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# Ashland City Council

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## MINUTES FOR THE REGULAR SESSION OF COUNCIL April 4, 2006

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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

March 21, 2006 *Regular session*

Moved by Valentine W1 and seconded by Valentine W2 to accept the minutes.

Ayes: Valentine W2, Detrow, Wertz, Valentine W1

Abstain: Stewart

### COMMENTS OR QUESTIONS FROM THE AUDIENCE

#### (a) *Downtown parking problem:*

Denis Fox, 33 West Main Street, "Kid's Kountry"

Fox explained that he was looking for the proper avenue to resolve a problem that has been ongoing for at least ten years, and that is the parking situation on Main Street: employees of downtown businesses and offices are parking in the two-hour parking spaces, staying within the letter of the law by moving their vehicles as necessary, but violating the spirit of the law. He has talked to Councilwoman Ruth Detrow and also referenced a letter written about the situation ten years ago by Police Chief Bill Miracle.

Discussion centered on aspects of enforcement.

Stewart asked about a downtown merchants' group that meets on a regular basis and was told that there is none any longer. He suggested meeting with Mr. Fox and Detrow to try to work out something that might not require additional legislation and yet would drastically diminish the problem. He and Detrow would be in touch with Mr. Fox within the next week.

### LEGISLATION

Ord. 37-06

Item (a) AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ADVERTISE FOR BIDS AND TO ENTER INTO CONTRACTS FOR THE PURCHASE OF EQUIPMENT FOR THE ARBORIST DEPARTMENT, PARK AND RECREATION 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: Valentine W2, Detrow, Wertz, Stewart, Valentine W1

Comments:

Park Superintendent Tim Clingan told Council that since their 1987 bucket truck was put out of commission at the end of last year, they have budgeted for a replacement truck, including a new cab and chassis with a 65-foot bucket. They are asking for a 2006 model with a 6-cylinder diesel engine and 250 horsepower capabilities. This is needed to maintain the street, park and other trees on City property.

Last year 23 large trees were taken down because of liability. Without a department bucket truck, that work was contracted out last fall at a cost to the City of \$14,000. It is quite expensive to use outside contracts take care of those trees. This piece of equipment will allow the City arborist to do those jobs.

The finances will come from the park arborist account, capital outlay, and the source of the funding is the Capital Improvement Fund. The truck will be delivered in about 60 days at a cost of \$90,000 and will last 15 to 20 years. This is not a state bid item as they could not find what they needed under that program, and after doing research they feel bidding is the best way to go.

Stewart asked if the specs were such that more than one manufacturer could bid this, and Clingan said it absolutely could be. He added that it would come to them as a completed unit; there are five pages of specs, but those specs are such that several suppliers could bid it.

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

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

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 W2, Detrow, Wertz, Stewart, Valentine W1

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

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

Motion carried.

Ord. 38-06

Item (b) AN ORDINANCE REQUESTING THE ASHLAND COUNTY COMMISSIONERS TO PETITION THE OHIO DEPARTMENT OF DEVELOPMENT ON BEHALF OF THE CITY OF ASHLAND TO DESIGNATE ALL OF THE CURRENT AREA WITHIN THE CORPORATION LIMITS OF THE CITY OF ASHLAND AS AN ENTERPRISE ZONE; 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 W2, Detrow, Wertz, Stewart, Valentine W1

Comments:

From the audience, Jim Hair asked what the ramifications were of declaring the entire City an Enterprise Zone; what does it do, how does it help? Mayor Strine responded that the whole City already is an Enterprise Zone, done some time ago. This ordinance includes the parts recently annexed.

Stewart listed the areas: the Daisy Hill Veterinary Clinic, S.R. 60; the Graffice property on George Road; Assembly of God Church, S.R. 60 and S.R. 511; Hospice of North Central Ohio, Mifflin Avenue; Halls Trust, WalMart development; and the Riley farm, the new industrial park. Those are properties annexed since 2002 and are now being formally added into the overall Enterprise Zone.

Interim Economic Development Director Evan Scurti clarified that it is a housekeeping item making it cleaner having the whole City an Enterprise Zone. Still, under state law, Enterprise Zone tax abatements cannot be made to residential or retail; it is a program just for manufacturing, research and development or additions to such companies.

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

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

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

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

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

Motion carried.

Ord. 39-06

Item (c) AN ORDINANCE AUTHORIZING CERTAIN LAND BELONGING TO THE CITY OF ASHLAND, OHIO, TO BE SOLD THROUGH THE COMMUNITY IMPROVEMENT CORPORATION; 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 W2, Detrow, Wertz, Stewart, Valentine W1

Comments:

Scurti explained that just like in the past when the City has sold land in the Garber-Ford Industrial Park, the CIC would be the sales agent for this sale. They will sign the purchase agreement with the buyer.

He clarified that Wisio, LLC., the name in the ordinance, is not a manufacturing company coming to Ashland; that is just the name of the investors buying the land. Those investors are part of the company, but the name will not be revealed until everything is in place.

With this ordinance in place, they can come in as early as tomorrow morning to sign the purchase agreement. They are waiting on final state responses to their application for loans to make this project happen. It is the way manufacturing works today, keeping their name silent until the deal is actually 100% sure.

Law Director Rick Wolfe added that the money will eventually come back to the City, and this is the process through which the City sells property through the CIC. The City has to authorize it, and the CIC negotiates the sale for the City, as has been done several times in the past.

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

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

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

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

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

Motion carried.

## WARD REPORTS

At-large: Glen Stewart

(a) *Appreciation to the City Street Department:*

Stewart expressed his appreciation to the Street Department for the clean appearance of the neighborhoods in his ward. They are doing a really nice job with the street sweeper, and as he's walking quite frequently, it is nice to see the curbs and gutters nice and clean.

Also it is an asset to the Sewer and Storm Sewer Departments to get that stuff away from the curbs. He just wanted the department to know it makes an appearance difference, and he knows it is an effort to do the job. He appreciates that.

## OLD BUSINESS

### *(a) Water development update:*

Cooper explained to Council about the development of water and gravel assets on the Riley property north of Ashland on U.S. Rt. 250. The gravel found there will have to be removed either by paying to have it done or on a royalty basis by a contractor; a reservoir then can be developed between the two forks of the stream there. There are about eighty acres in that location.

Test borings and some field digging to a depth of about 20 feet or so have been done to see what kind of gravel is there; they have taken four 50-pound samples from various locations for testing; it looks like the material is very good for sand; it doesn't meet ODOT specs as it is but could be blended to meet that. So there are definite possibilities for bidding and getting a royalty type basis for the material. To do that would save the City one million plus dollars.

In conjunction with this developing a reservoir as had been planned, they are working toward getting a consultant to give the City a whole approach toward developing that land at a later date for housing or industrial or a park, however Council chooses to go forward with that. When the reservoir is developed on the full 80 acres, it would provide around half a billion gallons of water. There are other areas that may be developed in the future for additional water. But this reservoir would be over four times right there what the old reservoir would have been had the City proceeded with it. The million dollars plus that was encumbered for the old reservoir can be utilized as needed in the Riley property.

Stewart questioned Cooper as to the Riley property on U.S. Rt. 250 north of Ashland, the east side of the road: the tests show it can be a reservoir development, that it can hold water and possibly give a little income off the gravel. However, it was a possible well field that has proven not to be a well field? He asked if that is accurate?

Cooper stated that assessment is very close to being accurate: the geologists are going to do three more monitoring wells to make sure there isn't enough aquifer to put in wells. That will not be wasted money if there is not enough aquifer to put in wells, because they still will go to bedrock, finding how deep the gravel goes and where the clay layers are. That will be valuable information utilized when bids are sought for contractors to do the work, as it will give a verification of the area and the type of gravel available.

Stewart reported that he was asked a question about the City having enough water with all the condominiums and potential building going on around the City, and Cooper affirmed that the City is in fine shape. Mayor Strine stated it needs to be emphasized that what is being done out at the reservoir is long term, not because the City has a shortage of water today. It is looking down the road twenty or thirty years. Stewart added that the City is losing a major user of water from an industrial point of view, so a significant amount of water the City processes today for consumption will diminish over the next twelve or fifteen months from an industrial loss.

Valentine W1 asked just exactly where the land being talked about is located? Cooper explained that this farm is across from the cemetery on U.S. Rt. 250 north of Ashland. Two forks of Lang Creek meet at the middle of the property, where there are about 80 to 90 acres along C.R. 1104. A large, kidney-shaped reservoir could be put there. Across the north part of North Lang Creek is another 80 acres out of the total 363 acres owned by the City. There is special gravel over there, a little deeper, all Canadian gravel of a fine quality; it's just a little deeper. All the results so far look quite good.

Cooper continued and explained that, as to the wells, there is another well on a property off SR 58 according to paperwork of a geologist from Ohio Drilling. Apparently that well is about 300 feet deep, and if the casing is still there and can be located, the City would like to pump that well. If there are good results and everything can be worked out with the landowner, it could give the City another significant well very close to the City's distribution lines, an inexpensive way to get another nice well.

Stewart asked if this well is in another aquifer, and Cooper said it is. The City has only two other wells down beyond 270 to 300 feet, and this one is far enough away that there would not be a disturbance between one and the other. The City will be looking for that.

(b) *Building permit process:*

Cooper handed out copies of the building and zoning permit guidelines for one, two and three family dwelling units and for commercial and residential. He indicated that they give a step-by-step procedure showing the permitting process. One thing that might be done would be to add some timelines to the procedures based on their criteria and the code. He asked if there were any questions and pointed out that Building and Zoning Inspector Roger Gordon also was in attendance for questions or explanation.

Stewart asked if the building contractors and developers are doing OK with the permit process as it stands today; is this list a change from anything that the City has been doing? Cooper stated it is his understanding that the Building and Zoning Department has been handling these process lists out for quite awhile. Gordon added it is more of a clarification, taking the public code and putting it in a more direct one-two-three fashion rather than having the applicants try to pick it out of the code.

Valentine W1 noted it simplifies the process step-by-step, and Gordon responded it eliminates about 20 pages. Cooper stated that if anyone wants to make comments or suggest modifications or clarifications, they'd be glad to do that.

By way of background for this discussion, Stewart explained that at the beginning of the year, Council met to prioritize twenty or so items that they wanted updated or worked on. They identified the top six of those, and next Tuesday night will be the last of the six scheduled for attention. Council has already covered the top six prioritized items in work sessions, regular sessions or special work sessions from the list identified back in January.

The list is longer, and Council will sit down and establish some additional dates to cover the next four, five or six items on their priority list. But this is the way Council brought the various division heads in, worked with the Mayor and his group and others to keep Council informed and updated as to how things are going. That is the reason for bringing these things to Council in a public format.

## NEW BUSINESS

(a) *Tuesday, April 11<sup>th</sup> work session:*

Stewart explained the special work session scheduled for next Tuesday night: at 7:00 p.m. in the Economic Development Conference Room, a number of invitees will sit around a common table. Council has invited the City Planning Commission, Milton and Montgomery Township Trustees, County Commissioners, the County Auditor and Engineer, City Finance Director and Engineer and the Mayor to sit in on this meeting. This is a first in Stewart's years on City Council to bring these entities together. The idea is to define this community get together by those that share physical, contiguous boundaries.

There is no pre-planned agenda though three or four items have been identified that may be areas to discuss, and if there are common threads affecting all of the people, perhaps there may be some good dialog. Hopefully, there will be twenty-four or twenty-five people around the table plus any audience attending. Stewart expressed his feeling it is a tremendous idea to share communication, and communication was one of Council's priorities going back to the January priority establishment meeting.

Stewart invited everyone to participate. It will be an hour and a half meeting, ending at 8:30 p.m. Meetings like this can go on and on, so there is a proposed closing time.

Mayor Strine added he thinks it is fantastic about this meeting; he would like to stress, however, to the public that the City has been communicating with all those people for the last five or six years, only never all together at the same time in the same room.

Stewart emphasized that is a good point; the communication process has improved dramatically, and it is through the efforts of a lot of the people who have been asked to participate. It is not unusual to communicate with them; the unusual is the common meeting.

Valentine W1 also noted it seems that all these entities are much more interdependent than they used to be. It doesn't mean that the rest of the county is being left out; it just makes sense where it is being started. It is a good idea.

(b) *Request for liquor permit hearing: (Transfer)*

From: Ports Petroleum Company, Inc., dba Gas Mart 750, 421 Claremont Avenue  
To: One Stop Gas, Inc., 421 Claremont Avenue

Law Director Rick Wolfe noted there have been no particular problems with this license, and there would be no reason to request a hearing.

Moved by Wertz and seconded by Valentine W1 to request no hearing.

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

MAYOR'S COMMENTS: *None*

PUBLIC HEARING

7:10 p.m. *Alley vacation, Eastern Avenue:*

Request to vacate an east-west alley located off Eastern Avenue; beginning between Lot Nos. 636B and 175A, South Ashland, and ending between Lot Nos. 632A and 618, South Ashland

Moved by Detrow and seconded by Valentine W1 to move to the public hearing.

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

Stewart introduced the hearing and gave the description of the alley in question. He opened the floor for public comments. There were none.

Proponents: None

Opponents: None

Moved by Valentine W1 and seconded by Wertz to close the public hearing and return to regular session.

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

Stewart asked about requesting legislation, and Wolfe told him they could entertain legislation any time Council wants.

Stewart asked for a motion to request legislation for the next meeting.

Moved by Valentine W1 and seconded by Detrow to present legislation at the next meeting.

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

ADJOURNMENT

Moved by Valentine W1 and seconded by Valentine W2 to adjourn.

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

Council adjourned the regular session at 7:55 p.m.

Submitted by  
Elaine C. Hootman  
Clerk of Council