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# Ashland City Council

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## MINUTES FOR THE REGULAR SESSION OF COUNCIL

October 4, 2005

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Council President Glen Stewart called the meeting to order at 7:00 p.m.

### ROLL CALL

|           |                 |         |
|-----------|-----------------|---------|
| Ward 1:   | Bob Valentine   | Present |
| Ward 2:   | Bernard Sargent | Present |
| Ward 3:   | Ruth Detrow     | Present |
| Ward 4:   | Paul Wertz      | Present |
| At-large: | Glen Stewart    | Present |

### PLEDGE OF ALLEGIANCE

### PRESENTATION OF MINUTES

September 20, 2005 *Regular session*

Moved by Wertz and seconded by Sargent to accept the minutes.

Ayes: Detrow, Wertz, Stewart, Valentine, Sargent

### COMMENTS OR QUESTIONS FROM THE AUDIENCE

#### (a) *Cub Scout Pack 555:*

Stewart welcomed the Cub Scouts and leaders to the meeting, explaining briefly what would be happening and inviting them to ask any questions they might have as the meeting progresses. Greg Gorrell responded that these young men are here to observe Council and community work in action as they work towards their citizenry and communications merit badges.

#### (b) *Howard Scanlan:*

Scanlan asked if anything had come about as to the "Sister City" discussion held recently, and Stewart told him this had been placed in the Mayor's hands to start the application process in order to find out what would be involved should the decision be made to go forward with it. To get involvement clarified, it was necessary to make the application.

Mayor Strine explained that applications had to be made to three different League of Cities in three different states, and no response has been received yet.

Scanlan asked if this would be put to the electors, and the Mayor told him that it probably would not be unless there was a referendum. Council's discussion and/or decision on the matter are still a long ways off.

### LEGISLATION

Item (a) AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT FOR THE SALE OF WATER TO RURAL LORAIN COUNTY WATER AUTHORITY; AND DECLARING AN EMERGENCY. *Second reading*

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, Sargent

Comments:

Stewart asked if there were comments from the audience, and several spoke with reference to this sale of water.

1. George Parks, Orange Township Trustee:

- In favor of the pipeline.
- Are some bad wells in Nankin; individual lots there are close, and septic tanks are close to wells; town would benefit from the waterline.
- Waterline might encourage more development; he is not in favor of that, but if it happens, so be it; totally up to the zoning in the individual townships.
- Water is already in northern Orange Township and in the west side from Lorain; he has no complaints about the lines already along the county roads and state routes.
- Many residents have talked to them about bad water; can't see how development can be stopped other than by tightening up the zoning.

2. Bob Valentine:

- Received a call from a county resident; she feels this goes against the comprehensive plan.
- Resident believes in the preservation of farmland.
- Ignoring comprehensive plan is of concern to people, as it does affect farmland.
- Valentine not taking a stand; just relaying message as people call.

3. Paul Wertz:

- City trying to help out people with bad water.
- Zoning sets up control of development; City has no control of that.

4. Joe Kearns:

- Opposed to this; cited the old adage "if you build it, they will come"; pipeline will cause more development.
- Idea goes deeper than helping a couple of people; the idea is that in the future, Rural Lorain water will be doing a lot of business.
- Referenced sprawl as is in Medina County and Wayne County; once rural, now problems of over-development; Ashland County not too far behind.
- Problems with wells in northern Ashland County, as experienced by people he knows there; however, not something that cannot be rectified; good local well drillers know what to do in these instances.
- Sees no real need for this.
- Questioned the statement about industries closing, from which the 200,000 gallons originates.
- Questioned the weather patterns of drought recently; the water ban recently; can't rely on enough water in those times; but want to ship water up to a northern agency who will sell it back to county residents.
- Questioned benefit of selling water to Rural Lorain.

Mayor Strine noted a couple of main issues, in that there are people there who need water; the second issue is that the City system is using less water than previously. The income from selling this water would help finance many things needing to be done to the City system, rather than increasing water rates further. That is the main benefit.

5. Sarah Kearns:

Kearns noted she had sent Council a letter last week, but for the record she wanted to summarize the high points.

- In 2000 Ashland County created a Comprehensive Plan which states: "Ashland County will discourage the creation of new water and sewer districts in areas not identified as urban development areas on the land use plans. It is thought that the creation of new

water and sewer districts in rural areas will encourage sprawl and premature development.”

- This proposal to sell the water directly contradicts that plan.
- Making more water available to Rural Lorain County Water Authority to extend their service area facilitates and encourages development outside of the appropriate areas.
- There is no water emergency in Ashland County with bad water that requires a big rural water provider to address; hard water can be treated to remove minerals, and outside the City that is the responsibility, and the benefit, of the homeowners.
- The comprehensive plan is a very good idea, well worth the effort to curb sprawl and encourage “smart growth” instead.
- Comprehensive plan loses meaning if not followed.

Mayor Strine commented on the comprehensive plan, in that though there were many community members who were part of that planning, Ashland City Council did not address that issue. County Commissioners and Regional Planning Commission approved that.

6. Elaine Bucklew:

As a county citizen, added voice to the Kearns’ statements; agrees with following the comprehensive plan.

Stewart asked for Council’s wishes as to passing the ordinance on the second reading. Detrow responded that she would favor a second reading but not both, second and third, tonight.

Moved by Sargent and seconded by Stewart that the Ordinance be passed on the second reading.

Ayes: Detrow, Wertz, Stewart, Valentine, Sargent

Motion carried.

Stewart stated that the ordinance would be presented at the next regular session of Council on Tuesday, October 18, 2005.

Ord. 72-05

Item (b) AN ORDINANCE TO APPROPRIATE THE FOLLOWING HEREINAFTER NAMED SUM OF MONEY IN 2005 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, Sargent

Comments:

Finance Director Nancy Boyd explained that this legislation would permit additional appropriation to the CDBG fund. The bids came in higher than anticipated when the application went into effect. There is money in the water and sewer fund, and it just needs appropriated to the grant fund.

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

Ayes: Detrow, Wertz, Stewart, Valentine, Sargent

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, Sargent

Moved by Detrow and seconded by Valentine that the Ordinance be passed.  
Ayes: Detrow, Wertz, Stewart, Valentine, Sargent

Motion carried.

Ord. 73-05

Item (c) AN ORDINANCE AUTHORIZING THE MAKING OF THE ANNEXATION OF CONTIGUOUS TERRITORY AND DIRECTING THE DIRECTOR OF LAW OF THE CITY OF ASHLAND TO PROSECUTE THE PROCEEDINGS NECESSARY TO EFFECT IT; 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, Sargent

Comments:

Mayor Strine explained that this is the annexation of the 113.784 acres for the industrial park. This has taken a little longer than anticipated. He asked that Council support this ordinance this evening.

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

Ayes: Detrow, Wertz, Stewart, Valentine, Sargent

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, Sargent

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

Ayes: Detrow, Wertz, Stewart, Valentine, Sargent

Motion carried.

## WARD REPORTS

Ward 1: Bob Valentine

(a) *Various matters:*

Valentine noted that he'd had several calls that he had reported to the appropriate directors, mentioning specifically the Street Department and a matter on Fourth Street, as well as the Police Department and a matter on Buena Vista. He expressed appreciation for that help.

He also discussed some matter of stop signs/crosswalks with respect to Grant Street, and another concern with turns onto King Road from Claremont Avenue.

OLD BUSINESS: *None*

## NEW BUSINESS

(a) *Application for advertising on private property:*

Committee to Elect Ruth Detrow; Petitioner, Nikki Skafec

Moved by Wertz and seconded by Sargent that the request be approved.

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

(b) *Request for building permit: (M-2, Heavy Industrial zoning)*

Lot Numbers 502 and 503, N.A., 1006 Cottage Street; Petitioner, Jeremy Younce

Younce explained he was adding a room onto his house, and he understood that due to the zoning, he needed Council approval.

Moved by Wertz and seconded by Stewart that the request be approved.  
Ayes: Detrow, Wertz, Stewart, Valentine, Sargent

(c) *Sidewalk waiver requests:*

1) *Lot No. 4156, S.A., Woodview Estates; Petitioner, Jim Minnich*

Stewart explained that this lot is the last full frontage lot to be developed, and the owner plans to break ground in the spring. He doesn't want to put the sidewalk in now, and have it damaged by construction. Engineering has no objections to this request for a time extension. Stewart suggested an extension for a time period of one year.

Moved by Wertz and seconded by Detrow that a time extension of one year be granted for this request.

Ayes: Detrow, Wertz, Stewart, Valentine, Sargent

2) *Lot No. 4298A, N.A., 1454 Troy Road; Petitioner, Ronald G. Burns*

Stewart noted that the petitioner is requesting that, since there are no other sidewalks on this side of Troy Road, he be granted a waiver until other sidewalks are installed here. Stewart stated that has not been Council's tradition on granting waivers.

The petitioner Ron Burns spoke in his behalf, telling Council that there are no sidewalks there, partly due to the lay of the land with hills and trees in the way. Hills would have to be cut down and trees removed before there could be uniform sidewalks on that side of the street. He did not see that it would be practical to put one eighty-foot sidewalk there and have it be the only one in a quarter of a mile. The Building and Zoning Department told him he should put a sidewalk in, as he is building a house on that lot.

Wertz stated that is the last area of the 10-year sidewalk plan, about eight years away. Burns said he'd be willing to put a sidewalk in when it is uniform on the whole street.

Moved by Wertz and seconded by Valentine that the waiver be granted until the sidewalks in that area are put in.

Ayes: Detrow, Wertz, Stewart, Valentine, Sargent

3) *Lot No. 3954, N.A., 1218 Middle Rowsburg Road; Petitioner, Guenther Mechanical, Inc.*

Stewart noted that this is the same situation, with no sidewalks along this area between Cleveland Avenue and US Rt. 42, and the company requests a temporary extension of the sidewalk installation until such time as the City requires sidewalks to be installed along the entire length of the street. Stewart added that Engineering has no objection to this waiver request. He asked if this is a new building project and was told that it is.

Stewart expressed his opinion that Council spent untold amounts of hours trying to deal with sidewalks in the City of Ashland. The optimum time to install a sidewalk is during construction or shortly thereafter. Council has granted numerous waivers in residential areas where the owner of the lot expressed intention to build within the year or a given period of time. The only way to get continuity of sidewalks is to start somewhere. If Council continues giving waivers where there are no other sidewalks in the area, it will never get there.

He acknowledged the sidewalk plan, but stated that he thinks that plan will be easier to adhere to if sidewalks are started at the time new construction is implemented in various areas of the community. He asked and answered two questions: Will those sidewalks go anywhere? Not always. Will they some day? Absolutely. He repeated that an awful lot of time has been spent on this, adding that he didn't want to get into a rut in which every waiver request that comes because the neighbor doesn't have one is given.

Detrow asked if the master plan for sidewalks is up-to-date for each year, and Mayor Strine told her that the City is behind the schedule originally put out. When she asked why, the Mayor told her it is a combination of things like money, and also it takes more time than anticipated to get all the information together. It hasn't been dropped; the City is still working on it.

Valentine asked about having a work session for an update on this, and the Mayor told him that is probably a good idea to do after the first of the year. Stewart agreed with the Mayor.

Moved by Wertz and seconded by Valentine that the waiver be granted until the sidewalks in that area are put in.

Ayes: Detrow, Wertz, Stewart, Valentine, Sargent

MAYOR'S COMMENTS: *None*

ADJOURNMENT

Moved by Valentine and seconded by Sargent to adjourn the meeting.

Ayes: Detrow, Wertz, Stewart, Valentine, Sargent

Council adjourned the regular session at 7:41 p.m.

Submitted by  
Elaine C. Bucklew  
Clerk of Council