
Ashland City Council

MINUTES FOR THE REGULAR SESSION OF COUNCIL December 20, 2005

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

December 6, 2005 *Regular session*

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

Ayes: Stewart, Valentine, Sargent, Detrow, Wertz

COMMENTS OR QUESTIONS FROM THE AUDIENCE: None

LEGISLATION

Res. 20-05

Item (a) A RESOLUTION AUTHORIZING AND DIRECTING THE CITY OF ASHLAND, OHIO, TO ADOPT THE REVISED COMMUNITY HOUSING IMPROVEMENT STRATEGY (CHIS) POLICIES AND PROCEDURES MANUAL; 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: Stewart, Valentine, Sargent, Detrow, Wertz

Comments:

Administrative Assistant Ellie Grubb explained that the CHIS was approved in May 2005, but there were several errors in the document and the Ohio Department of Development required that they be corrected. One specific error was including the name the agency administering the program in Ashland County. The CHIS program is done in five-year cycles, and the Ohio Regional Development Corporation of Coshocton is the administrator of the program for the county and the City.

Director of Accounting Anna Tomasek further explained that this grant cycle coming up is a three-year grant of \$550,000 total.

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

Ayes: Stewart, Valentine, Sargent, Detrow, Wertz

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: Stewart, Valentine, Sargent, Detrow, Wertz

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

Motion carried.

Ord. 79-05

Item (b) AN ORDINANCE AMENDING ORDINANCE NO. 78-04, RELATIVE TO DESIGNATION OF DEPOSITORIES.

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, Sargent, Detrow, Wertz

Comments:

Law Director Rick Wolfe told Council he had discovered a typographical error in this ordinance that had been perpetuated over a number of years. The depository ordinance is done every two years; this amended one corrects an omission made when an adjustment was done a few years ago; nothing else is being changed.

Finance Director Nancy Boyd further explained that the Charter requires that a depository be named to handle the active funds of the City, specifically the checking accounts. The other banks are named for inactive funds such as investments. The City goes out for bid for the active fund depository every two years; sometimes it changes and at other times not.

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

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

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

Ayes: Stewart, Valentine, Sargent, Detrow, Wertz

Motion carried.

Ord. 80-05

Item (c) AN ORDINANCE PROVIDING FOR TEMPORARY APPROPRIATIONS FOR THE CITY OF ASHLAND, OHIO, TO MEET THE ORDINARY EXPENSES OF SAID CITY, UNDER THE AUTHORITY OF OHIO REVISED CODE SECTION 5705.38; 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, Sargent, Detrow, Wertz

Comments:

Boyd explained that this legislation is presented every year at this time to permit the City to continue to operate until such time appropriations for 2006 are passed as required on or before March 31st. Valentine asked about the employee raises being effective January 1st, and Boyd responded that the union contracts are set up that way and will go forward.

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

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

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

Ayes: Stewart, Valentine, Sargent, Detrow, Wertz

Motion carried.

Ord. 81-05

Item (d) AN ORDINANCE AMENDING THE AFSCME AGREEMENT ESTABLISHING NEW LIMITS FOR WAGES OF UTILITY LINE MAINTENANCE 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, Sargent, Detrow, Wertz

Comments:

Mayor Strine explained that this ordinance deals with the utility line workers mainly in the water division, though there are utility line workers in two divisions, the sewer division and the water division. There is an inequity in the pay scale for people who do the same work, and this is an effort to get the water division up to the level of the sewer division. The ordinance actually affects only one position, the utility line maintenance worker II.

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

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

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

Ayes: Stewart, Valentine, Sargent, Detrow, Wertz

Motion carried.

Item (e) AN ORDINANCE REZONING A CERTAIN AREA OF THE CITY OF ASHLAND, OHIO, FROM "M-3" INDUSTRIAL PARK DISTRICT TO "M-1" LIGHT INDUSTRIAL DISTRICT.

Stewart brought the legislation to the floor and asked for a motion. There was none, and the item was tabled for lack of a motion.

Item (f) AN ORDINANCE ESTABLISHING A STORMWATER UTILITY 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, Sargent, Detrow, Wertz

Comments:

Mayor Strine explained that this is an ordinance on which they have had a work session and also discussed a number of times.

Valentine asked if this is EPA directed, and Assistant City Engineer Kurt Brzyszc responded that it is not.

Valentine asked about cost for a large acreage in the City, and Brzyszc told him the owner would be charged only if there were over 200 square feet of impervious area; less than that amount of impervious area would require no charge.

Valentine asked if county government or City properties are liable for charge like anybody else, and Mayor Strine said that the City would not be charged, though the county will be.

Valentine asked what City department this project will be part of, and Brzyszc told him it would be under the direction of the City Engineer.

Valentine asked about the amount of revenue to be generated, and Stewart said originally it was figured at about \$450,000. But since that estimate was given, there have been significant changes made:

- Different allowances have been given to property owners who have developed and generated a storm water management facility on their own.
- Commercial and industrial facilities; schools; mobile homes; government properties; apartments and condominiums: these properties have been broken out to be more definitive and potentially less burdensome on some of those properties.
- A home is the basic unit (ERU); the cost is \$3.50 per home, residential property.
- A school system, for example, is a single entity; not each separate building: universities, schools, hospitals and churches are all single entities.
- Mobile homes are each a residential unit.
- A maximum has been set for commercial, industrial properties and schools.

Stewart stated that the original estimate might be high, with all those reductions that hadn't been considered at the time.

Valentine suggested that, as this is something that is being added on to the taxpayer and everything else, he doesn't think Council should suspend the rules on this legislation; there should be three readings. That way Council can gain input from the community, in addition to what there has been already.

Stewart asked about the billing process with the water department. Boyd answered that they have the same software that finance does, and they have been working with the software company toward implementing this. But they cannot move forward until legislation is in place.

Stewart questioned Boyd on the billing: the water billing now is based on water meters; the storm water billing will not be based on water meters, giving them flexibility. She responded that there is flexibility, and it's a matter of getting the software implemented. Brzyszc added he had talked to the water department, and they don't seem to have a problem with anything in this ordinance. No implementation time has been set. Stewart noted that with three readings that will be a longer time from now.

Detrow asked about the maximum of \$60 per month for schools, churches, hospitals; that is per school building? Brzyszc corrected that, saying it is per school entity; Ashland City Schools will pay \$60 maximum charge.

Mike Meyer, J.C. Meyer Realty, asked just exactly what is the benefit to Ashland of this storm water utility and the money it will bring in, as he has to sell this to business or residents wanting to come into town. If it isn't EPA driven, then why is it necessary?

Mayor Strine stated that there are a number of benefits to it:

- Storm water that gets into the sewer system is the reason the EPA is forcing the City to improve its sewer system; the choices are to get it corrected or get fined large amounts of money.
- The storm water is going into the sewer where it should not be.
- Residential testing has been done and will continue; that is why the money is needed – to correct this problem.
- Storm flooding and basement flooding are serious problems to correct.
- Repair and maintenance of lines are needed; cost for that will come from it.

Meyer asked about problems with back yard flooding, such as on Buena Vista, and the Mayor told him it will not go to private property problems. He emphasized that this money will not go for frivolous things.

Detrow stated this money would not go into the general fund; it is money to improve storm water management in the City. She asked Water Treatment Director Bruce Wisner about specific projects. He talked about the heavy rainstorms and rapid influx of storm water, and pointed out that the equalization basin at the treatment plant will handle some of that, but not all. Other things need to be addressed also, like the lack of storm sewers in some areas, the need to maintain sewers that are over a hundred years old, the need to find out where storm sewers are possibly still needed, such as for the Buena Vista area. The City has specific projects earmarked right off the bat, but there is an ongoing list.

Stewart explained that the sanitary system picks up four times its capacity or normal flow with a major thunderstorm. That isn't because the storm sewers aren't working; it's because they are broken and/or discharging into sanitary lines. The storm water is infiltrating into the sanitary system, and that has to be fixed. The money will be used for the storm sewer system, rain water lines, not the sanitary sewer system.

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

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

Stewart stated that as there were no further motions, this legislation would be placed on the next regular agenda for a second reading; that will be the first meeting in January, 2006.

WARD REPORTS

Ward 3: Ruth Detrow

(a) Leaf pick up:

Detrow commended the Street Department for still working to pick up the leaves, even through the cold and snow. Street Director Jerry Mack indicated they were trying to finish up by the end of this week, and he thanked her for the confidence in them.

OLD BUSINESS: None

NEW BUSINESS

(a) *Work session scheduled:*

A work session to review Council priorities was scheduled for Tuesday, January 10, 2006. Stewart asked Mayor Strine to send out copies of the previous list to Council members and Council-elect Robert Valentine.

(b) *Special session to finalize year-end City finances:*

This special session will be held in the Mayor's Conference Room Friday, December 30, 2005, at Noon.

MAYOR'S COMMENTS

(a) *Executive session:*

Mayor Strine requested an executive session concerning employee benefits to be held immediately following this regular session. No action will be taken, and Council will adjourn immediately afterward.

PUBLIC HEARING

7:10 p.m. Request for change of zoning from "M-3" Industrial Park District to "M-1" Light Industrial District (*Westlake Drive area*)

Stewart opened the public hearing at 7:13 p.m. and explained the purpose for the hearing and the location of the property. The property being divided off to be sold faces Westlake Drive. He opened the floor for anyone who wished to speak in behalf of the request.

Proponents:

1. John Ewing, representing Folding Carton Service, the current owners of the property:

Ewing requested that the zoning request be approved to make the property usable to the potential buyers. The next door neighbors, RPG, Inc., would like to expand and use that property for their future needs, and the zoning classification is very important to them for their use. Ewing is asking the City to allow that zoning change for their needs.

2. Bill and Mike Hutira, owners of Return Polymers (RPG, Inc.):

Bill Hutira explained that their company is a part of the recycling community here in Ohio. They moved into Ashland in 1998 and are now completing their third building. They moved in with about ten employees and now have a few over 80 employees. Every couple of years they expand and build a building. Presently, they are putting back into industry about a million and a half pounds a week, which goes into products such as sewers, electrical conduit, sea wall. They have been neighbors to John Ewing, and they own 11 acres next to him, which is zoned M-1.

They need additional property for expansion, and Ewing has this property for sale. RPG Inc. would like to buy that property and use it as they use their property at the present time, as outside storage area for materials, giving kind of a lumberyard appearance. They are requesting that the zoning on the additional five plus acres match the zoning in their present property of 11 acres. He stated he would answer any questions which people have.

Stewart ask Hutira if they have given any thought to a tree line or something of that nature, and Hutira responded they have talked to a couple of people and are asking for direction as to where they would put it. There are four sides to their property, 16 acres altogether with the addition of the five acres they want to purchase. They are willing to cooperate in that fashion, but again, they are asking for direction in doing so.

Stewart indicated he had talked to Mike Hutira about this, and he doesn't exactly know how, but the City should be able to make that happen in a manner that is not prohibitive to anyone. He added that this is not a demand but a request, and Bill Hutira again stated they are willing to do something in that respect.

Valentine asked about the addition of new employees with the expansion. Hutira told him they have presently five new pieces of equipment and some auxiliary that's already in-plant right now. Their new building will be done in approximately one month, and they will probably need another 12 to 20 people, though not before February.

Council-elect Robert Valentine asked about how many full-time employees they have, and indicated he knew RPG uses a temporary hiring service, which means no benefits, low wages. Hutira told him they use two temporary hiring services here in town; they probably have a dozen employees from those. Seventy employees are company full-time employees, and after three months the temp services people are hired as regular employees. Their longest temp employee has about four months in; once they get over three months there, the company agreement is to hire those people themselves if they are good employees.

Opponents:

1. Dale Hershey, Hershey Store-n-Lockit, Cottage Street:

Hershey explained he owns six plus acres that butt up next to the property RPG will be buying, and he is strongly against rezoning this property. For one thing, the outside storage is an eyesore, a double-whammy eyesore; the smell of the plastics is terrible and comes clear up to his office. He stated he didn't spend over \$600,000 to start his business out there to have something like that in his back yard.

An audience question concerning the difference between M-1 and M-3 zoning was asked. Hutira stated that one allows outside storage and one doesn't.

As there were no other comments, Stewart closed the hearing and returned to regular session at 7:21 p.m.

ADJOURNMENT

Moved by Valentine and seconded by Sargent to move to executive session for the purpose of discussing employee benefits. No announcements or decisions will be made following the session.

Ayes: Stewart, Valentine, Sargent, Detrow, Wertz

Council moved to executive session at 7:40 p.m. and returned to regular session at 8:30 p.m.

Moved by Sargent and seconded by Wertz to adjourn the regular session.

Ayes: Stewart, Valentine, Sargent, Detrow, Wertz

Council adjourned the regular session at 8:30 p.m.

Submitted by
Elaine C. Hootman
Clerk of Council