
Ashland City Council

MINUTES FOR THE REGULAR SESSION OF COUNCIL

February 1, 2005

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

ROLL CALL

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

Moved by Stewart and seconded by Wertz to excuse Mr. Valentine.

Ayes: Detrow, Wertz, Stewart, Gorrell

PLEDGE OF ALLEGIANCE

PRESENTATION OF MINUTES

January 18, 2005 Regular session

Moved by Stewart and seconded by Wertz to accept the minutes as received.

Ayes: Detrow, Wertz, Stewart, Gorrell

COMMENTS OR QUESTIONS FROM THE AUDIENCE

(a) **Lori Myers**, local business owner, Myers Laundry:

With reference to the increase in water rates, Myers asked what the City is doing to keep people and businesses here; incentives are offered to those wanting to come in, but what about those here who are having a hard time now?

Gorrell responded that there are a lot of things going on with the economic development group. There are businesses all over who are fighting to beat the market trends. In the last two years as opposed to the last decade, this community is trying to establish infrastructure. This water rate study includes the six-month study of infrastructure, rates and long term quality water needs for the future. As to the issue with economic growth and development, there is discussion of businesses coming, but in terms of announcing what is specifically being done this evening, Council is in no position to do that.

Myers discussed her own business water uses and utility cost increases; her water bill is about \$3000 a month, and she doesn't have a problem with that. But with all the other utilities going up, it makes things very difficult. Other companies around town are having hard times, too; what is being done for them?

Gorrell said there are several projects in the capital appropriations, and many are for water development, replacement of water lines and transfer lines. Some projects will take place over the next five to seven years, replacing worn out infrastructure and doing water research both within the City limits and with the newly purchased land outside the limits for a large reservoir. This is an opportunity that doesn't come out of general fund money, and it will impact water rates.

Myers stated she didn't mean just water rates but overall costs, asking about help for the people still here and not just working to bring new people in. Gorrell emphasized that there is a lot of effort being put into this, but it takes time to see results. It's retention as well as

new, and retention is absolutely critical, but a two-pronged approach is necessary for opportunities.

As a long time business owner here, Myers wants to know that locals are important too, not just the new with incentives. Gorrell responded by using the example of what was done with Hedstrom; it went out but a local group “Ball, Bounce and Sport” took it up and put jobs back in (100 lost, 75 put back in). Economic Development and the Mayor’s office jumped through hoops to retain those businesses. So many groups here are impacted by decisions made by big corps in big cities; there is absolutely no control over corporate environment elsewhere. That’s unfortunate.

Myers expressed her appreciation for this discussion.

Stewart encouraged Myers to talk with Martin Irvine in Economic Development for more information.

LEGISLATION

Res. 4-05

Item (a) A RESOLUTION AUTHORIZING AND DIRECTING THAT THE CITY OF ASHLAND, OHIO, MAKE APPLICATION FOR A GRANT FROM THE OHIO PUBLIC SAFETY DIVISION OF EMS TO PURCHASE MULTI-AGENCY RADIO COMMUNICATION SYSTEM (MARCS) EQUIPMENT; 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 Resolution has satisfied the requirements of said Section and that a further reading be dispensed with at this time.

Ayes: Detrow, Wertz, Stewart, Gorrell

Comments:

Fire Chief Mark Burgess explained that Ohio Public Safety is offering these grants; this is the second go-round from Homeland Security to help with inter-operability of radios. The Fire Department received \$62,000 last year from that and were able to buy some portable radios; this new request is for \$117,000 to finish the radio system. This is a competitive grant, 100% with no matching funds required, and gives the department the opportunity to improve their radio system.

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

Ayes: Detrow, Wertz, Stewart, 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, Gorrell

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

Ayes: Detrow, Wertz, Stewart, Gorrell

Motion carried.

Ord. 4-05

Item (b) AN ORDINANCE REPEALING SECTION 351.16 OF THE CODIFIED ORDINANCES OF THE CITY OF ASHLAND, OHIO, RELATIVE TO OVERNIGHT PARKING.

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, Gorrell

Comments:

Street Director Jerry Mack explained that the original ordinance prohibited parking in downtown areas from 3:00 a.m. to 6:00 a.m. There hasn’t been a lot of enforcement on this,

which stems from the number of apartments downtown and the resultant parking on the streets. The original intent was mostly for street sweeping or snow removal, though this wasn't a snow ban as such. Mack stated this really isn't necessary anymore, and it's best to take it off the books. They are getting their jobs done without it. The signs have been gone for years.

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

Ayes: Detrow, Wertz, Stewart, 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, Gorrell

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

Ayes: Detrow, Wertz, Stewart, Gorrell

Motion carried.

Ord. 5-05

Item (c) AN ORDINANCE TO APPROVE AND **ADOPT** THE 2005 **REVISED CODIFIED ORDINANCES**; 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, Gorrell

Comments:

Gorrell explained that this is an ordinance dealing with clean up of City ordinances and ordinances with state impact, where the state has made changes requiring that the City codes be amended to meet that. The update and recodification requires Council's approval.

Mayor Strine added that all changes since the last update will be included and the books reprinted.

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

Ayes: Detrow, Wertz, Stewart, Gorrell

Moved by Wertz 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, Gorrell

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

Ayes: Detrow, Wertz, Stewart, Gorrell

Motion carried.

Ord. 6-05

Item (d) AN ORDINANCE ACCEPTING THE DEDICATION **PLAT** OF A SECTION OF **U.S. RT. 42 BYPASS** IN THE CITY OF ASHLAND, OHIO, CONFIRMING THE DEDICATION OF THE **RIGHT-OF-WAY** SHOWN THEREON; 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, Gorrell

Comments:

City Engineer Jim Cooper explained that this is asking Council to accept the dedication plat for the 12½ acres west of Jake's Restaurant and including the detention pond there along

the US Rt. 42 Bypass. Mr. Baker is asking that the City take this property over. Cooper recommended this in that it may make it easier in the future for the City to work with ODOT in case of building a ramp off northbound US Rt. 42 to US Rt. 250 east.

The City could have some responsibility for maintenance on this stretch of the highway. The other aspect is it will help loop the Davis Road waterline over to Eagle Way and Sugarbush Drive, giving a backup to the US Rt. 250 line.

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

Ayes: Detrow, Wertz, Stewart, Gorrell

Moved by Wertz 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, Gorrell

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

Ayes: Detrow, Wertz, Stewart, Gorrell

Motion carried.

WARD REPORTS

Ward 3: Ruth Detrow

(a) Lincoln Avenue property:

Detrow reported that a property along Lincoln Avenue next to the bridge replaced by the City has an area washing out along the creek and causing some trees to lean. If they fall they will hit the house across the creek. She had told the engineering department about it.

Cooper told her that normally this would be a private property issue. In this particular situation, the new bridge abutment location caused the water to be diverted slightly and subsequently to erode a section of the bank. As such, the City changed the flow slightly, and that change undercut the tree. The tree would hit the other house, and so the City felt the obligation to take this tree down. Cooper is meeting with the arborist to follow through.

OLD BUSINESS

(a) Status of sidewalks in areas platted after 1988:

Stewart asked the status of the notification of the non-compliant property owners as to sidewalk installation in areas platted after 1988. Cooper told him he is working with Rick Wolfe and Roger Gordon on a notification letter to send to property owners whose waiver times have run out. It will be done soon.

(b) Certified Local Government update:

Gorrell explained the current status on this project is that the Mayor's office is preparing a draft ordinance. This ordinance will be specific to the City of Ashland and will be sent to the law director for review. It is hoped a work session to discuss the draft ordinance will be held after the regular session on February 15th. After that, the community will have a chance to discuss it with Council before it comes as legislative action.

(c) Board of Revision of Assessments report:

Mayor Strine reported the meeting of the Board of Revision of Assessments concerning six alley vacation requests, of which five have a recommendation for closing and one will remain open. They are recommending that Birch Street remain open as it is an access to an area of woods behind. He listed the alleys to be presented to Council for action at the February 15th meeting.

NEW BUSINESS

(a) Request for Conditional Use Permit:

Property: **Main and Union Duchess/BP, 153 East Main Street**

Petitioner: **Craig Van Horn, Wachtel & McAnally, Architects/Planners, Inc.**

John Gordon, Vice President of Englefield Oil Company, attended the meeting and explained that their intention for the property is to bulldoze the existing Duke/Duchess store and the building next to that property so that a completely new convenience store can be built there. The conditional use permit is for a gas station, as is currently there.

Cooper further explained that this is a “B-2” zoning which would have to go to a “B-3” zoning for the gas station. This is a way to accommodate the oil company; the permit would have to reviewed and renewed every ten years. It is already a grand fathered usage, but removing the buildings to start over causes the property to revert to the original zoning. This must be taken care of.

Stewart suggested that they might clean up and beautify Town Creek as part of their project.

Moved by Gorrell and seconded by Wertz to schedule a public hearing for March 15th at 7:10 p.m. as required.

Ayes: Detrow, Wertz, Stewart, Gorrell

(b) Banners for return of the 1486th reserves :

Wertz reported a request for banners downtown in honor of the return of the 1486th reserves from Iraq. After discussion, Council decided to find a way to support this, mostly likely through signs. It will be researched.

MAYOR’S COMMENTS

(a) Work session scheduled :

Mayor Strine scheduled a work session Tuesday, **February 8th** at 7:00 p.m. to review different issues with snow removal.

ADJOURNMENT

Moved by Gorrell and seconded by Wertz to adjourn.

Ayes: Detrow, Wertz, Stewart, Gorrell

Council **adjourned** at 7:39 p.m.

Submitted by
Elaine C. Bucklew
Clerk of Council