value.

Mr. Mack stated that we will be trading in and receiving credit for the old grinder and purchasing a new Rayco Grinder.

There were no questions.

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

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

Ordinance No. 32-15

Item c)

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR, DIRECTOR OF PUBLIC SERVICE, TO ENTER INTO A MODIFICATION OF THE WELLS ROAD WATERLINE EXTENSION PROJECT – J&J SCHLAEGEL, INC. CONTRACT AUTHORIZED BY ORDINANCE NO. 48-14; 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 the Ordinance 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, provided testimony.

Mr. Kremser stated that the contract needed to be modified due to the large amounts of shale that the construction crew is running into on the project.

Mayor Stewart questioned if City personnel had been on site to investigate and seek their own findings.

Mr. Kremser confirmed that they had and each party had different numbers, but Schlaegel agreed to go with the City's findings.

Mayor Stewart and Mr. Kremser discussed the original bid costs and contract.

There were no further questions.

Moved by Mrs. Tunnell and 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 the 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.

Ordinance No. 33-15

Item d)

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 the Ordinance 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.

Director of City Services, Jerry Mack, provided testimony.

Mr. Mack stated that this ordinance allows us to participate in the State rock salt purchasing program, therefore securing a lower price.

Mr. Mack stated that if the City attempted to bid our own salt price, it would be significantly higher.

The past year's price was discussed, including the difference paid by those under the contract and those buying outright.

Mayor Stewart questioned the amounts that the City can purchase under the contract.

Mr. Mack stated that it secures 4500 – 5500 tons of salt.

Mayor Stewart questioned last year's salt use.

Mr. Mack stated that the City used approximately 6000 tons of salt in the last salt season, the winter of 2014 - 2015.

Mr. Valentine questioned the amount of the City's current salt reserve.

Mr. Mack stated that we currently have approximately 2200 – 2300 tons.

Mr. Valentine questioned if we would have enough with the reserve and the new contract purchases.

Mr. Mack stated that we use a comparable amount every salt season, and an increase was considered in the past but decided unnecessary.

There were no further questions.

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 Mrs. Detrow that the 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.

Resolution No. 12-15

Item a)

A RESOLUTION RESCHEDULING A PUBLIC HEARING RELATIVE TO THE VACATION OF ALLEYS LOCATED IN THE CITY OF ASHLAND, OHIO.

Moved by Mrs. Detrow and seconded by Mr. Valentine to invoke Section 113.01 of the Codified Ordinances as the distribution of the 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.

Director of Law, Richard P. Wolfe II, provided testimony.

Moved by Mrs. Detrow 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 Mrs. Detrow that the 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.

PUBLIC HEARING ITEMS: None

OLD BUSINESS: None

NEW BUSINESS:

- **Liquor License Request – Shree Shai Baba Inc**
 - 1300 Troy Road (Troy Road Market)

Moved by Tunnell and seconded by Mr. Valentine that Council not request a public hearing regarding the liquor license request for Troy Road Market.

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

COUNCIL COMMENTS: None

MAYOR'S COMMENTS:

- **"Third amendment to the master agreement with First Energy"**

Mayor Stewart stated that the City has received many questions from residents regarding the First Energy aggregation.

Mayor Stewart stated that the City is currently part of an aggregation agreement with First Energy that provides for two renewals to extend out covering nine years and this year marks the second renewal.

Mayor Stewart stated that residents remain on the aggregate unless they send in a letter to opt out of the program.

Mayor Stewart stated that when we signed the original aggregate agreement with First Energy, we received grant money to improve our lighting infrastructure.

Mayor Stewart stated if more information was needed to contact his office.

Mayor Stewart then requested that Council adjourn to a short Executive Session to discuss potential litigation.

Mr. Valentine requested Mayor Stewart to show those in attendance the softball he brought with him.

Mayor Stewart stated that the softball has the bicentennial is an example of the balls that will be used in the tournaments this summer at Brookside Park.

Mayor Stewart stated that it has been approved by the National Softball Association for use.

Mayor Stewart requested Jerry Mack to speak about the new glass recycling program.

Mr. Mack stated that the facility is up and operating thanks to grant money we received last year which allowed the City to purchase bins and blocks for walls.

Mr. Mack stated that the City will not have curbside glass program but the collection facility will be open 24/7, unless a problem arises.

Mr. Mack stated that other recyclables, trash and yard waste can also be disposed of at this location.

Mr. Mack stated that the guidelines and more information are available on the website.

Mr. Joe Durbin, Ashland Times Gazette, questioned the address and opening date of the facility.

Mr. Mack confirmed the address and stated that the facility is open now.

Mayor Stewart stated that he will be giving his State of the City Address on Friday at the Kroc Center for the Chamber of Commerce's Friday Focus.

FINANCE DIRECTOR: None

COMMENTS FROM THE AUDIENCE: None

ADJOURNMENT FROM REGULAR SESSION TO EXECUTIVE SESSION: 7:28 p.m.

Moved by Dr. Stuart and seconded by Mrs. Tunnell to adjourn from Regular Session to Executive Session for the purpose of potential litigation and that no action would be taken.

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

ADJOURNMENT FROM EXECUTIVE SESSION TO REGULAR: 7:56 p.m.

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

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

ADJOURNMENT FROM REGULAR SESSION: 7:57 p.m.

Moved by Mrs. Tunnell and seconded by Mr. Valentine to adjourn from Regular Session to Executive Session for the purpose of potential litigation and that no action would be taken.

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

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