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# Ashland City Council

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## MINUTES FOR THE REGULAR SESSION OF COUNCIL

June 15, 2004

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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

June 1, 2004 *Regular session*

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

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

### Special Presentation: D.A.R.E. essay contest winner, Christina Rueger

D.A.R.E. Officer Jeff Shipper introduced this year's winner of the sixth grade D.A.R.E. Essay Contest, Christina Rueger, who attended to present her essay to Council and the audience. Christina's family came with her, as they did last year when her older sister, Danielle, presented her own prize-winning essay.

Christina's essay explained why she promised to herself and her family not to smoke, drink or use other drugs. She outlined the important aspects of her life, telling how important factors (God, family, friends, school, dance and music) contribute to the young person she is now and to the adult she will become. Christina emphasized how the D.A.R.E. program teaches that choices and decisions she makes now can, and will, affect not only herself but also her family and those others around her. Her commitment to these factors comprised the heart of her well written essay as she clearly and beautifully expressed the how and why of each area of her life, and what impact the use of tobacco, alcohol and drugs would have on them.

A very large audience applauded Christina as she finished. Shipper thanked Council for their support of the D.A.R.E. program and the graduations they have attended. Council thanked Christina, telling her they were very appreciative of her efforts.

### COMMENTS OR QUESTIONS FROM THE AUDIENCE

#### (a) Water run-off problems: Charles Lee, 124 Sunset Drive

Lee explained the water run-off problems for himself and whole neighborhoods on Sunset Drive, Lilac Lane, Glenwood Drive, Sharon Avenue: the flooding is occurring from the area near that is being developed by Walt Jewett, and it includes excessive flooding of the street, flooding in basements and yards and sewage back-ups in the basements. In the adjacent development, 45 acres have been stripped of topsoil and sod; no retention pond has been built yet; and no fencing installed to control mudslides. He presented photos of the area previous to rain, during rains and following the rains, showing the seriousness of the flooding problems within the homes as well as outside areas. Long-term neighborhood residents say that

this type of flooding has occurred in the last two years, but before this, not since the 1969 flooding.

Lee questioned why they have been so slow in putting in the retention pond; they have been telling him it will be put in soon for the past two months. He told Council he is asking for help; there were seven sewer back-ups in his neighborhood with the last rain; there are many children in these families; trauma begins with each new rain.

Gorrell responded that he has been doing follow-up since he last talked to Lee; he anticipates there will be action very soon on the retention pond, though that is predicated on the weather and when it clears.

(b) *Asbestos abatement: Shawn Anderson, 1017 College Boulevard*

Anderson referred to an article in the Times-Gazette about the EPA and noting asbestos was found in houses on College Boulevard being demolished by the university. He asked for documentation ensuring approval to go forward and that this is not harmful to the community.

Gorrell asked Anderson if he had directly asked the university about this, and he had not.

Jay Myers of Simonson Builders said he would address this representing Simonson Excavators who is doing the work. He assured Anderson that the asbestos abatement and asbestos certifications are in place; it is up to the university if they want to make them available to the public. That work, however, has all been certified and approved by the EPA and the abatement contractor. On Monday morning, the EPA was on-site to survey the whole situation, and he signed off on what is being done there. Myers stated he'd be glad to submit that paperwork for review.

## LEGISLATION

### Res. 10-04

Item (a) A RESOLUTION DECLARING COUNCIL'S INTENTION TO VACATE A CERTAIN ALLEY LOCATED IN THE CITY OF ASHLAND, OHIO. (*College Boulevard*)

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:

Gorrell noted that this is an alley on College Boulevard, and it is located between 917 and 923 College Boulevard. The public hearing for this will be at the July 20<sup>th</sup> meeting.

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 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 Detrow and seconded by Valentine that the Resolution be passed.

Ayes: Detrow, Wertz, Stewart, Valentine, Gorrell

Motion carried.

Before proceeding to the following legislation, Gorrell offered some observations to help move in an orderly way through the proceedings.

As to legislative proceedings, whether ordinance or resolution, the items are subject to discussion by the public first and Council last for each agenda item. If there are comments toward any item, Gorrell asked that it be new information only; the public hearings and the Board of Revision of Assessments meeting have already been held and public comments taken,

so it is not appropriate to rehash that information. If new information is germane to several ordinances, note so and present it all at the first item.

Mayor Strine reported to Council that the Board of Revision of Assessments held their meeting June 3<sup>rd</sup> for the five alley vacations and the vacation of Grant Street. On both items the vote was 3-0 to recommend to Council that the alleys and the street all be vacated. Gorrell noted that all five Council members have received copies of those minutes.

The Mayor also wanted to be sure all Council members received a June 11<sup>th</sup> letter that he had received and which was a proposal to City Council from a group of concerned citizens represented by Sue Timmons.

A third item mentioned by the Mayor was a petition he received today in support of closing Grant Street and containing 653 signatures. He passed that to Council and told them he would have copies made for them if they should so choose.

Fourth, the Mayor added that the Traffic Committee has met a number of times and discussed different items as far as what would be best as to stop signs, parking, etc. on Grant Street and in that area. At this time if Council does vacate that, it is the committee's intention to make College Boulevard one-way north. As the situation progresses, the Committee will meet occasionally to discuss other problems which may arise; they would welcome any citizens who see any problems from that area as to parking, stop signs, etc.

Gorrell added as a clarification, any issues associated with the Traffic Committee as to changes or recommendations or requests do not require Council action. Those can be made without going through a legislative process.

#### Ord. 40-04

Item (b) AN ORDINANCE TO VACATE CERTAIN ALLEYS SITUATED IN THE CITY OF ASHLAND, OHIO; AND DECLARING AN EMERGENCY. (*Grant/Phillips*)

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 asked if there were any comments or questions on this particular legislative item. There were none.

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

Ayes: Detrow, Wertz, Stewart, Valentine, Gorrell

Motion carried.

Item (c) AN ORDINANCE TO VACATE A CERTAIN STREETS SITUATED IN THE CITY OF ASHLAND, OHIO; AND DECLARING AN EMERGENCY. (*Grant Street*)

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 stated that before Council discusses or takes action on this ordinance, any new information or input could be presented.

Sue Timmons asked permission to read publicly the proposal mentioned earlier in the meeting, and Gorrell assented.

Timmons read:

This is a proposal to City Council of Ashland, Ohio. The proposal states that City Council will provide fair, equitable, and adequate planning for expansion and reasonable growth within the City of Ashland in regard to Ashland University with proper and unbiased consideration given to areas surrounding the university. The sponsors were concerned citizens of Ashland and neighbors of the university, and they had asked Timmons to represent them.

Summary of the proposal: The City of Ashland should do a complete and thorough traffic study, intersection congestion, safety ramifications, etc. of the area around Ashland University before granting further expansion requests to Ashland University. They propose that City Council should begin by tabling the petition, or ordinance as it seems to be, to vacate Grant Street between College and Samaritan Avenues, and also tabling the rezoning of the areas bounded by Samaritan Avenue, Phillips Avenue and Grant Street from R-L to S-U. They propose that City Council commission studies to openly and accurately assess the effects of Ashland University's current and future requests on adjacent neighborhoods and the City of Ashland in general.

The proposal text reads: The recent petitions of Ashland University to vacate a section of Grant Street and rezone the area bounded by Samaritan and Phillips Avenues and Grant Street to accommodate a parking lot brings to the forefront the apparent lack of a planning that hinders City Council and thereby the City of Ashland itself. The lack of official reports to Council on the effects of vacating this street, i.e. studies regarding the effect of the proposed vacating on traffic flow (while the university is in session) intersection congestion, safety issues on the surrounding streets, fire and police response time, the possible need for traffic signals, etc. coupled with the lack of public discussion regarding the issues does not instill confidence in the soundness of the petitions before Council. Furthermore, the fact that the University has repeatedly stated that their "options are open" in regard to King Road makes such studies along with the development of a City-wide plan for handling future requests more imperative. The opportunity for both a neighborhood study and the creation of a plan for expansion Citywide is here. There is no emergency that calls for immediate Council action on these petitions. Tabling these petitions will not halt the demolition of houses, as they have already been seen, already owned by the University or hinder the construction of the University's new facility on Grant Street.

Citizens realize the importance of progress and are not averse to it. However, citizens expect, even demand, that progress be efficient and orderly, allowing entities to move forward but not at the constant expense of neighboring citizens and perhaps even at the expense of the City as a whole. Citizens expect their elected officials not to turn a blind eye to what they believe are thoughtful, reasonable and logical requests from those affected by expansion of any entity within the City of Ashland.

By tabling the current resolutions City Council would create positive outcomes that would include:

1. Having time to thoroughly study the relevant traffic, safety, etc. issues which will result from these petitions.
2. Having time to develop and put into place an objective, unbiased, non-political process for dealing with expansion of the university or any other entity within the City limits.
3. Showing good faith to citizens concerned about university expansion into established neighborhoods.
4. Demonstrating to its constituency that it is interested in orderly, mutually respectful growth in a non-political atmosphere.
5. Demonstrating that all entities and citizens will be given equal and fair treatment in the expansion process, i.e. no entity will be given undue consideration simply because of its size or economic status.

By tabling the current petitions City Council could alleviate or eliminate:

1. Placing the City (thereby the residents) in numerous situations that have not been researched or budgeted (traffic flow, traffic congestion, etc.).
2. Operating without any functional, objective process for expansion within the City limits.
3. Appearing to ignore the concerns of its constituency.
4. Operating in a reactive not proactive manner.
5. Appearing to react to situations in a subjective, politically biased manner.
6. Increasing citizens' distrust of City government.

That concluded Timmons' reading of the proposal to Council.

Timmons stated that Samaritan Avenue in the past couple of days shows the rape of a neighborhood, and that is new information. The neighborhood is concerned. Last night they had their first opportunity to meet with Mr. Valentine who was good enough to come talk with them, and during this time they found that he had been out of town for two weeks. He was not really prepared to answer their questions involving safety and other issues. They also discovered last night that Mr. Valentine was told about this plan soon after he was elected last fall, and apparently other Council members were taken one or two at a time to hear AU's proposal on expansion. That was months ago, and during that time since, no studies were commissioned and apparently no questions asked about what the ramifications would be, and so they can't ask questions.

After talking to the Mayor and attending the Board of Revision meeting which had absolutely no discussion on the issue, Timmons recalled the Mayor didn't seem to know the answers to questions about traffic flow, the intersections, congestion and whatever. Not only didn't he know the answer, but also those who were speaking weren't sure he knew the questions that should have been asked.

There have been articles in the paper from powerful and influential people in town. They have made numerous points about the wonderful things the university has done, and the neighborhood group certainly does not disagree with that. The university has brought a number of good things; however, the City also does a number of things in providing police and fire protection and whatever to the university.

The neighborhood people are not the politically powerful or wealthy people in town, but they do live here, work here, most of them, and vote here. They are asking that Council table these two ordinances in order to do greater studies they definitely think need done.

Mayor Strine commented that the day the Board of Revision of Assessments had its meeting and Timmons was there, he thought they had a good, constructive conversation. Since she gave her interpretation of his thoughts, he asked to give his interpretation of her thoughts: it is that she is not looking at this for what is in the best interest of this community. Ashland University needs to be competitive, and in order to be competitive, there are certain things they need to do. The Mayor did not think that what Ashland University is requesting is out of line.

A person in the audience reminded Council that Dr. Benz himself was cited in the paper as having said that the closure of Grant Street at this time is not an urgent issue. He hoped Council would remember that as they consider Mrs. Timmons' proposal.

At this point, Council members took the opportunity to offer their observations and thoughts:

1. *Greg Gorrell*: Gorrell stated that he has given a great deal of consideration to what has been said tonight and in weeks and months past. He also knows speculation exists as to plans that are or are not; also that plans come forth in a very concrete manner. He asked to share a number of observations, emphasizing that these are his own comments, not those that

an individual or group of individuals influenced. He has taken careful consideration of all that has been done and said over that last several weeks.

It is important for Council items where public concerns have been expressed that when a vote is taken, the public has a right to have an understanding of the processes, information, review and conclusions drawn, irrespective of the agreeability or lack of it, in that process and the conclusions drawn. The following summarizes elements, data and events leading to his recommendations and the reasons why.

a) Ashland University presentation to Council, 4/20/04: Included major capital investment in the community; payroll; suppliers; locations of additions; alterations in building additions associated with tonight's agenda.

b) Reviewed the UR traffic study: Study monitored traffic both during spring break and during student in-session hours; study recommended in collaboration with Ashland City Engineering Department, not by the university alone; this study has discussed Grant Street, and does not specifically discuss King Road.

c) Letters/calls/personal visits: Received 10 letters against the two proposals of closing Grant Street and rezoning the parking lot area, seven of those letters came from two households on a variety of dates. Received 20 letters in support of the proposals. Neither number is an overwhelming number of letters on this topic, given the magnitude of this community. Received lots of phone calls and personal visitations, most of which have been very professional and well done.

d) Notes/minutes: Reviewed his own four pages of notes from the 6/1/04 public hearing and Council minutes also.

e) Speakers in support: Covered topics such as economic development, growth, need to compete with other private institutions, a desire to have a more of a walking campus open to the public as well as to the university; closing Grant Street will make this a student corridor for arts and humanities, the business facility, the educational facility and Kettering (science)

f) Speakers against: Covered topics including Ashland University being uncaring, not forthcoming with all plans, not communicative enough with the neighborhood, safety on remaining streets, impact on property values, impact on school funding, not enough long term planning or lack of communicating planning with the public. Though the public mentioned other items, these seem to be the main theme.

g) Reviewed data: He has read every signed letter (will not read unsigned letters), reviewed each comment at the 6/1/04 hearings, reviewed all minutes and notes.

h) Needs of business: He is sensitive to the needs for any business to be a good neighbor with planned growth. His business happens to be located very near Ashland University, and there was dirt and inconvenience, but the neighborhood was left intact.

i) Concerns of neighborhood: He is also sensitive to the concerns expressed by many who live in the neighborhood; he has read and listened. It is his hope that as the university plans unfold, as he feels they must if they are to be competitive and grow, those most concerned will have their concerns minimized. This is happening through this process.

j) Change/growth: With growth comes change and compromise, which can be difficult, and he fully recognizes that.

Correll continued: This is about Grant Street and rezoning of sections; it is not about Broad Street, King Road, Samaritan Avenue, College Avenue or any other major artery or thoroughfare in this community. He believes the university wants to keep its options open in order to grow, expand and invest in this community as opposed to the university investing in Canton, Massillon or other AU offsite campus locations. Too many things are leaving this community; not enough are staying here.

His expectations of the university, the Mayor and Council would be to review options advance of any major traffic artery (major traffic artery) before petitioning vacating, in order to include alternate routes, new street construction, traffic studies and who pays for the changes. In his view, Grant Street is not one of those arteries; King and others that may come down the road are, though what the timing of any of those might be is unknown at this point. This is his view.

One side of him says yes, AU may want to close King Road or Broad Street or build a new football stadium, and talking about that now will open up concern since nothing is known about plans or timing.

Gorrell stated that if AU announces plans for projects ahead of time, and then changes those plans, they place themselves in a position where people say they have been misled. He has had a lot of calls about a football stadium over the last two years, and he has had no information on it; but plans can change. If AU should have the opportunity to proceed and build that stadium, his guess is they will come to Council, and thus the citizens, for support in building it. Gorrell's point is that it seems to him if the whole story is broadcast, but the project doesn't come to pass, then the process is criticized. He is concerned about both sides of the coin.

There have been lots of comments about the houses and taking people's homes. The homes were purchased at or above fair market value in most cases. His understand is that real estate fees were paid, not out of the proceeds of the seller. People most likely will buy other homes, the result of which will likely increase tax revenues for the schools, more not less due to the purchase of more homes and expensive ones. The loss of revenue over time will not be as great as has been reported.

Once this small street is closed, and Gorrell believes it should be closed, which is his recommendation as well as the Mayor's and the Board of Revision of Assessment's. If traffic issues need attention, as the Mayor has shared this evening, these can be reviewed on a timely basis by the Ashland City Traffic Committee regarding one way street recommendations, removing parking spaces if necessary, or other recommendations if necessary. This doesn't require Councilmatic action for those if deemed appropriate.

Gorrell's personal preference is to pass the remaining two ordinances on the first reading; however, he would also be willing for Grant Street to be passed on the first reading tonight and perhaps consider passage on the second or third readings. He indicated he didn't know what more they would know in two or four weeks that they don't know tonight. The Traffic Committee can certainly deal with the results of the traffic study; if a larger street would be dealt with in the future, he would take a different approach.

It is Gorrell's recommendation to approve the request to vacate the five alleys, which has been done, and rezone the area in discussion tonight on the first reading, waiving the three separate readings. Failure to rezone may well contribute to increased congestion on surrounding streets, as the 430 spaces eliminated by the sport science building will have nowhere to go if the new lot isn't ready to go by the beginning of the school year; they will be parking in all of the neighborhoods. His actual preference is to complete all three actions tonight, in that he doesn't see any major reasons to delay. The process has borne fruit and elevated awareness, however, he is willing to consider Grant Street in three readings and approving the others tonight, if that is Council's wish.

Gorrell is a "townie"; he grew up here, left and came back because Ashland is a great place to live, raise kids and work. There is a diversity of people, professions and work ethics. Oftentimes it can be said, if there is to be progress without change, sometimes growth will present inconvenience. It is his hope to move forward on these issues vital for major growth industries: the university is an industry, no question about it; learn from the process for future major changes; and be constructive in their priorities.

His view is if they fail to pass these initiatives, the wrong message is sent to anyone desiring or associated with constructive, safe economic growth and development enterprises vital to this community's long-term economic health. He's listened to opposition and those in favor; he recognizes that those in favor have strictly business interests; those who are most opposed are concerned about the neighborhoods; he also recognizes that change and controlled growth is vital for the survival of the community, especially for a sound industry. To that end, he has listened to all, and he feels that at the end of the day, he must vote as he feels is in the best interest of this community. From his perspective, these two items need to pass, preferably tonight, though he would be supportive if Grant takes a little more time.

2. *Glen Stewart*: Stewart stated that the issues before Council tonight are significant to everyone in the City. He emphasized that there are no other street closings being considered, including King Road and other area streets. He has heard the need to reinitiate planning for the growth of the community; he commits himself to work with Council, the administration and any other entity that may have a potential impact on the growth of the City.

He received 35 letters, 24 for, 11 against; about 25 phone calls; and a petition opposing this issue. He has been invited to meetings on the subject at hand. The comments that were presented several weeks ago to this Council, as well as the hearing held at the last Council meeting were recorded and sent to each Council member, allowing them to digest the comments made.

He's done his own investigating; he's looked at parking and traffic studies, driven the streets many times and has looked them over. In addition, he's had the opportunity to listen to those who called. He's digested the letters sent to him as well as reading other views printed in the local newspaper over the past several years. He feel he's become informed as to the desires of his constituents as well as what he feels is best for the City overall.

The legislative process that takes place tonight may or may not favor individual preferences; however, it is a process that he is obligated to discharge as an elected Councilman and is the process that free Americans enjoy. He is prepared to start the process this evening.

3. *Ruth Detrow*: Detrow indicated that this has been lengthy; they have heard many different points of view; there have been petitions of which more people say "do this" than say "don't", and with that it would seem it all should be done in one night. That, however, isn't really the way a democracy works.

After very careful study, Detrow has reached the conclusion that Grant Street should be closed. However, she feels the people who oppose it, even though they are not as numerous as those who favor it, have a right to be heard. They have been heard twice at least, but Detrow favors doing this by three readings, or perhaps two readings.

It would take something that she doesn't know about at all at this point to make her change her mind, but she is willing to give this the time that the City Charter says should be given to something controversial. Everyone has a right to be heard and to have due process, and she wants to be sure that happens.

She is very concerned about the rezoning, that the people who oppose that are being very shortsighted. Detrow stated that is her position and that is why.

4. *Bob Valentine*: Valentine thanked the people who invited him to their meeting last night. He received 28 phone messages and many other calls; he's reviewed meeting minutes and other information; he feels this is a democracy and people have been heard; that's government.

He doesn't see what can be accomplished by going through three readings on this legislation; thinks both Grant Street and the rezoning should be passed tonight.

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

Ayes: Detrow, Wertz, Stewart, Valentine, Gorrell

Moved 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.

There was no second to the motion.

As there was no second to the motion, Gorrell noted that the legislation would be presented for a second reading at the next scheduled regular session of Council.

Ord. 41-04

Item (d) AN ORDINANCE REZONING A CERTAIN AREA OF THE CITY OF ASHLAND, OHIO, FROM "R-L" RESIDENTIAL DISTRICT TO "S-U" SPECIAL USE DISTRICT. (Grant/Phillips/Samaritan)

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:

Detrow emphasized that the university needs this action soon to help the residents. She envisioned what the neighborhood would look like with the former parking lot gone because they are building on it; the students will still be there, but where are they going to park? She feels with this particular ordinance, if it isn't passed now people will be sorry. There will be college kids parking in front of their houses everywhere, because they won't have another place to park.

She remarked that the City needs to do some long range planning, though more has been done recently than ever before. The City plans five years or so in the future when planning to purchase equipment such as police cars, but here it seems the City failed the residents because it didn't plan well enough for traffic, pedestrians, safety, etc. throughout the whole City. This particular situation has brought it to the forefront.

Detrow urged that the City set up a commission to look into this and do some serious long range planning about it, and she feels citizen input is needed also.

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

Ayes: Detrow, Wertz, Stewart, Valentine, Gorrell

Motion carried.

Ord. 42-04

Item (e) AN ORDINANCE TO APPROPRIATE THE FOLLOWING HEREINAFTER NAMED SUM OF MONEY IN 2004 AND DECLARING THIS TO BE AN EMERGENCY MEASURE NECESSARY TO MEET THE IMMEDIATE FINANCIAL NEEDS OF THE CITY OF ASHLAND, OHIO.

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:

Finance Director Nancy Boyd explained that this appropriates some additional funds to accounts listed for the purpose of paving some additional driveways and parking lots. This was in the proposal at the beginning of the appropriations but held off until the bids for the street paving program came in. If good bids came in, then the City could decide to do a bit more. This appropriates the funds to do this.

Moved by Wertz 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 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.

## WARD REPORTS

**Ward 1:** Bob Valentine

(a) *Drainage, Morgan Avenue:*

Valentine reported a call from a Morgan Avenue resident concerning the drainage problem from Children's Home Field. This is the second call, and so much of it has to do with the severe rains. He talked to City Engineer Jim Cooper earlier, and now asked him how that stands. Cooper told him that, unfortunately, there are other situations more critical and there's a sequencing there, but they will certainly address this.

(b) *Water problems, King Ridge Court:*

Valentine received a call and was there; Gorrell also checked this out. Valentine asked if there is a study to be done here, and Cooper affirmed that. It was discussed in a work session.

(c) *Water problems, 520 Grant Street:*

Valentine received a call from a resident on Grant Street close to where the new building is: water problems for two years that he's never had before. Valentine didn't think this is a Council problem, and Cooper again cited the heavy rains during the last five days as causing or exacerbating problems.

Mayor Strine noted for clarification that this rain is an extremely bad situation. Cooper and the Mayor are looking at the problems, but many of them are on private property. The City cannot get involved in those. In order for this City to solve the problems that occur during heavy storms, the cost would be about \$20 to \$25 million dollars. That would start down the east side of town and replace infrastructure that has been in the ground for 60 or 120 years. It is not an easy problem to solve.

Valentine responded that he understands the process of starting up here and fixing something, and that it affects something else further downstream. However, some of these problems have been caused as a result of construction or run-off; there were no problems in the past but all at once they seem to have developed. The situation on King Ridge Court; is that a result of the rain or a problem before? Mayor Strine said that one was a problem before the last heavy rains.

**Ward 2:** Greg Gorrell

(a) *Storm problems all over town:*

Gorrell commented that he would echo what the others have said. He has met with Charlie Lee and many others in the community; he talked with Bruce Wiser, the Mayor; there were two work sessions on the topic. The issue of the retention pond is a high priority and will be followed up.

Gorrell stated he understands this very well: he's had four sewer back-ups at his place, 1056 Sandusky Street, in the last year and a half; and in 17 years prior to that, he had nothing in that residence; and there is no new construction in that neighborhood. There has been a ton of water, and it is an issue that residents have to work through individually. Where it is appropriate, the City is working to help.

He told one resident that all the water problems in the City of Ashland could be solved, everywhere; it would require a willingness to raise taxes and build super-duper systems for 50- and 100-year storms that don't happen as often as over the last 12 months. There are events

such as what Lee has brought to Council, and there are areas of town where it isn't clear what the answer is. Bigger and better systems can be built, but they come with a price as well.

**Ward 3:** Ruth Detrow

(a) *Water problems:*

Detrow reported calls on water problems and sewage back ups in basements, and she knows everyone is working on these; she did not mention specific areas.

**Ward 4:** Paul Wertz

(a) *Raw sewage in basements:*

Wertz noted he had talked to Jim Cooper earlier about situations where there was raw sewage in the basements, and he wanted to be sure that he looks into them. Cooper affirmed he would.

**At-large:** Glen Stewart

(a) *Water and raw sewage problems:*

Stewart stated that he'd had calls about water and/or sewage back up, and he asked if the back-flow device still is a viable help? Bruce Wiser said that it is. Stewart asked if that is all that is needed, to determine if a back flow valve is proper or not, and Wiser told him each one has to be evaluated individually. Cooper added that a person could call either Wiser or himself to get crews out to look at them.

Stewart asked them to make a determination if they will work; he doesn't want to put in something that is a hindrance or of no value. Cooper told him that they would certainly check each one and evaluate whether the back flow preventer will be an advantage or a disadvantage.

OLD BUSINESS None

NEW BUSINESS

(a) *Fair housing training/presentation:*

Cheryl Staron, Fair Housing Coordinator: Ohio Regional Development Corporation

Staron explained that she was here to help bring the City of Ashland into compliance with the Formula FY'03 grant that Ashland has received. It is her understanding that the grant is to be used for bridge work on Arthur Street. When City Council agrees to apply for Formula funding, they agree that one of the components of the grant is to allow her to make a brief fair housing presentation that helps bring the City into compliance.

There are two advantages to that: 1) the City is in compliance with the grant agreement should they decide to apply for Formula funding; it goes well with the state that the City has met all the terms of the agreement. 2) As the Fair Housing Specialist at Ohio Regional Development Corporation and through the contract that ORDC has with the City of Ashland, there is a contact for people for information with regard to their fair housing rights.

Fair housing covers the issues of people being denied housing because of race, religion, color, national origin, sex, familial status or disability. They do not often get calls with regard to fair housing in neighborhoods, but they do get calls with regard to fair housing especially in rental situations. As she is not an attorney, she does not advise, counsel or represent anyone who would call, but she can educate.

She has an extensive research library at her office, and she has the resources to tell them where it is they need to call for fair housing transactions or questions. That is a goal tonight, to let it be known that there is a place to call to get help for questions.

Staron left general information brochures with the City, and she pointed out that there is a local contact number for Ashland, as well. That number rings into the City Engineer's office, and he can refer people to her 800 number.

She asked if there were any questions, and as there were none, she thanked Council for the time to speak.

(b) *Sign permit request:*

DASCO Home Medical Equipment, 76 East Main Street: Applicant, Terra Housewright

Moved by Stewart and seconded by Detrow to grant the request.

Ayes: Detrow, Wertz, Stewart, Valentine, Gorrell

MAYOR'S COMMENTS

(a) *Work session reminder:*

Mayor Strine reminded Council and the news media of a work session on June 22<sup>nd</sup> regarding the group that would like to present to Council the possibility of putting up a soccer dome and leasing property from the City. This is a public meeting open to anyone who is interested, and it begins at 7:00 p.m. next Tuesday night.

(b) *Planning group:*

Detrow noted she wanted to move forward on some kind of planning group for transportation, street use etc., so Council isn't as unprepared as it seems to be for this particular issue. Mayor Strine responded that he doesn't feel that the City was unprepared. Detrow said that the City seemed to be unprepared, as they could not quote their own study. The Mayor pointed out that the study was available.

He agreed to set up a meeting on Tuesday, June 29<sup>th</sup>, 7:00 p.m. downstairs. Detrow suggested that the meeting focus on traffic flow, use of streets, that sort of thing. She added that she doesn't want to reinvent the wheel but to add to some things that already exist.

PUBLIC HEARING 7:10 p.m.

7:10 p.m. *City of Ashland budget hearing, fiscal year 2005*

The purpose of this hearing is to invite residents of the City to provide input and/or ask questions concerning the City budget for the fiscal year 2005.

Moved by Detrow and seconded by Valentine to move to public hearing.

Ayes: Detrow, Wertz, Stewart, Valentine, Gorrell

Gorrell explained that every year the City is required to make a budget hearing public, and he turned the hearing over to the Director of Finance, Nancy Boyd.

Boyd noted that the purpose of this hearing is to present the 2005 tax budget, which Council does have in their possession and which is available in her office. She opened the hearing to questions and for anyone speaking in favor of or against the 2005 tax budget. This needs to be filed at the County July 20<sup>th</sup>, so Council will be presented legislation to accept the proposed budget on July 6<sup>th</sup>, their next meeting.

Gorrell further explained that this is filed now, but near the end of the year, Council will actually go through more formal, detailed appropriations. He emphasized this is available for public review.

There were no comments or questions from the audience or from Council members. Gorrell stated then that this would be on the July 6<sup>th</sup> Council agenda.

Moved by Stewart and seconded by Detrow to close the public hearing.

Ayes: Detrow, Wertz, Stewart, Valentine, Gorrell

ADJOURNMENT

Moved by Valentine and seconded by Detrow to adjourn.

Ayes: Detrow, Wertz, Stewart, Valentine, Gorrell

Council *adjourned* the regular session at 8:20 p.m.

Submitted by  
Elaine L. Hootman  
Clerk of Council