
Ashland City Council

MINUTES FOR THE REGULAR SESSION OF COUNCIL April 5, 2005

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

March 15, 2005 *Regular session*

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

Ayes: Detrow, Wertz, Valentine, Gorrell Abstain: Stewart

COMMENTS OR QUESTIONS FROM THE AUDIENCE

(a) Ron Ross: President, Ashland Umpires Association

Ross told Council that he is the tournament director for both the Wendy's Spring Classic Softball Tournament and the East of Chicago Softball Tournament, of which Wendy's has been held in Ashland for 12 years and East of Chicago for nine years. The fees to play on City fields have been increased from \$200 per year to \$750 per year.

The purpose for starting the tournaments was to give scholarships to high school seniors from the surrounding schools for which they umpire. In 11 years, \$35,000 has been given out to high school seniors on the softball teams.

Other information discussed:

- First year, 12 Ohio teams; this year 24 teams, 11 from out of state.
- No profits from the tournaments; all goes into the scholarship fund.
- Feel the increase is quite a lot; all volunteers working on the tournaments.
- Bring in over \$100,000 during a three-day tournament; that is spent all over Ashland.
- Feels their organization should have been given consideration as to the rate increase.
- City negotiated with directors for state high school tournaments and rates; feel should have negotiated with organization for their tournaments due to the amount of money generated for Ashland.
- The fee increase amounts to about the same as taking one scholarship away; last year gave \$5,100 in six scholarships.
- Everything they do is for the kids here; other tournaments take their money and leave Ashland.
- Ross read a letter from organization member John Bouquet who also explained his feelings about the increase.

Ross requested that his group be allowed to sit down with City officials to discuss all this at another time, perhaps negotiating fee structures. Council members asked questions about team entrance fees, spectator fees, advertising sponsorships, and other monies available. Gorrell said there isn't much that could be done this year at such short notice, but Ross

emphasized that what they wanted was to discuss it with reference to the future. They wanted Council to be aware of their concerns at this time.

Mayor Strine suggested a work session be held when Tim Clingan could be in attendance, which Ross agreed would be well to do. He summarized by saying that if the association decided not to do the tournaments anymore, the kids would be the losers; also the businesses in Ashland who are already having hard times. He understands the increase; they just want to discuss this with City officials.

No specific time was set for a future work session; however, Council members supported the idea of a discussion, and so did Ross.

LEGISLATION

Ord. 23-05

Item (a) AN ORDINANCE AMENDING SECTION 927.01 OF THE CODIFIED ORDINANCES OF THE CITY OF ASHLAND, OHIO, INCREASING THE CHARGES FOR WATER SERVICE PROVIDED BY SAID CITY OF ASHLAND, AND REPEALING THE EXISTING SECTION 927.01 OF SAID CODIFIED ORDINANCES. *Third reading*

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 noted that this is the third reading of this ordinance. With all the infrastructure replacement, the need for water conservation projects, for water treatment projects, for long-term water restoration and development, and as a result of a very detailed, lengthy study of water needs, this should set the stage for this community for years to come with respect to all the projects. Though nobody likes rate increases, this has been discussed in many work sessions over several years and provides for future water needs for this community. It would be nice if the City didn't have to do this, but there is no other way.

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

Ayes: Detrow, Wertz, Stewart, Valentine, Gorrell

Motion carried.

Ord. 24-05

Item (b) AN ORDINANCE APPROVING THE RECOMMENDATION OF THE COMMUNITY REINVESTMENT AREA NEGOTIATING COMMITTEE WITH REGARD TO THE COMMUNITY REINVESTMENT AREA TAX INCENTIVE APPLICATION FOR LIPPERT INVESTMENTS, INC. AND LIPPERT ENTERPRISES, INC.

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:

Economic Development Director Martin Irvine explained to Council that Lippert Enterprises has been growing 20% to 30% the last couple of years. They want to continue at that pace if they possibly can, so they have applied to the negotiating committee for 100% tax abatement, which includes compensation agreements with the schools, the career center, MRDD and the mental health levy. Lippert will construct a 105,000 square foot building, investing \$1.8 million, and will create two new full time jobs, increasing their payroll by \$60,000.

When they came before Council for the original abatement, they projected two to four new jobs; they added 15 new jobs just last year, so they are doing very well. There are about 47 or 48 employees right now.

Gorrell noted that agreements with the schools have already been entered into and amounts established (a 50% compensation agreement). Irvine stated that none of the organizations are giving up anything they currently have; this is the half a loaf they are getting that they wouldn't have.

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

Ayes: Detrow, Wertz, Stewart, Valentine, Gorrell

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

Ayes: Detrow, Wertz, Stewart, Valentine, Gorrell

Motion carried.

Ord. 25-05

Item (c) AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF EQUIPMENT FOR THE ASHLAND MUNICIPAL COURT, 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:

Mayor Strine explained that this is a project that the court is embarking on which, when finished, will be about \$100,000. This \$18,000 is the first phase; these funds come from a \$10 fee that the court charges for every case that goes through; it is mandated by law permitting them to do that. The money is then set up in a special fund #248 for court computers, so they do have this money for the project.

Their computer system is about 15 years old, and there is a serious concern about the system crashing someday, leaving them totally out of luck. The company that handles their program will not support that system any longer, also necessitating the computer system update.

Both the Mayor and Gorrell emphasized that no money at all comes out of the general fund; it's all money dedicated by law for court computers.

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

Ayes: Detrow, Wertz, Stewart, Valentine, Gorrell

Motion carried.

Res. 9-05

Item (d) A RESOLUTION RATIFYING THE ASHLAND COUNTY SOLID WASTE MANAGEMENT PLAN, AS REQUIRED BY SECTION 3734.55 OF THE OHIO REVISED CODE OF THE STATE OF OHIO; 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, Valentine, Gorrell

Comments:

Mayor Strine explained that law requires this ratification of the Ashland County Solid Waste Management Plan; Council already ratified this document, but it was supposed to be passed after the public hearing, per EPA requirements. Even though this is the same document as Council had ratified before, it needs to be done again now that the public hearing has been held.

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

Ayes: Detrow, Wertz, Stewart, Valentine, Gorrell

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

Ayes: Detrow, Wertz, Stewart, Valentine, Gorrell

Motion carried.

Res. 10-05

Item (e) A RESOLUTION REQUESTING THE OHIO GENERAL ASSEMBLY TO CONTINUE ITS HISTORY OF PARTNERSHIP WITH OHIO'S LOCAL GOVERNMENTS AND RETAIN FUNDING FOR THE LOCAL GOVERNMENT FUNDS AT THE PERMANENT LAW FORMULA.

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, Valentine, Gorrell

Comments:

Finance Director Nancy Boyd told Council that this is an effort to get the attention of the state legislators asking them to not cut government funds, as they have said they are going to do. Nothing is for sure yet, so this is another effort; many county and City elected officials and City Division Directors also have already written letters to the state asking them to reconsider.

Gorrell noted that this then is a request for the state to not cut the present revenue stream to local governments, to keep funding at the present level, and Boyd affirmed that. The governor wants to cut local government funds.

Mayor Strine added that the City gets approximately \$650,000, and the projected cut is twenty percent. Boyd stated that 20% amounts to about \$126,000, and all of that goes directly to the general fund, which is why the City is fighting to keep everything they can.

Moved by Wertz and seconded by Gorrell that the Resolution 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 Resolution be passed on the second and third readings.

Ayes: Detrow, Wertz, Stewart, Valentine, Gorrell

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

Ayes: Detrow, Wertz, Stewart, Valentine, Gorrell

Motion carried.

WARD REPORTS

Ward 2: Greg Gorrell

(a) Letter received concerning truck traffic and speed on Cottage Street:

Gorrell reported a note he had received from a resident who is concerned about the speed and pattern of traffic on Cottage Street with reference to the traffic through this area as the bypass improvement is being made later this summer. Gorrell stated he would follow up on that.

A second request from the same resident has to do with placing soft seats in Council chambers. Again, Gorrell noted that Council would follow up on this.

Ward 3: Ruth Detrow

(a) Comment, Leadership Ashland committee/Ashland Alternative School students:

Detrow told Council that she had attended a very important breakfast meeting this morning, about which Stewart would give a more thorough report. She wanted to let her feeling be known that it was a very important and worthwhile meeting.

Ward 4: Paul Wertz

(a) 352 Union Street, run-down/dangerous properties:

Wertz reported a call from a resident that a house at 352 Union Street needs to be boarded up; there are about nine to 15 houses along that area that are in very bad shape. He requested that the law director take a look at this area (between Fourth and Third Streets), as this has been reported previously. Specifically at 352 Union Street, the porch is falling off, the windows are open, and kids can crawl in and out of the house. Detrow affirmed her awareness of this problem also.

At-large: Glen Stewart

(a) Report, Leadership Ashland committee/Ashland Alternative School students:

Stewart explained he has been on a Leadership Ashland committee working with the Alternative School students throughout this year, which is the second year. The students were inventoried at the beginning of the year, and there was an area of communication that fell very short of their expectations. That area concerns their feelings that they are not heard; there is not a forum for them to be heard; and the Leadership committee felt that should be addressed.

This is the second year that there have been many City and county officials of all kinds and levels meeting with these students. The officials were paired, one-on-one, with the alternative school students, allowing the students to express their thoughts about the community, the school, their lives or anything they wanted to discuss. In turn, the adults shared with the students what their life progress has been to date.

This year the students were a bit more inclined to communicate with them, because these students want to be heard; they have some wonderful ideas. Some of the students have been cast as "problems". Stewart emphasized that they are not "problems"; they are students, students who are learning, are going to graduate, have had tremendous change from the regular school to the alternative school. When those students asked for a forum to communicate, they were offered just that through this opportunity.

Stewart reported that the students were heard; they were heard enough that the group is thinking they should be offered another forum to express their thoughts and maybe how problems could be resolved. Let them be a part of the solution.

Stewart emphasized that these students are on the threshold of going out into the work force, into higher education or whatever they've chosen. If through this forum even one has been helped to do a little better, that is a lot. Hopefully this can be taken to another step.

OLD BUSINESS

(a) *Request for a special permit: Chapter 1181, Section 1181.10 (NONCONFORMING USE CREATED BY ABANDONMENT OF LAWFUL, CONFORMING USE) of the Codified ordinances.*

Petitioner; Englefield Oil Company, Main and Union Duchess/BP, 153 East Main Street.

Gorrell reminded everyone that the required public hearing has taken place with respect to this item, and there were no expressions of dissent or concern at that hearing.

Moved by Stewart and seconded by Detrow that this request be approved.

Ayes: Detrow, Wertz, Stewart, Valentine, Gorrell

NEW BUSINESS

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

To: Mary Kathryn Leiter, DBA The Firehouse Bar and Grill

1221 Cleveland Avenue, 1st Floor

From: Debra D. Price, DBA The Firehouse Bar and Grill

1221 Cleveland Avenue, 1st Floor

Gorrell placed this item before Council for consideration and discussion, stating that this is simply a transfer of the license. Wertz asked Police Chief Bill Miracle if there were any problems here, and Miracle said there is nothing to indicate a hearing should be requested at this time.

Moved by Wertz and seconded by Gorrell that no hearing be requested.

Ayes: Detrow, Wertz, Stewart, Valentine, Gorrell

(b) *Application for advertising on private property: (Renewal)*

Mansfield News Journal, 70 West 4th Street, Mansfield; Petitioner: Bob Scott

Gorrell noted this application is a renewal for two years, and they have paid the fee.

Moved by Gorrell and seconded by Detrow to approve the request.

Ayes: Detrow, Wertz, Stewart, Valentine, Gorrell

(c) *Request for establishment of zoning:*

Petitioner: Hospice of North Central Ohio, Inc., Mifflin Avenue

Proposed zoning: "R-S" Residential District

Public hearing scheduled for Tuesday, May 17, 2005, 7:10 p.m.

Gorrell explained that this item notifies Council to place the request up for a public hearing that will be set for Tuesday, May 17, 2005, 7:10 p.m.

Moved by Stewart and seconded by Wertz to set this hearing.

Ayes: Detrow, Wertz, Stewart, Valentine, Gorrell

(d) *Request for change of zoning:*

Petitioner: Samaritan Hospital, property at US Rt. 42 bypass and Mifflin Avenue

Proposed change: "R-L" Residential District to "R-S" Residential District

Public hearing scheduled for Tuesday, May 17, 2005, 7:10 p.m.

Gorrell noted this is the same as the previous item only the request is for a change of zoning rather than establishment of zoning; the hearing will be held directly following the first on the same scheduled day.

Moved by Detrow and seconded by Valentine to set this hearing.
Ayes: Detrow, Wertz, Stewart, Valentine, Gorrell

(e) Request for co-location of antenna:

Tower location: 515 East 7th Street

Petitioner: Nextel Communications; John Sindyla, Agent

Gorrell explained that this item requires no action, as the petitioner requested that it be pulled off the agenda. He explained that there was not complete information forwarded yet. It will be considered at a future time when all information is available.

MAYOR'S COMMENTS

(a) Safety award given to Wastewater Treatment Plant:

Mayor Strine announced that the City's Wastewater Treatment Plant will be receiving the Ohio Water Environment Association's safety award for the year, and this is a good thing for them. They will receive that at an annual conference award banquet on June 21st in Columbus.

(b) Mayor's Children's Fund:

Mayor Strine reported that the City has received the first money from the Ashland County Community Foundation for the children's fund that Jim Barnes and Ashland University did so well at organizing for two years. The Mayor's hope is to do this for a total of five years and have the Foundation funded for \$50,000, so that every year thereafter the City will receive the interest from that. This money will be used for kids who cannot afford the recreational services of the City. Application based on need will be made through other service agencies of the City, though at this time there is no idea what kind of requests will come forth.

This year's distribution is a check for \$1,500; the same will be received for 2006 and 2007; thereafter the amount will be the interest from the \$50,000.

(c) Certified Local Government, Center Street Historical District:

Mayor Strine noted this is still in the law director's hands, but plans are still to place it on the agenda for the next Council meeting.

(d) Meetings with the Alternative School students:

Mayor Strine commented with reference to the discussion earlier about the meetings with the students, as reported by Stewart, saying it was really a great session this morning. He was glad to see two Council people there. The Mayor asked Stewart to coordinate a meeting, a work session, between the students and Council, as the students really did have some good ideas to talk over.

Since school is winding down for the year, Tuesday the 26th was set as a time for this work session with the students. The Mayor suggested it would be very nice to have a lot of public, and the media also, attend this meeting and hear what the students have to say.

ADJOURNMENT

Moved by Gorrell and seconded by Stewart to adjourn.

Ayes: Detrow, Wertz, Stewart, Valentine, Gorrell

Council adjourned at 7:53 p.m.

Submitted by
Elaine C. Bucklew
Clerk of Council