
Ashland City Council

MINUTES FOR THE REGULAR SESSION OF COUNCIL December 5, 2006

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

ROLL CALL

Ward 1:	Robert L. Valentine	Present
Ward 2:	Robert M. Valentine	Present
Ward 3:	Ruth Detrow	Present
Ward 4:	Paul Wertz	Present
At-large:	Glen Stewart	Present

Note: Throughout the minutes, Robert L. Valentine and Robert M. Valentine are designated as to their ward representation, W1 and W2.

PLEDGE OF ALLEGIANCE

PRESENTATION OF MINUTES

November 21, 2006 *Regular session*

November 29, 2006 *Special session*

Moved by Wertz and seconded by Valentine W1 to accept the minutes as received.

Ayes: Valentine W1, Valentine W2, Detrow, Wertz, Stewart

COMMENTS OR QUESTIONS FROM THE AUDIENCE: None

LEGISLATION

Ord. 91-06

Item (a) AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF EQUIPMENT FOR THE DIVISION OF FIRE OF THE CITY OF ASHLAND, OHIO, OBVIATING FORMAL ADVERTISING AND BIDDING; AND DECLARING AN EMERGENCY. (*Emergency Medical Vehicle*)

Moved by Wertz and seconded by Valentine W1 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: Valentine W1, Valentine W2, Detrow, Wertz, Stewart

Comments:

Fire Chief Mark Burgess explained that the Division of Fire started a vehicle replacement program in 1994, working with Council, Finance, the Mayor and the department, and coming up with a replacement program funded from the 222 account, which is the township contract money. A twenty-year schedule was laid out for fire apparatus, eight years for squads and as needed for administrative vehicles.

This ordinance and the next are part of that program; last year events delayed the replacement of a squad. It can be funded now through state bid which saves money in the bidding process and gives a decent price. Right now, timing is important, because the squad that this will replace struck a deer while taking a patient to Grant Hospital in Columbus. That squad has been totaled out, leaving them with three squads when they need four. Fortunately, the squad that hit the deer was the one scheduled for replacement anyway. No one was in-

jured. The potential was there, but everything went right; the driver kept the vehicle under control and pulled it off to the side. There was little or no impact to the back but the chassis part was wiped out.

Moved by Valentine W1 and seconded by Valentine W2 that the Ordinance be passed on the first reading.

Ayes: Valentine W1, Valentine W2, Detrow, Wertz, Stewart

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: Valentine W1, Valentine W2, Detrow, Wertz, Stewart

Moved by Valentine W1 and seconded by Valentine W2 that the Ordinance be passed.

Ayes: Valentine W1, Valentine W2, Detrow, Wertz, Stewart

Motion carried.

Ord. 92-06

Item (b) AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF EQUIPMENT FOR THE DIVISION OF FIRE OF THE CITY OF ASHLAND, OHIO, OBTAINING FORMAL ADVERTISING AND BIDDING; AND DECLARING AN EMERGENCY. *(Three-quarter ton truck)*

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: Valentine W1, Valentine W2, Detrow, Wertz, Stewart

Comments:

Chief Burgess told Council that the next vehicle is an administrative vehicle, a command car for assistant chiefs to use for emergencies within the City and the townships. The vehicle they are using now is a 1993 Suburban purchased used in 1996 from the state auction. The vehicle has been used hard and is out of service at this time because of mechanical problems that the department doesn't want to put more money into; the vehicle is not worth it.

Stewart asked if this would be a 2006 vehicle, and Burgess said probably not, but he would call tomorrow to find that out. Most of the manufacturers end up with some of the older chassis, so he is hoping to get a 2006 in order to help keep them within budget. The new EPA regulations with diesel emissions and motors has increased the costs of chassis, but he is hoping to avoid that. Burgess has been told that won't be implemented until mid-2007, but he won't know until he calls about the vehicle.

Stewart asked about it being a diesel unit, and the Chief told him it is; all squads are powered by diesel. Back in the early 1980's, the gasoline powered ones had a tendency to catch fire, so they converted them to diesel.

The truck in this ordinance however is not diesel but gasoline powered. It also will be purchased off state bid and is basically a passenger vehicle, a Suburban or Excursion, whichever one is on state bid.

Stewart asked if this is a normal purchase or another method of financing, and Burgess responded that it would be a lease-purchase. Finance Director Anna Tomasek added that both vehicles would be five-year leases.

Moved by Detrow and seconded by Valentine W1 that the Ordinance be passed on the first reading.

Ayes: Valentine W1, Valentine W2, Detrow, Wertz, Stewart

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: Valentine W1, Valentine W2, Detrow, Wertz, Stewart

Moved by Wertz and seconded by Valentine W1 that the Ordinance be passed.
Ayes: Valentine W1, Valentine W2, Detrow, Wertz, Stewart

Motion carried.

Item (c) AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ADVERTISE FOR BIDS AND TO ENTER INTO A CONTRACT FOR THE PURCHASE OF EQUIPMENT FOR THE DIVISION OF FIRE OF THE CITY OF ASHLAND, OHIO; AND DECLARING AN EMERGENCY. (*Pumper/tanker fire apparatus*)

Comments:

Stewart stated that Item (c) has been pulled from the agenda and will not be acted upon.

Ord. 93-06

Item (d) 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 Valentine W1 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: Valentine W1, Valentine W2, Detrow, Wertz, Stewart

Comments:

Finance Director Anna Tomasek told Council that this is the temporary appropriations ordinance, a housekeeping item that will allow the City to continue to operate until they pass the 2007 appropriations. The deadline for the appropriations is March.

Law Director Rick Wolfe added that this is only for ordinary expenses for a three-month period. It is usually passed in December.

Moved by Valentine W2 and seconded by Valentine W1 that the Ordinance be passed on the first reading.

Ayes: Valentine W1, Valentine W2, Detrow, Wertz, Stewart

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: Valentine W1, Valentine W2, Detrow, Wertz, Stewart

Moved by Valentine W1 and seconded by Valentine W2 that the Ordinance be passed.

Ayes: Valentine W1, Valentine W2, Detrow, Wertz, Stewart

Motion carried.

Ord. 94-06

Item (e) AN ORDINANCE CONFIRMING AND RATIFYING THE APPOINTMENT OF CERTAIN REPRESENTATIVES TO THE ASHLAND AREA COUNCIL FOR ECONOMIC DEVELOPMENT; 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: Valentine W1, Valentine W2, Detrow, Wertz, Stewart

Comments:

Stewart explained that from his perspective this is a housekeeping ordinance. In the agreement between the Economic Development Council and the City of Ashland, it stipulates three appointees, one being a City representative, one being a County representative and one being a representative appointed jointly by the County and City representatives, who are Mike

Welch and himself. Those appointments are to be ratified by City Council. The fact of the matter is that there is no record in Council minutes that Council approved the appointments. Stewart asked that Council consider officially appointing those individuals who are nearing the end of their first year in office and who are appointed for three-year terms.

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

Ayes: Valentine W1, Valentine W2, Detrow, Wertz, Stewart

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: Valentine W1, Valentine W2, Detrow, Wertz, Stewart

Moved by Valentine W1 and seconded by Valentine W2 that the Ordinance be passed.

Ayes: Valentine W1, Valentine W2, Detrow, Wertz, Stewart

Motion carried.

Res. 15-06

Item (f) A RESOLUTION AUTHORIZING THE MAYOR AS DIRECTOR OF PUBLIC SERVICE TO PARTICIPATE IN THE OHIO DEPARTMENT OF TRANSPORTATION COOPERATIVE PURCHASING PROGRAM.

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: Valentine W1, Valentine W2, Detrow, Wertz, Stewart

Comments:

Tomasek told Council that this is a resolution to allow the City of Ashland to be on the state purchasing agreement. It is for Ashland Public Transit to purchase two vehicles with the 2007 grant. The two to be purchased are a minivan and a narrow body vehicle. These are funded 90% by the federal government and 10% by the City.

Stewart asked about a transit vehicle that had problems with the lift mechanism, but Tomasek said they were not purchasing another vehicle like that one.

Tomasek added that this also would allow the City to be on the state purchasing agreement for all other state contracts for 2007.

Moved by Valentine W2 and seconded by Valentine W1 that the Resolution be passed on the first reading.

Ayes: Valentine W1, Valentine W2, Detrow, Wertz, Stewart

Moved by Wertz and seconded by Detrow 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: Valentine W1, Valentine W2, Detrow, Wertz, Stewart

Moved by Detrow and seconded by Valentine W1 that the Resolution be passed.

Ayes: Valentine W1, Valentine W2, Detrow, Wertz, Stewart

Motion carried.

WARD REPORTS

Ward 1: Bob Valentine

(a) *Sign problem:*

Valentine W1 complimented the Park Department on trimming all round the stop sign at the post office; and he thanked them.

Ward 3: Ruth Detrow

(a) *Sidewalk and street marking questions:*

Detrow had a call from Steve Kline with a question about sidewalks and about why his street, Lincoln Avenue, had no painted edge or centerlines.

Mayor Strine said they could submit that to the Traffic Committee for review, then give either her the answer or the traffic committee could respond directly to him. Detrow requested they tell him directly.

(b) *City's role in controversy over the A. N. Myers house on Center Street:*

Detrow said she'd had several comments and questions about the City's role in the on-going controversy concerning the A. N. Myers house, such as whether the demolition order issued by the City was legally done and whether there is a law against falsifying information in an application to the City. She said she had talked to Rick Wolfe earlier in the day about this situation, and she asked him to explain, saying he could do a better job of it.

Wolfe explained that he had talked to Detrow earlier in the day, at which time she asked about the first item but did not mention the falsification issue, and so he had no idea what she was referring to there. He stated he was not aware that anything was falsified, but as to the general issue, it is apparent to him that those questions relate to issues that either are or will be part of pending or imminent litigation. It would not be appropriate for him to respond any further to those specific questions.

OLD BUSINESS: *None*

NEW BUSINESS

(a) *Appointment of 2007 Charter Revision Commission:*

Stewart explained that the City Charter requires that this Council appoint a review committee, and he read Section 51 from the Charter: "Council shall convene a Charter Review Committee at least once every seven years from the adoption of this section to review the Charter. Members of this Committee shall be appointed by the Council, shall be electors of the City and shall be selected at large."

Stewart emphasized it is that point in time, and the Charter will be reviewed beginning in 2007. He didn't think they could get started yet this year, but Council is soliciting additional names. If someone wants to call the Clerk at Council office, give their name and address and state that they are willing to serve if selected, Council would like those interested to please do so.

Council has not identified areas in the Charter that will be reviewed, but they are going to solicit those who have an interest in the Charter to submit areas that they think would be appropriate to be reviewed. That is for anyone who chooses to do so; however, that is not a guarantee that any specific area will be reviewed, but all those areas will be given consideration by the Review Committee.

The last Review Committee had ten members on it, and those ten members met once a week, starting in mid-December and ending in May. This is not a lightweight undertaking but is very serious, and very serious participation will be required if a person elects to participate. There are very high expectations of the Committee members. Council wants a good cross section of citizens from the community to participate in this.

Council would like to have the nominations closed by the next Council meeting on December 19th, and they will start the process of selection and formally asking the individuals if they will participate. Then the process will move on from there. There is a breakdown and record of the tasks included, and it is pretty significant.

(b) *Report: Fire Department, Chief Mark Burgess*

Chief Mark Burgess began by thanking Council, the Mayor, the Law Director and City leadership for the opportunity the Fire Department had Saturday (the practice burning of the block of houses). That burning exercise has yielded so far a page and a half of lessons learned,

which is the intent of the exercise. The department not only learned a lot but also provided entertainment for a number of spectators. He hoped that was educational.

It was a learning experience for all of them, and it was a true community effort. It took all the City divisions plus some outside people to accomplish this task. It is probably the last time that the EPA will allow it to happen, at least in the Northwest District, not that the department did anything wrong; it is just the amount of smoke produced was high, and that was what concerned the EPA, and rightfully so.

Burgess noted a benefit that came from the Baldrige Process, and that is the empowerment of their employees. At around 4:30 or 5:00 p.m. he was walking up Union Street, and it dawned on him he had not taken into account the amount of dirt, soot and debris that would be on the street. Burgess approached Brian Honaker and Jerry Gierhart of the Street Department, who were some employees of the City Divisions standing by to help them. He told the guys he had neglected to schedule the street sweeper and the roads were a mess. Honaker and Gierhart told him that they had already arranged that the street sweeper would be there at 7:00 p.m. Burgess emphasized that that is the power that happens when the people who have to do the work think ahead, realizing what the fire department might need and making arrangements to get it done. Burgess stated it was pretty evident that they made the fire department look really good by doing that.

Again, he thanked Council for the opportunity.

Mayor Strine asked Water/Wastewater Director Bruce Wisner if there were any issues with the water, and Wisner responded that there were not; they used just about a million gallons of water in that process. It went smoothly.

(c) Report: Street Department Director, Jerry Mack

Mack thanked Chief Burgess for his comments on the Street Department workers at the fire. He said the Chief is right; Mack's people are really jumping on board and making decisions, and good ones. What they do is appreciated.

Mack handed out booklets of information about the Baldrige process. The idea of the booklet is to educate the community, the other senior leaders, other departments and Council on what the Street Department really does. He noted that he's not sure anyone really knows what they actually do.

Mack explained that the Street Department gets into a little bit of everything, as is outlined in the booklet. They included a letter and profile they sent to the state as an application for the Ohio Award of Excellence, and Mack stated the state will be coming to look over the department soon, and it will be interesting.

He outlined some of the things included in the booklet: information that tells what they do; articles from the newspaper about them; the profile; a "good stuff" sheet that shows a lot of things the department has done in 2006. Included are:

- The number of basins put in this year: 86, almost complete rebuildings of basins, which take a four-man crew.
- Manholes that go behind the basins: 43 were put in.
- Paint on the street: 615 gallons of yellow; 605 gallons of white; and 7,000 pounds of glass bead put with it; that's just for center and edge lines.
- Hole repairs in the streets: water department holes; sewer department holes; Street Department holes; holes that anybody puts in the street, they wind up repairing. There are tons of stuff put down and not usually with a machine.
- Amberwood Parkway was on the paving program this year, but it had a few problems because of which the pavers didn't really want to do it: the Street Department went in to a section of Amberwood Parkway; tore the complete roadway out; put in at least 24 inches of #1's and #2's (stones) choked with #304 gravel. They rebuilt that roadway from US Rt. 250 clear down to the doctor's office.
- Figures for Amberwood Parkway: 226 tons of #304 stone on that road; 75 tons of #67; 273 tons of #1 and #2 stones. Mack guaranteed that road will not fall apart; that section will be there a long while.

- Heavy equipment from the Wal-Mart construction helped compact the road, since the Street Department couldn't keep them from driving on it anyway.
- Amberwood Parkway was a major rebuild, and the Street Department did the job.
- Drainage was needed on Amberwood Parkway also; they found underground springs there; French-type drains were put up along the roadway to drain that.
- Justice Center: put in a driveway for better access.
- Alleys: the department did 14 alleys this year, using 551 tons of material.
- There were 18 street hole repairs.
- Water distribution needed 80 holes repaired.
- Storm water had 22 holes to repair.
- Vehicle maintenance, from a tire change to a major rebuild of some kind: impressive numbers (January, 99; February, 79, for example). They keep the department fleets running.

Mack outlined what the department intends to keep doing:

- Continue their service to the community.
- Try to keep the community safe.
- Work with the other departments.
- Do the best they can to provide service.
- Continue to work on the Baldrige Program.

And how they intend to keep doing it:

- All their employees have come up with many things to go along with the Baldrige Program.
- They do a complete repair order process: this is for anything from a complaint generated by the community or by themselves; not all are complaints, some are just repairs.
- Everything is done off a repair order that includes hours, materials, tracking processes.
- All this makes for lots more paperwork that as of yet hasn't been entered and evaluated; hopefully next year that can be done with results like coming up with benchmarks, averages, times and such.
- Then the department can work on that information.
- They just came up with a new Training Form, something that they can work on whenever someone needs experience learning to use a piece of equipment; they try to document 40 hours of training using that piece of equipment. That shows the trainee has experienced help and documented time in training.
- It seems like every time Mack turns around, they are coming up with else, and that's fine; they are going to implement all that they can.
- When the award team comes in to evaluate, everything might not be done, but there will be a lot to look at.
- Mack emphasized that with the good employees they have, they have done an excellent job and they continue to strive to do a good job.
- The Landoll cleanup project came up quickly, and how do you fit that into already full days' work schedules? They had ten volunteers on a Saturday morning, and they worked five hours and took out about 15 tons of material from there, using packer trucks, loaders and what have you. They significantly cleaned up the area.
- The people strive to work together as a team, and they constantly talk about that; they do not work individually; when the chips are down, everybody gets together and pitches in.
- This time of year it is snow, and everybody in the department has to go; not just the regular street people but also the mechanics, construction people, sign people; everybody hits the trucks.

Mack told Council if there were any questions, be sure to call or e-mail him. Dave Rakestraw is upgrading their e-mail system, and it is amazing just what a new Internet system does.

Detrow commented that as a citizen she could see the difference as she has had contact with the workers. It is a whole new way of communicating, and she thinks it is wonderful. Mack responded that they do want the community to see them as good workers trying to do a good job.

Wolfe further complimented the department on the incredible job they did on Amberwood Parkway, right through setbacks and weather and traffic flow. That was quite a job, very impressive. Mack thanked him, saying it took a lot of people to do that job.

MAYOR'S COMMENTS: *None*

EXECUTIVE SESSION

Stewart requested an executive session be held immediately for matters relating to the appointment of a public employee. There will be no action taken, and Council will adjourn at the end of the session.

Moved by Valentine W2 and seconded by Detrow to move to executive session.

Ayes: Valentine W1, Valentine W2, Detrow, Wertz, Stewart

Council moved to executive session at 7:47 p.m. and returned at 8:50 p.m.

Moved by Valentine W1 and seconded by Valentine W2 to reconvene the regular session.

Ayes: Valentine W1, Valentine W2, Detrow, Wertz, Stewart

ADJOURNMENT

Moved by Wertz and seconded by Stewart to adjourn.

Ayes: Valentine W1, Valentine W2, Detrow, Wertz, Stewart

Council adjourned the regular session at 8:50 p.m.

Submitted by
Elaine C. Hootman
Clerk of Council