
Ashland City Council

MINUTES FOR THE REGULAR SESSION OF COUNCIL

November 2, 2004

Council President Greg Gorrell called the meeting to order at 7:00 p.m.

ROLL CALL

Ward 1:	Bob Valentine	Present
Ward 2:	Greg Gorrell	Present
Ward 3:	Ruth Detrow	Present
Ward 4:	Paul Wertz	Present
At-large:	Glen Stewart	Present

PLEDGE OF ALLEGIANCE

PRESENTATION OF MINUTES

October 19, 2004 *Regular session*

Moved by Detrow and seconded by Valentine to accept the minutes as presented.

Ayes: Detrow, Wertz, Stewart, Valentine, Gorrell

COMMENTS OR QUESTIONS FROM THE AUDIENCE *None*

LEGISLATION

Ord. 69-04

Item (a) AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF EQUIPMENT FOR THE DIVISION OF SANITATION OF THE CITY OF ASHLAND, OHIO, OBVIATING FORMAL ADVERTISING AND BIDDING; AND DECLARING AN EMERGENCY.

Moved by Wertz and seconded by 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: Detrow, Wertz, Stewart, Valentine, Gorrell

Comments:

Gorrell noted that this item is a sanitation truck with a cost of approximately \$64,000, and he asked Doug Strine, Sanitation Director, to further explain. Strine told Council that the department tries to keep updated on their trucks, and they are replacing a 1997 model with 107,000 miles on it. Bidding will be obviated due to the purchase through state bid, saving them a great deal on the purchase of this cab/chassis. It is budgeted.

The truck will be purchased locally from Aber's, and the old truck will be moved into a backup unit role. The department lost a truck earlier in the year in an accident, making the department down one truck, so this one is needed as a backup.

Gorrell asked if, with these two purchases, there will be still adequate funds to meet the department needs for the rest of the year, and Strine answered affirmatively. With state bid and with the truck being an International model, Aber's will have the contract on it.

Moved by Gorrell and seconded by Valentine that the Ordinance be passed on the first reading.

Ayes: Detrow, Wertz, Stewart, Valentine, Gorrell

Moved by Gorrell and seconded by Wertz 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: Detrow, Wertz, Stewart, Valentine, Gorrell

Moved by Detrow and seconded by Wertz that the Ordinance be passed.

Ayes: Detrow, Wertz, Stewart, Valentine, Gorrell

Motion carried.

Ord. 70-04

Item (b) AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ADVERTISE FOR BIDS AND TO ENTER INTO A CONTRACT FOR THE PURCHASE OF EQUIPMENT FOR THE DIVISION OF SANITATION OF THE CITY OF ASHLAND, OHIO; AND DECLARING AN EMERGENCY.

Moved by Wertz and seconded by Stewart 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: Detrow, Wertz, Stewart, Valentine, Gorrell

Comments:

Gorrell explained that this is an ordinance tied in with the first ordinance: it is a packer unit with an estimated cost of about \$37,000. Strine further explained that this purchase is not under state bid and will have to be bid out. Money has been appropriated for this, and it does go with the first ordinance (truck).

Stewart asked if the packer unit necessarily wears out with the chassis, and Strine told him it is pretty close. What happens is that, in time, the packer starts to rust away, but they do pretty much wear out and go at the same time. The old packer stays with the old truck.

Moved by Stewart and seconded by Detrow that the Ordinance be passed on the first reading.

Ayes: Detrow, Wertz, Stewart, Valentine, Gorrell

Moved by Wertz and seconded by Stewart 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: Detrow, Wertz, Stewart, Valentine, Gorrell

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

Ayes: Detrow, Wertz, Stewart, Valentine, Gorrell

Motion carried.

Ord. 71-04

Item (c) AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO OFFER FOR SALE BY SEALED BID CERTAIN PERSONAL PROPERTY OF THE CITY OF ASHLAND, OHIO; AND DECLARING AN EMERGENCY.

Moved by Wertz and seconded by Stewart 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: Detrow, Wertz, Stewart, Valentine, Gorrell

Comments:

Finance Director Nancy Boyd told Council that these are the vehicles that are in the impound pen; they are mostly those taken by the police department for some reason; some are salvage titles; five vehicles were in the City's fleet, and they are pretty wore out and no longer of use. The sealed bids go to the Finance office, and the bid opening is November 20th.

Moved by Detrow and seconded by Valentine that the Ordinance be passed on the first reading.

Ayes: Detrow, Wertz, Stewart, Valentine, Gorrell

Moved by Wertz and seconded by Stewart 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: Detrow, Wertz, Stewart, Valentine, Gorrell

Moved by Stewart and seconded by Detrow that the Ordinance be passed.

Ayes: Detrow, Wertz, Stewart, Valentine, Gorrell

Motion carried.

Ord. 72-04

Item (d) AN ORDINANCE AMENDING ORDINANCE NO. 36-04 AUTHORIZING AND DIRECTING THE MAYOR, DIRECTOR OF PUBLIC SERVICE, TO ADVERTISE FOR BIDS AND TO ENTER INTO A CONTRACT FOR THE CLEANING, REPAIR AND PAINTING OF THE BANEY ROAD HYDRO-PILLAR WATERTANK; AND DECLARING AN EMERGENCY.

Moved by Wertz and seconded by 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: Detrow, Wertz, Stewart, Valentine, Gorrell

Comments:

Gorrell explained that this is simply an account change, and Boyd affirmed that. Ordinance 36-04 authorized this work, which was to be paid for out of fund 601. However, it is a significant dollar amount, and in reviewing the City balances for the end of the year, she thought it would better to come out of 603 which will help with the cash in the water fund. 603 is money put aside for improvements to the water fund and is very appropriate to use.

Detrow stated she had received a question about the color the tank would be painted, and she was told that it would be white. She didn't think that would be a problem then.

Moved by Wertz and seconded by Stewart that the Ordinance be passed on the first reading.

Ayes: Detrow, Wertz, Stewart, Valentine, Gorrell

Moved by Stewart and seconded by 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: Detrow, Wertz, Stewart, Valentine, Gorrell

Moved by Valentine and seconded by Gorrell that the Ordinance be passed.

Ayes: Detrow, Wertz, Stewart, Valentine, Gorrell

Motion carried.

Res. 26-04

Item (e) A RESOLUTION AUTHORIZING AND DIRECTING THAT THE CITY OF ASHLAND, OHIO, MAKE A GRANT REQUEST FROM THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY; AND DECLARING AN EMERGENCY.

Moved by Wertz and seconded by Stewart 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: Detrow, Wertz, Stewart, Valentine, Gorrell

Comments:

Economic Development Assistant Evan Scurti explained that this is a request for a \$200,000 no-match grant from the US EPA. It is a general, community-wide assessment grant; there will be no specific discussion of individual sites or individual brownfields in the application.

Scurti will be generally describing the community primarily in the central part of the City, its issue with heavy industry, and its situation of recent job loss.

This assessment will allow the City to prioritize, inventory and do community outreach and planning with the citizens to try to redevelop some of the properties. There is no application fee and no matching funds for this grant request.

Stewart asked if it is geographically limited, and Scurti responded it is to the City of Ashland. Areas specifically included are the older industrial areas bounded generally north of Main Street, east of Cottage Street, and inside the by-pass. The Dalton Foundry would be an obvious example of a brownfield.

Detrow asked what the results of this would be, and Scurti explained that this could get Ashland on the map basically for bigger clean-up dollars. The City had four requests last year for rail-served sites, and none were available. If this money could be used and a consultant hired to maybe do a "Phase 1 or 2" on sites like the Dalton Foundry location, that could open Ashland up for bigger clean-up dollars which in turn could attract a developer who would use some of those public dollars to help out.

Gorrell asked about the likelihood of getting the grant and when those dollars would actually come, and Scurti answered that he thinks the chances are good; from what he is hearing and from working with Bruce Wiser on the grant application, he thinks Ashland is the perfect example of a town that needs this. Heavy industry; the pre-treatment program that the City was ordered to create back in the 1980's because the wastewater treatment plant was below capacity of what was normally ordered (the City was specially chosen): those are the things he will be talking about in the plans. Scurti emphasized he thinks he's "got a good one".

Gorrell told Scurti he appreciated the effort.

Moved by Gorrell and seconded by Valentine that the Resolution be passed on the first reading.

Ayes: Detrow, Wertz, Stewart, Valentine, Gorrell

Moved by Wertz and seconded by Detrow 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: Detrow, Wertz, Stewart, Valentine, Gorrell

Moved by Stewart and seconded by Detrow that the Resolution be passed.

Ayes: Detrow, Wertz, Stewart, Valentine, Gorrell

Motion carried.

WARD REPORTS

Ward 1: Bob Valentine

(a) *Wintertime sidewalks:*

Valentine received a question about whether there was an ordinance requiring that sidewalks be kept clear of ice and snow in the wintertime, specifically for retail stores and businesses, and what responsibility they had. He talked with Jerry Mack about it and then the law director, who told him Section 521.06 of the Codified Ordinances spells out what can be done and violations. One of the problems is how quickly it needs to be done with respect to when the end of the storm is determined, at which time cleaning is required. He noted that it is very difficult sometimes to enforce this, but the ordinance is on the books. He thanked Jerry Mack and Rick Wolfe for their help.

OLD BUSINESS None

NEW BUSINESS

(a) *Request for liquor permit hearing: (Transfer)*

To: Pry Food Services, Ltd., dba Linder's Sports Bar and Grill, 66 West South Street

From: L. G. Ltd. Partnership, dba Linder's Sports Bar and Grill, 66 West South Street

Gorrell introduced this request, noting that it is simply a transfer one business to the next in terms of new owners when the nature of the business is the same. He personally sees no need to request a hearing on this. Police Chief Miracle has no problem with it.

Moved by Wertz and seconded by Gorrell that no hearing be requested.
Ayes: Detrow, Wertz, Stewart, Valentine, Gorrell

MAYOR'S COMMENTS

(a) Reminder of City Walk:

Mayor Strine reminded everybody that this Saturday is the scheduled City Walk (5 K) sponsored by the City and Ashland University. The walk begins at the Dauch Building at 8:30 a.m. He thanked all of those who have made donations but can't be there. The purpose of the walk is to collect funds to help kids who are not fortunate enough to have the money to take advantage of the various sports in Ashland, such as the swim pool, golf course or anything like that.

PUBLIC HEARING

7:10 p.m. *Request for change of zoning:*

A request for a zoning change from "R-S" Residential District to "B-1" Neighborhood Business District: *Center Street/West Washington Street area*; Jack Starkey, Petitioner.

The purpose of this hearing is to receive public input regarding the proposed zoning change.

Moved by Wertz and seconded by Valentine to move to the public hearing.
Ayes: Detrow, Wertz, Stewart, Valentine, Gorrell

Gorrell opened the hearing for public comments.

Opponents: None

Proponents:

1. Jack Starkey, petitioner:

Starkey stated that this request is in line with businesses that run on Center Street down near the theater. There is a new flower shop going in; there is a bed and breakfast (this house has been a rental property); his office is on the corner; Denbow-Primm funeral home across the street; other businesses are there, too. He feels this will give a little latitude utilizing his building there and will move the change forward at this point.

2. Dianne Spreng, business owner there:

Spreng spoke in favor of the change, noting there had been a phone call from a small business that would be interested in going in there. Since the rest of them located in this area are businesses, the change would be good.

Valentine asked if the Historical Committee on Center Street had any problem with this, and Starkey responded no; he had talked to a person in the Historical Society.

There ensued some confusion about the difference in referring to the Historical Society and the Center Street Historical Association on Center Street. Detrow said there had been discussion within the Association, and the basic conclusion was that they did not want any exterior changes, but as far as business, they have no problem with that. Starkey added that businesses have looked specifically for that type of architecture and want to be in something like that.

At the close of the hearing, Gorrell requested that legislation be scheduled for presentation to Council.

ADJOURNMENT

Moved by Gorrell and seconded by Stewart to adjourn.

Ayes: Detrow, Wertz, Stewart, Valentine, Gorrell
Council adjourned the regular session at 7:27 p.m.

Submitted by
Elaine C. Bucklew
Clerk of Council