
Ashland City Council

MINUTES FOR THE REGULAR SESSION OF COUNCIL July 19, 2005

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

ROLL CALL

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

Moved by Wertz and seconded by Stewart to excuse Greg Gorrell from the meeting.

Ayes: Stewart, Valentine, Detrow, Wertz

Moved by Detrow and seconded by Valentine to appoint Glen Stewart President pro tem.

Ayes: Valentine, Detrow, Wertz Abstain: Stewart

PLEDGE OF ALLEGIANCE

PRESENTATION OF MINUTES

July 5, 2005 *Regular session*

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

Ayes: Stewart, Valentine, Detrow, Wertz

COMMENTS OR QUESTIONS FROM THE AUDIENCE

(a) Farm animals in the City: Anthony Schaffer, 427 E. 4th Street, and William S. Dye, 425 E. 4th Street

Schaffer asked Council about any City ordinance about animals, and he told them behind his residence is basically a farm; goats, sheep, chickens, roosters, ducks, turkeys, rabbits and dogs are all kept there. The stench is terrific; insects and flies are everywhere; and he asked what could be done about it.

Law Director Rick Wolfe responded that he has already had calls about this; there is nothing that prohibits having animals in the City. What is regulated is how they are maintained: if they become a health hazard with odors or sanitation problems, the City/County Health Department should be notified, and they will look into it; if there are noise problems or other specific issues, contact his office, and if there is something he can do about it, he will. But merely having animals in the City is not prohibited.

Schaffer asked about licensing procedures, such as for dogs, and Wolfe indicated there are no requirements to license cats or other animals. As to any issues concerning provisions for penning, housing, food or water, the humane society would look into those.

Wertz, the ward representative for the area, stated that it is 90° temperature, and these people can't even go out into their backyards. Wolfe repeated that they should go to the health department and have it investigated.

Dye told Council he also lives on 4th Street, and his property borders the same property. He expressed his fear that, if this continues and Council doesn't pass an ordinance, property values in this neighborhood will deteriorate and continue to go down. He doesn't know of any village or City around here that doesn't have an ordinance against this, and he feels it ought to be up to Council to pass an ordinance.

Stewart stated there are a couple of options here: the humane society and the health department.

As there is no provision against exotic animals in the City either, Schaffer suggested he might buy a lion. On a lighter note, Stewart told him he didn't think that was a good way to get rid of his neighbor's animals.

LEGISLATION

Ord. 57-05

Item (a) AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR, DIRECTOR OF PUBLIC SERVICE, TO ADVERTISE FOR BIDS AND TO ENTER INTO A CONTRACT FOR THE ARTHUR STREET BRIDGE REPLACEMENT PROJECT WITHIN THE CITY OF ASHLAND, 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 Ordinance has satisfied the requirements of said Section and that a further reading be dispensed with at this time.

Ayes: Stewart, Valentine, Detrow, Wertz

Comments:

City Engineer Jim Cooper told Council that this is CDBG funding for which the City's share is \$83,000, and the total cost is \$170,000.

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

Ayes: Stewart, Valentine, Detrow, Wertz

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: Stewart, Valentine, Detrow, Wertz

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

Ayes: Stewart, Valentine, Detrow, Wertz

Motion carried.

Ord. 58-05

Item (b) AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR, DIRECTOR OF PUBLIC SERVICE, TO ADVERTISE FOR BIDS AND TO ENTER INTO A CONTRACT FOR THE RACE STREET RECONSTRUCTION PROJECT WITHIN THE CITY OF ASHLAND, 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 Ordinance has satisfied the requirements of said Section and that a further reading be dispensed with at this time.

Ayes: Stewart, Valentine, Detrow, Wertz

Comments:

Cooper noted that this also is CDBG money, of which the City's share is \$58,000. The total amount the City receives as CDBG funding is about \$104,000.

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

Ayes: Stewart, Valentine, Detrow, Wertz

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: Stewart, Valentine, Detrow, Wertz

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

Ayes: Stewart, Valentine, Detrow, Wertz

Motion carried.

Item (c) AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR, DIRECTOR OF PUBLIC SERVICE, TO ADVERTISE FOR BIDS AND TO ENTER INTO A CONTRACT FOR THE CITY RESERVOIR RECONSTRUCTION PROJECT FOR THE CITY OF ASHLAND, OHIO; AND DECLARING AN EMERGENCY.

Comments:

Mayor Strine requested that this ordinance be removed from the agenda. The City is still waiting to hear from the EPA to confirm some of the area out there as wetlands or not. On one hand, part of the EPA is giving the City credit for doing the reservoir; then another branch of the EPA is saying it is wetlands, and if the City uses the reservoir, the wetland will have to be replaced in some other form. That may be prohibitive to do.

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

Ayes: Stewart, Valentine, Detrow, Wertz

Ord. 59-05

Item (d) AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR, DIRECTOR OF PUBLIC SERVICE, TO ADVERTISE FOR BIDS AND TO ENTER INTO A CONTRACT FOR THE ASHLAND BUSINESS PARK PHASE I INFRASTRUCTURE PROJECT IN THE CITY OF ASHLAND, 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 Ordinance has satisfied the requirements of said Section and that a further reading be dispensed with at this time.

Ayes: Stewart, Valentine, Detrow, Wertz

Comments:

Cooper explained that this is grant money from the state, \$500,000, received due to the efforts of the Economic Development Department and others. It will be used for infrastructure, Phase I, at the Ashland Business Park. There will be utilities plus about 800 feet of roadway to get the business park started.

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

Ayes: Stewart, Valentine, Detrow, Wertz

Moved by Detrow 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: Stewart, Valentine, Detrow, Wertz

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

Ayes: Stewart, Valentine, Detrow, Wertz

Motion carried.

Ord. 60-05

Item (e) AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF EQUIPMENT FOR THE STREET DIVISION OF THE CITY OF ASHLAND, 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 Ordinance has satisfied the requirements of said Section and that a further reading be dispensed with at this time.

Ayes: Stewart, Valentine, Detrow, Wertz

Comments:

Street Director Jerry Mack told Council that this legislation would allow the department to purchase a current model year International cab and chassis. It will be added to the fleet of large trucks for plowing and salting, its main function, but it will also be used for hauling dirt and such in the summer. This truck when purchased will allow moving a 1990 International to

a back up plowing situation; it is almost beyond its usefulness, but they try to keep them as long as they can.

He does have a replacement schedule for the large trucks, and this falls in accordance with a schedule to keep them within about a 15 year-old range. The truck will have to be fitted with a bed and plow package, which will be bid as it is under separate specifications. The complete package is budgeted for this year.

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

Ayes: Stewart, Valentine, Detrow, Wertz

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: Stewart, Valentine, Detrow, Wertz

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

Ayes: Stewart, Valentine, Detrow, Wertz

Motion carried.

Ord. 61-05

Item (f) AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR, DIRECTOR OF PUBLIC SERVICE, TO ADVERTISE FOR PROPOSALS AND TO ENTER INTO CONTRACTS FOR THE OPERATION OF A TRANSIT SERVICE IN 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: Stewart, Valentine, Detrow, Wertz

Comments:

Finance Director Nancy Boyd explained that this is legislation to start the process of advertising for proposals to operate the transit service. The current contract expires at the end of this year. Contracts are for one year, renewable for up to five years.

Valentine asked the cost, and Boyd told him the current contract is for \$405,000, most of which is grant money from the state, with some subsidy by the City. The City owns the vehicles, the computer and radio systems.

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

Ayes: Stewart, Valentine, Detrow, Wertz

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: Stewart, Valentine, Detrow, Wertz

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

Ayes: Stewart, Valentine, Detrow, Wertz

Motion carried.

WARD REPORTS

Ward 3: Ruth Detrow

(a) Mowing appreciated, City property (Siler), East Main Street:

Detrow reported that the neighbors of the Siler property on East Main Street were pleased that the mowing was done, as it is a help to them. They were being bothered by animals and allergies brought on by the tall, unmowed area. She had received calls about this mowing being needed and reported this at the last meeting.

Ward 4: Paul Wertz

(a) High grass, different areas:

Wertz reported some unmowed areas in his ward, and asked Wolfe to check on these:

- Between 907 and 917 Union Street; the neighbor can't see to back out of his driveway due to 4-foot tall weeds in the tree lawn, and the lot itself has not been mowed at all, leaving 6-foot tall weeds.
- At 332 Miller Street and 353 East Fourth Street.

OLD BUSINESS: None

NEW BUSINESS

(a) Request for Sidewalk Waiver:

Lot #4158 S.A. (Woodview Court); Petitioner, Shirley A. Matz

Mayor Strine indicated that the petitioners are requesting a sidewalk waiver until their house is constructed and all heavy equipment traffic is finished at the end of next year. They will put the sidewalks in as soon as they can.

Stewart suggested a one-year waiver be granted, and if more time is needed, the petitioners can reapply or whatever the conditions warrant.

Cooper recommended that the waiver be granted, as this is laid out very well and plans are in place.

Moved by Stewart and seconded by Detrow that the waiver be granted for the period of one year.

Ayes: Stewart, Valentine, Detrow, Wertz

(b) Procedure for expiring sidewalk waivers:

Valentine asked about the procedure for waivers that are reaching the expiration dates. Wolfe responded that letters go out from the Building And Zoning Department, letting the owners know that they are getting close to the expiration date. Hopefully most are taken care of, while those that remain are encouraged to finish so that action doesn't have to be made against them, per ordinance regulations. Wolfe indicated that he and Building Inspector Roger Gordon work on this procedure together.

Of the two that are close to expiration time, Cooper did not know if they had been taken care of, but he will check this out. Stewart requested that Council be informed so that appropriate action can be started, if necessary.

MAYOR'S COMMENTS

(a) Work session/special session scheduled:

Mayor Strine reminded Council of the work session scheduled for 7:00 p.m. next Tuesday, the 26th. The discussion will center on the sale of City water to the Rural Lorain Water District, and it will be held in the Mayor's Conference Room.

A special session to consider tax abatement legislation will be held just previous to the work session.

ADJOURNMENT

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

Ayes: Stewart, Valentine, Detrow, Wertz

Council adjourned the regular session at 7:30 p.m.

Submitted by
Elaine C. Bucklew
Clerk of Council

