

**MINUTES FOR THE SPECIAL SESSION OF COUNCIL**  
**Friday, July 31, 2015 at 8:30 a.m.**  
**Council Chambers, Municipal Building**

Council President Stephen Stuart called the meeting to order at 8:37 a.m.

**ROLL CALL**

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

**PLEDGE OF ALLEGIANCE**

**LEGISLATION**

**ORDINANCE No. 58-15**

**Item a)**

**AN ORDINANCE AUTHORIZING THE TRANSFER OF CERTAIN REAL PROPERTY BELONGING TO THE CITY OF ASHLAND, OHIO; 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 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. Tunnel.

Testimony was provided by Law Director, Richard Wolfe.

Mr. Wolfe stated that this Ordinance is finishing up work that should have been completed twenty years ago.

Mr. Wolfe stated that some years before that, the City worked with then Ashland College in a financing agreement, where for during the financing period, the City owned a number of parcels of Ashland College.

Mr. Wolfe stated that this arrangement enabled then Ashland College to acquire the desired funding options.

Mr. Wolfe stated that there was an agreement that stated the property would be deeded back upon refinancing or repayment of the financing.

Mr. Wolfe stated that most of that was handled in 1995.

Mr. Wolfe stated that Attorney Clint Leibolt was in attendance on behalf of Ashland University.

Mr. Wolfe stated that he was contacted him regarding a parcel that had not been transfer, and an additional three were found in the past few days.

Mr. Wolfe stated that they had some idea of a problem when the Muskingum Conservancy District did an assessment.

Mr. Wolfe stated that this is a matter of the city of Ashland still holding title to several parcels of property previously owned by Ashland University, which has become a problem because of the financing that Ashland University is seeking which has already had legislation passed on it by Council.

Mr. Wolfe introduced Attorney Leibolt.

Attorney Leibolt stated that he is available if there are any questions or concerns regarding the transfer.

Mr. Wolfe stated that this is not a typical transfer, given the original contract to return the property.

There was clarification as to all the parcels being included.

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

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

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

Mr. Wolfe stated that if the transfers had been handled in 1995, the Special Meeting would not have been necessary.

Mr. Wolfe stated that the Special Meeting was necessary due to the time sensitivity of the matter.

**ADJOURNMENT FROM SPECIAL SESSION TO EXECUTIVE SESSION 8:45 a.m.**

**Moved** by Dr. Stuart and seconded by Mrs. Tunnell to adjourn to Executive Session to discuss the matter of imminent litigation.

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

**ADJOURNMENT FROM SPECIAL SESSION 9:32 a.m.**

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

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

**ADJOURNMENT FROM SPECIAL SESSION 9:33 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