

ASHLAND CITY COUNCIL

Minutes for Charter Members Meeting Economic Development Conference Room Thursday, February 8, 2007 7:30 a.m.

Charter Member Meeting started at 7:30 am

Purpose: To Review Charter every 7 years.

Session:

Meeting was called to order at 7:30 am by Ken Seidner, Chair

Roll Call.

Ron Baker, Dorothy Stratton, Bernard Sargent, Dennis VanScoy, Howard Scanlan, Kay Conrad, William Benz-not present, Ken Seidner, Ev DeVaul, Elizabeth Hipp, Nevin Bowers-not present.

Ken Seidner- I believe everyone received their copies of the Charter. Any suggestions or recommendations?

The letter I read and we put together the last time, to me I think it makes sense to go down that same road again, to contact all the Dept. Heads in the City and ask them for their ideas, there is something there is still not working, we will go from there and come up with our own suggestions and ideas and obviously if you have any along that line, set up a priority list and we will go from there. At least that is my thoughts. Ron, what do you think?

Ron Baker- I agree, I think from my own part I am ready to discuss some changes. I have been through the Charter, but may need more time to look things over, but I do agree that we should start probably with those that actually were recommended the last time to see if there is still interest there.

All In agreement, I would expand that to all City Employees. I think those people have just as much right to come in and say something and it is not going to cost anything, and in fact, it can probably go through interoffice mail so it shows we are asking all City employees that work with us every day, as well as City Council and Dept. Chairs and Employees. Have a Public announcement in the paper saying anybody else within the City can do the same thing and have two separate ones.

Dennis VanScoy- I agree with that also.

Kay Conrad- Absolutely. I also agree.

Dorothy Stratton- I apologize. What is everyone agreeing to?

Ken Seidner- Well, You got your copy of the last Charter Review Committee, Well the format that we used the last time identified may be concerns or ideas that we should change that we started with City officials, all department heads, we said public at large and we should talk to anyone that works in the City. But I think rather than just talking to them, I think the one thing we did come up with, we started out the last time, we had a couple of meetings and we started throwing out some ideas. The next time we refined a little bit and said, "Look, Bring your ideas in writing so that we have something concrete to work with", and so that is kind of how we went about it the last time. And that is what we are pretty much in agreement with and that is a pretty good format to work with and we will do the same thing.

Dorothy Stratton- I really think some continuity is important and if these reviews have taken place, and there is no record of them.

Ken Seidner- Well there is on the last one.

Dorothy Stratton- Right, but the fact that we have this last one, just makes me sad that we don't have all of before. We would want to review it all but at least each committee could review what had happened the time before.

Ken Seidner - In going through the Charter the thing that I noticed, the last one, there were 3 out of 10 recommendations actually that council had put on the ballot and were approved. There were 3 changes here, if you go back and look at the Charter there. Those guys in 1989, there were a lot of changes made in 1989 and before that, you can go by this current Charter, there wasn't much done other than before that. In 1963, there were 2 or 3 in there but you don't really know though, this is what we have to work with. My thought too is overall, I think this thing must be working pretty well. I have not heard. The last time even, we got some ideas and suggestions and things came up and then committee came up with some things that we looked at rather extensively, but as a whole, there were only 3 changes were made the last time around.

Anna Tomasek- I received a phone call from Ron Baker, and he asked if the Charter was on an Electronic Format. I called the Law Director, we have the Charter Code and Ordinances on disc from 2004 and I am going to make this available to the Committee, some are just in Word, and some are in Word Perfect. The other thing is, talking to our Technical Services Department, We are going to put the Charter on the City Website for the Citizens to review. And if you need anything else from my office in reference to this, please let me know.

Will this be on the City Web Site soon?

Anna – Yes. It is probably going to be up on the Web Site by Friday or Monday 2/9/07 or 2/12/07. We are working on it right now.

Ken Seidner - Thank you, that is a good idea.

Howard Scanlan- After we get these ideas in writing, are we going to be able to call these people and let them put it verbally.

Ken Seidner- We will get their suggestions and ideas in writing and we can call them and invite them in to a certain meeting and I know the last time, one night we had the Police Chief, Fire Chief here. We went over what they had in various departments. Some people did not come, but the ones that did gave us their suggestions and ideas. I think we can throw a letter together for all the Department Heads and Employees and get it out before the meeting of February 22, 2007. We do not want to cut it off in the two weeks. Next week is the 22nd and if you can have your ideas put together by then, please submit them to us. I think that is too soon to have anyone to come in to talk to us. I would like to be able to gather those ideas and then we can go from there. At least that is my opinion.

We ought to put some kind of deadline on that.

Yes. Maybe give them 1 month. Do you think that is too long? Yes. Maybe a couple of weeks and tell them of our next meeting and not to make that a deadline. Just so they know we are going to begin looking at that for comments.

We will put in the letter: Our next meeting is in 2 weeks, if you can have your stuff put together by then we would appreciate it, but certainly no longer than 30 days and we will go from there. We will also get a hold of the Times Gazette; I don't know what the format is to get a hold of them,

Valarie- I have four places to send it out. WMAN, Times Gazette, Mansfield News Journal and Al Lawrence, Mansfield News Journal.

Ken Seidner- put it kind of like a news release, and this is what we are suggesting. And the floor is open.

Ron Baker -In going through the Charter, I found about 30 different sections. This might sound, well, I don't think so, where the term him, his and he is used exclusively and I think it is time now to make it " Gender inclusive". I know that is one of the reasons I think that why Anna got this information here because I had asked is that going to require re-typing the whole Charter or do you have it on Electronic disc. That is why she checked it out. I do not know if this, if we do need to check it out, I don't think this would have to be passed by the electorate, I think we can just recommend that they can go into the Charter and make those changes and recommendations to the Board, but I think we need to get some clarification, legal clarification to make sure that that would be all right. There are about 30 different sections that have that terminology in there and I asked Anna, I said has that been in there? She said it has been in there since 1916. So it is time to change.

Why don't we just make that a recommendation now that Rick Wolfe can give us a ruling on?

Absolutely. So we want to know if it can be changed and legally what would be the responsibilities to get it changed? All we can do is make recommendations. We can recommend anything we want but it is up to Council either to move on it or not to move on it. Again the last time we basically came up with 10 things and they agreed to put 3 of them on the ballot.

Valarie: Did you elect and Chair person and Co-Chair person?

Yes. Ken Seidner is Chair and Ev DeVaul is Co-Chair.

Do you have an E-mail address Bernard?

Bernard Sargent- yes. I will give you my card.

Any more to add?

Dorothy Stratton- I know that when I had visited City Council, one of the things I noticed is that I know that they are supposed to consider things at 3 meetings before voting on them but they almost always do this extra step of suspending some rule and noting that the situation is an "Emergency" and then they vote on it right away. That was bothersome to me because it is usually not an Emergency and it is a matter of expediting routine business and I guess I do not like the word Emergency applied to things that are non-emergencies because then you do not know what is then an Emergency and what is expedient. And so I was most eager to find here in the Charter that process but I did not see it and I do not know. I would like to see where that is.

Valarie- I have that and it is 113.1 and I will make a copy of that.

Dorothy Stratton- I have suggested that perhaps another term, if the term "Emergency" has to be used then perhaps the term "Expedited" could be added like Emergency: Expedited so we would know the difference between a true Emergency and something that was just going through because it was actually 3 meetings. I don't know if that ends up being anything here but I would at least like to know you know the basis for it and you know whether a modification on a local level is possible. I do not have any problems with expediting business but I would just like it called expedited business.

Ken Seidner-And again, that is what this format is all about. Figuring out what is going on and I agree with you and I think a lot of times we are just doing this to get it done.

Dorothy Stratton- In my concern, you know from a citizens point of view, is that something that seems important to the citizens is then kind of just rushed through and becomes a habit I think, and if it is expedited I think that is fine. Not everything should take up time at 3 separate meetings, but I think it should be clear to the Council people and to the citizens what the situation is. And I know when I was there on a controversial matter, a lot of the people that were there with me were thinking; you know this is so important to us, why do they say it is an emergency and just handle it at one meeting, so I think if we can clarify this then I think the citizens wouldn't get upset about something like that.

Howard Scanlan- Her language would have to be changed.

Dorothy Stratton- But now are you referring to something else?

Howard Scanlan – Section 21 Charter- Emergency Ordinances and it just basically states that preservation, immediate preservation with public, property, health or safety. I mean a sidewalk waiver is not an Emergency to me.

Dorothy Stratton- Yes. I do have this marked and was wondering if this was the only place that it was referred to. Earlier where they were talking about the passing of Ordinances, there is nothing about 3 readings.

Howard Scanlan – That is in the Ohio Revised Code also. What is not in here, you will find in the Ohio Revised Code. Foreign, but it is there.

Ken Seidner- Do you have that available?

Valarie – Yes. It is in our book of Codes and Ordinances. I will make copies for everyone.

Ev DeVaul- Would it be possible Valarie to take the last year and see how many times that has happened that Emergency is used?

Valarie -. The term Emergency is used pretty much in all of Ordinances.

If you could look that up and see how many times that is used in the last year.

It becomes the norm and of course the problem I think is if majority of Council agrees to that, you know it is 2/3 it is there .

I do not have any objection to expedited business, I just think it should be clear that is why it is moving through quickly and then when it is really an emergency, use the word.

You almost have to constitute what is an emergency because some one is going out of town?

I think it speaks to that and in my past experiences, lets say you have a piece of equipment that breaks down and requires repair but the cost of it is going to be to the point where you have to have an Ordinance to get it done and that needs to go through some Emergency. Because I remember the time we had our ladder truck messed up, that one should have been an Emergency because we had to get it repaired and had to go to Pittsburgh to get it repaired and it cost in excess of what I was permitted to spend so we had to act as an Emergency in order to get it done. That is just an example, but that is not always the case, a lot of other things go through as an emergency.

It is just to get it off of the docket.

Dorothy Stratton - I also have marked that I don't have this to review the assessment section and I did not mark anything in particular other than I just felt that assessment stuff is really important now and that would make, it starts with section 76 and 83.

If you would look at that letter from the last review, clearly that was the one we had touched on then. There was an attachment that went with that that we did not get copies to. That was one of our recommendations of assessment procedures. We did have that

attorney Barry Keith that represents the city and a lot of things, he came down and talked with us one evening and we went over that and it was actually his stuff that he brought down was our recommendations because they want to see that change too. That is something we can look at again.

The same thing with strategic planning, there is a recommendation.

Valarie- May I see the letter that you have?

Who is the attorney? Barry Keith. He is representing the City, whether it is outside of his expertise but this guy came down and brought the attachment A3. (Made copies of the attachments for everyone. A2 and A3). Maybe he ought to be notified again that we are doing this. We do not want to leave him out.

I recommend that Rick Wolfe attend the next meeting and give us his recommendation to whether we should have his input as well as anyone else's in put on the language of the special assessments. It just seems to me that was a lot of stuff that just kind of went by the wayside. I think we can question Rick on the Ohio Revised Codes and the things that are in here he can have input also. Like these are things that should be considered. And a lot of things in the Charter are not really telling us anything. Make Rick a Copy of the Charter to update him. He could help us on things maybe considering. It is here but what is it telling you. Unless you are looking through the law books it is not really clear, it is just stating "referred to". (Made a copy of Charter for Rick Wolfe, Law Director). You can find all of these codes if you surf the internet and go right to the Ohio Web page and download it if you really want to but all you are going to get is referred to and you can get a stack of books just looking at one thing and go back and forth. It is crazy. So if we can have him here on Thursday February 22, at 7:30 am in the Economic Development Conference Room.

I also recommend that the illustrious Chair person review with Valarie the letter going out to the Employees.

Valarie – I will send you my E-mail.

Meeting dates were set up for Thursday morning March 8, 2007 at 7:30 am on 3rd floor in Council Chambers Conference Room (Economic Development Conference Room was unavailable) and Thursday March 22, 2007 at 7:30 am in the Economic Development Conference Room.

Adjournment:
Move to be adjourned at 8:30 p.m.

Submitted by
Valarie Bishoff
Clerk of City Council