
Ashland City Council

MINUTES FOR THE REGULAR SESSION OF COUNCIL July 17, 2007

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

Regular Session: July 3, 2007

No Corrections or Comments;

Motion to accept the Minutes by Glen Stewart, approved by Paul Wertz, seconded by Robert L. Valentine W1.

Ayes: Robert L Valentine W1, Robert M. Valentine W2, Ruth Detrow, Paul Wertz, Glen Stewart.

Comments of questions from the Audience: Items that are not included on the Agenda.

Ted McFadden: 810 W. 10th Street: According to the TV news, Foreclosures are up 87% from this time last year, and bankruptcies are up. I think it behooves each of you members of Council to think very carefully before you concoct any more Ordinances which are going to burden the people of the city.

John Chorpening: 1126 Overlook Drive: Last Session, constantly we were looking at ideas for Work Sessions. On June 30, Chief Burgess had a fine article in the paper concerning the Fire Department and its manning situations. They explained how many people you needed for a fire as suggested and how many people the department has average on duty and they explained minimal manning. I think the only thing left out of this article was the fact that minimal manning is less now than before the lay offs and there are no volunteers to help back the firefighters. I think you out to look at it, safety for the firefighters and for the public. I have a copy of the article.

Glen Stewart: If you could submit that to our Clerk, Thank you.

David Yanchunas: 1785 Kingwood Ct.: I want to go back to the proposed Ethanol plant that was talked about a while ago. The article made of a lot of statements, it was going to create some jobs, it is going to help with the energy independence etc. The only thing that's true, is it will create some jobs. E85 which is a blend of 85% Ethanol, 15% gasoline will not reduce our dependence on imported oil. The big winners in this will be the farmers, the plant operators

and the construction industry, so you are going to have some jobs. Ethanol produced from corn would not lessen the dependency on imported oil. For production of one gallon Ethanol requires, depending on whose estimate you take, $\frac{3}{4}$ of a gallon of petroleum, you get one gallon of Ethanol. The estimates on the net energy gain range from 25% increase to 0 or less. The Ethanol from corn energy is intense, it takes a lot of electricity, takes a lot of natural gas and it is stated in the article you use 100,000 gallons of water a day. It worsens as the mileage goes down. My wife has a 2000 Grand Caravan; it is an E-85, flex fuel vehicle. Cruising, because E-85 contains less energy per gallon of the gasoline, you can experience or expect an increase in fuel consumption. You can expect your mpg in your driving range to decrease by about 30%, compared to gasoline. That means if I take my wife's van with 4 gallons of gas in it and drive, say I go 100 miles, run out of gas, put 4 gallons of E85 and come back, I will get 70 miles, I will be 30 miles short, I won't be home and the result of this is because of this, we are going to have to use more fuel, more of this E85 to go a given distance and it is probably not going to lower the amount of pollution. It does burn better, because it is an oxygenated product. Also, the corn prices have increased to approximately \$2.00 dollars/bushel and the estimate is chicken prices will increase 10%, eggs about 21% and milk about 14%. Popcorn you will see a 40% increase. Corn is being used to produce Ethanol. That includes Pork and Beef. There is a title in the Library called "Future Energy", by Bill Paul and he talks about this and also there is a 2007 Scientific of America article on Ethanol plant production. All I would like to say is, if we put anything else in the paper, if you tell people we are going to save oil and make America energy independent, it is not going to happen with Ethanol, it will happen with some of the other things coming down the road, but it is not going to be with Ethanol. Thank you very much.

Anthony Watson: 1025 Elmarna Ave.: I would like to go back to the sidewalk issue. Residents of Ashland received a copy in the their water bills for a survey. Has that survey been completed? Is that information available to the public?

Glen Stewart: Yes it has.. It was made available about 4 weeks ago and to answer your question, yes. It was made available in one of these meetings. The final tally of how all of the yes and no's went was made available.

Anthony Watson: Is there a copy I could obtain?

Glen Stewart: Not right now, but sometime tomorrow if you will stop in, Valarie will you run a copy?

Valarie Bishoff, Clerk of Council: Yes Sir.

Anthony Watson: Was that survey done by an Independent Company?

Glen Stewart: Absolutely not, it was sent out in the Water Bill and two Council members put the questions together.

Anthony Watson: I would like to thank Jim here and the Valentines for getting my mail straightened out. It took about 3 months.

Fred Pryor: Well, on Myers Avenue, off of 16th Street where the City tore up the street and left a big crater. It is on a blind curve and I am still after them to fix the street, and they haven't done it yet. They paved the other streets that didn't need paved. It was nice, we enjoyed it, but the street wasn't in bad shape so we don't know why they paved it. But we would like them to pave the crater on the corner of 16th and Myers which is actually two separate Streets but the way it is set up, nobody knows it, so they come flying around that blind curve. Being how it is two separate streets, is there anyway we can get a stop sign put up so the kids don't have to scatter when somebody comes around the curve at high speed?

Glen Stewart: I don't think you will get an answer this evening. I would suggest that possibly the Mayor would ask the traffic commuter to take a look at that.

Fred Pryor: Well the street was tore up so a business could have a water line put in; not because of waterline damage or anything; strictly for a business to have water. It is a real eye opener. I had the police there a couple of times. It is a crater. The second thing I wanted to bring up were sidewalks basically out towards Wal-Mart where all of the shopping centers are going now. The traffic is getting worse out in that direction. More people are walking out there and riding bikes out there every day which I see because I go through there twice every day. It would be a difficult issue to get sidewalks especially when you have to cross the highway.

Glen Stewart: Noted.

LEGISLATION

Ord.

Item (a) **AN ORDINANCE ENACTING SECTION 927.03 OF THE CODIFIED ORDINANCES OF THE CITY OF ASHLAND, OHIO RELATIVE TO WATER CONNECTIONS; AND DECLARING AN EMERGENCY. 2nd Reading**

Moved for non-reading in full by Paul Wertz and seconded by Ruth 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 W 1, Valentine W2, Detrow, Wertz, Stewart

Glen Stewart: The first reading of this Ordinance was passed 2 weeks ago tonight. This would be the second reading at this point in time and whether it goes second and third, it will depend on this body.

Questions or Comments?

Fred Pryor: Is that the one where out of city hook up has to annexed into the city?

Glen Stewart: Yes. They have to annex or sign an agreement to annex when it is appropriate. Is that the right way to say that Mr. Wolfe, Law Director?

Richard P. Wolfe II – Law Director: Yes.

Do you have an extra copy of the Agenda with the Ordinances on them?

Glen Stewart: Are we out of copies of Agendas? We did not expect this many people, sorry for that.

Have you gotten anything back from the Companies?

Glen Stewart: I have not received any feedback from companies since the article was in the paper.

Brian Halligan, Attorney: 930 Claremont Ave.: Let me speak on that. I am the Lawyer for W.I.L Research Labs. We are here just to observe and also make a few comments. W.I.L. Research at this point is not necessarily for or against the Ordinance, as we understand it. We will say that however we have done five expansions in the last 10 – 12 years in 1992, 1995, 1996, 2000, 2006 and in each instance, management at W.I. L. Research and it's prior parent company (Great Lakes Chemical) got with City officials and the current mayoral administration at the time and were assured in each of the five instances that W.I.L Research would not be forced to be annexed or to be put in that situation. To the fact that the company has read about this in the newspaper, they feel a little bit blindsided.

Mayor William E. Strine: Excuse me Sir, That is not true. I personally have talked to a Representative from W.I.L. Research and was told that they would get back to me and they have not yet.

Brian Halligan, Attorney for W.I.L. Research: Well, they are getting back to you right now then. We're neither opposing it or endorsing it, we are in a fact-finding situation to investigate the financial consequences to the 620 employees at W.I.L., many of whom reside outside of the City of Ashland, many of whom will now be paying the 1.5% tax. The management does feel blindsided, I know that for a fact. We simply want to get a record that we will be making known our position relative in the near future but at this juncture, the Company is exploring the consequences to its employees and for the Company itself. And again, has made a conscious decision to put a lot of money into the facilities out there as everybody knows its now I think the second largest employer of the City, if not to the County. We also are looking into State Grants that were made available several years ago with the provision that there not be any forced annexation as condition of the funds being dispersed to the State and I am in the process of obtaining those documents as well. So, to summarily state that all of the Companies that are affected are for the annexation, is not a true statement.

Mayor Bill Strine: We did not say that, did we?

Brian Halligan, Attorney: Well not here tonight, but I read the paper two nights ago, and that it seemed that all of the businesses were in accordance with it; at least that is what I had read.

Mayor Bill Strine: I apologize for interrupting you, but you are saying things that are not correct.

Brian Halligan, Attorney: Well I know what I read. I read the article that said, companies seem to be (inaudible), _____, is not necessarily the case. There are so many employees and departments of the Companies concerned about the income tax.

Glen Stewart: Mr. Halligan, I accompanied the Mayor as well as our Engineer in a meeting with W.I.L. and I was trying to find a date, approximately 2 months ago. And we sat there face to face with some of their officers, or an officer, and although I can assure you that they were not exactly pleased with the Ordinance as it might have come out at the time, we did not blindside them in this meeting. In a Council meeting before it came out in the newspaper. They were aware of it, and assured the Mayor and Myself that there were some vacations and some trips that would not allow some of them to get together for two weeks and I have not heard anything but obviously they would address the Mayor, not me. We as Council take a great deal of pride in trying to communicate with our community. We are not always successful and the community does not always like what we have to do in our positions or what we do, but I would hate for the media to run with Council blindsided W.I.L. that would be amonias.

Brian Halligan, Attorney: I certainly understand that. I wasn't aware of the particulars of the meeting two months ago, considering what is said tonight to be an update although the Company again is still due its due diligence as well it should and I assume the other affected companies will as well.

Glen Stewart: We appreciate you coming in to share with us.

George Smith, Montgomery Twp Trustee: I am not in here about the annexations; I am here stating that the people don't have to annex in to have water. We have the documents on it.

Glen Stewart: Is that the document that you shared with me Friday morning. Okay, those are notes of the minutes that were taken of the meeting of May 20, 1986 is that right? And they are notes of the meeting, that was a Public Hearing and I share with the rest of you, and I am looking at that also.

George Smith: We have all of the documents from Chicago and the entire deal.

Glen Stewart: Do you have the Grant itself? Do you have a copy of the Grant?

No but I can get that.

Glen Stewart: I was told that your father had that.

Yes.

George Smith: The prosecutor has the whole thing there. It states you can't shut water off, you have to let them use that water whether you annex or not. They gave them an easement. I am not here to oppose annexation.

Questions or Comments?

Ruth Detrow: Only that we really need to get our facts completely in line before we can take any action.

Mayor Bill Strine: Well I believe that we have given our facts in line. The issues that have been brought up here this evening have been brought up at various meetings over the last 15 years. And no one has yet to show us a document that says that we cannot do what we are doing. In fact, when Doug was Mayor, we had Squire, Sanders investigate that in Chicago and there was no restriction that they could find, so if somebody else has some restrictions, I will be glad to take a look at it, but to this point, we have not had any.

George Smith: Is there a law that you can shut water and sewer off to people that you have already given to them? I don't understand you shut people off right here in Ashland.

Mayor Bill Strine: We have not shut anybody's water off yet.

George Smith: Yes. But, in the paper it says you will after 60 days. I am not bucking the annexation.

Mayor Bill Strine: Do you want your questions answered?

George Smith: Yes I would like to.

Richard P. Wolfe II – Law Director: This legislation is based on what the City of Perrysburg did a few years ago and that was a contested case that went to the State Supreme Court; and the State Supreme Court ruled in Perrysburg's favor, so in that regard, yes it is permissible. It should also be noted that this legislation doesn't relate only to the 250 corridor, it relates to all areas of the city; so if it should be shown at sometime that there is some reason that this would not be effective as to certain properties, it doesn't mean it is not effective as to other properties that weren't a part of that, so I am not saying that it is ineffective as to certain properties but if it should be shown to be the case, it is still effective against as to any other properties around the perimeter of the city.

Richard Edwards; W.I.L. Research Employee: I work at W.I.L. Research and I have lived in Ashland County for 10 years, I live in Montgomery Twp. and I will be able to vote for a new City Councilman this year.

Mike Meyer; E. Main Street: I remember this going in back on 1986, 1987 when it was being done, documentation and all that stuff, grant money. Ashland at that time was asked to see if they wanted to go ahead and expand out in that direction and at that point, they did not. Through the efforts of JC, he was able to receive the Grant money to put the water and sewer out there to that section. With this much kind of conflict coming down through the City Council, the people are arguing and debating. I think there is going to be a problem later on down the road and people are not going to be happy with what is being done, even though it is supposed to be our decision; there needs to be a majority in understanding to work with each other instead of Let's just do it! So I don't think this is the right way to do it, but it will be well worth

your while, and it is out there, I understand that, but to work with the community; that should be up there in your priorities.

Comments or questions?

Moved by Robert L. Valentine 1 and seconded by Robert M. Valentine W2 that the Ordinance be passed on the second reading.

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

Glen Stewart: Now, it has passed on two readings, we have 1 more reading to go; we can act on that this evening or we defer that to another meeting.

Paul Wertz: I would rather not act on it.

Glen Stewart: So there will be no further action on this item this evening relative to the Water commissions. What we have done; we have taken 2 of the 3 readings. The third reading is the critical reading; either it passes or it does not pass.

Ord.

Item (b) **AN ORDINANCE ENACTING SECTION 921.39 OF THE CODIFIED ORDINANCES OF THE CITY OF ASHLAND, OHIO, RELATIVE TO SANITARY SEWER SERVICE; AND DECLARING AN EMERGENCY 2ND READING**

Moved for non-reading in full 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 W 1, Valentine W2, Detrow, Wertz, Stewart.

Glen Stewart:: This Ordinance is nearly identical in stature to the one that we just discussed only it is relative to Sewer service. So in likewise this Ordinance was passed on a single reading two weeks ago.

Comments or Questions?

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

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

Glen Stewart: The action to read it for the 3rd Reading, No action. This Ordinance likewise will be on the next Special meeting. We have no more Regular meetings until September. So we may establish a Special meeting to act on this after we obtain additional information.

Ord. 48-07

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 WATER TREATMENT PLANT VALVES REPLACEMENT PROJECT WITHIN THE CITY OF ASHLAND, OHIO; AND DECLARING AN EMERGENCY.**

Move for non-reading in full by Paul Wertz, seconded by Ruth Detrow.

Ayes: Valentine W1, Valentine W2, Ruth Detrow, Paul Wertz, Glen Stewart

Comments:

Jim Cooper: This is a CDBG project. These are seven valves out at the Water treatment plant that I think that Bruce will attest to are inoperable or very close to that. They need replacement. They are major valves that function at the plant and help to distribute water to the City. We are asking you to approve this so that we can make those 7 valve replacements.

Comments or questions:

Glen Stewart: What is the time span once we get those contracts?

Jim Cooper: The plans are completed and I would expect this to be done next month and ½. Definitely be done by mid September at the latest.

Glen Stewart: Are these valves internal for the plant?

Jim Cooper: Yes Sir, they are in the yard.

Glen Stewart: So there has to be some excavating?

Jim Cooper: Yes Sir.

Bruce Wiser: They are large valves; they distribute the water throughout the city. No interruption to the city. Shouldn't be any problem.

Questions or comments?

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 W 1, Valentine W2, Detrow, Wertz, Stewart.

Move to suspend the rules, 3 separate meetings, 3 separate nights, by Paul Wertz, seconded by Ruth Detrow.

Ayes: Valentine W1, Valentine W2, Ruth Detrow, Paul Wertz, Glen Stewart.

Move the Ordinance be passed by Robert Valentine W1, seconded by Robert M. Valentine W2.

Ayes: Valentine W1, Valentine W2, Ruth Detrow, Paul Wertz, Glen Stewart

Ord. 49-07

Item (d) **AN ORDINANCE TO PROVIDE FOR AN ELECTION ON THE ADOPTION OF A PROPOSED AMENDMENT TO THE CHARTER OF THE CITY OF ASHLAND, OHIO; AND DECLARING AN EMERGENCY.**

Moved for non-reading in full by Wertz and seconded by Ruth 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 W 1, Valentine W2, Detrow, Wertz, Stewart.

Glen Stewart: This is the Ordinance addressing the first item that we received from our Charter Review Committee relative to Gender references in the Charter itself. Mr. Wolfe, this is the shortened version?

Richard P. Wolfe II, Law Director: Yes, that is what Council asked for.

Glen Stewart: This is the shortened version in other words; I would call it, a preamble that covers all of the gender references throughout the 38 pages in the Charter. Rather than go through each page of the Charter and change the He's to its and so forth. This will be our approach to making the Charter gender singular and pleural unless other context otherwise clearly required. So that is what this is about. This is the process that we would go through to get this to the board of elections and get it on the November ballot.

Questions or Comments?

Robert L. Valentine W1: Just so everyone understands what this is. Unless the context otherwise clearly requires reference to the masculine form to the feminine neuter form references to the pleural to the singular and references singular include pleural. The point is that there are thirty some pages otherwise, so this compensates for that.

Glen Stewart: So with the passage of this, it will show up on the ballot in the November general election.

Questions or comments?

Move the Ordinance be passed on the 1st reading by Ruth Detrow, seconded by Robert L. 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, Ruth Detrow, Paul Wertz, Glen Stewart.

Move to suspend the rules, 3 separate meetings, 3 separate nights by Paul Wertz, seconded by Valentine W1

Ayes: Valentine W1, Valentine W2, Ruth Detrow, Paul Wertz, Glen Stewart.

Move the Ordinance be passed by Paul Wertz, Seconded by Valentine W1

Ayes: Valentine W1, Valentine 2, Ruth Detrow, Paul Wertz, Glen Stewart

Ord. 50-07

Item (e) AN ORDINANCE TO PROVIDE FOR AN ELECTION ON THE ADOPTION OF PROPOSED AMENDMENTS TO THE CHARTER OF THE CITY OF ASHLAND, OHIO; AND DECLARING AN EMERGENCY.

Move for non-reading in full by Paul Wertz, seconded by Ruth 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, Ruth Detrow, Paul Wertz, Glen Stewart.

Comments:

Glen Stewart: This is a proposed amendment to the Charter that is relative to Section 52. The Ashland Civil Service Commission is authorized to adopt and promulgate local rules and regulations that vary from state civil service procedure as contained in the Ohio Revised Code and the Ohio Administrative Code. And then in conformity with this chapter provision section 52 of the Charter, the mayor shall appoint and designate the Chief of Police and Chief of Fire and set appointments of the Chief of Police and the Chief of Fire may be from within or from outside the ranks of the division of Police and Fire service division. This is another revision that was recommended by the Charter Committee and sent to Council for consideration. There were other recommendations we have not acted on yet, but this the second one this evening that we proposed to bring before this Council and possibly take action to put it on the ballot in the November general election.

Questions or comments?

John Chorpening: I believe it is a slap in the face to the Police and Fire currently serving the City of Ashland. And I just think that you may regret this.

Glen Stewart: I take that as a pretty stiff threat, which I don't appreciate.

John Chorpening: I am not threatening you. I am just saying you may regret the result of this.

Glen Stewart: I think that we had a rather select committee of a cross section of the community of Ashland, Ohio that made this presentation to us and it may be our opinion depending on whether we pass this or not that we want the opportunity to bring the best person forward to manage two very significant divisions in the City of Ashland Ohio, whether it be within or without and those within if they qualify, they will certainly be given the same consideration.

Comments or questions?

Robert M. Valentine W2: Well I stated the last time we talked about it; I think that being in our system to come up through the ranks ought to mean something. They know the City, they know the people. I don't know if you give them points for being here already but I would feel more comfortable if they were given some points because they came up through our system.

Glen Stewart: Mr. Wolfe is that something that rests within the Civil Service Commission.

Richard P. Wolfe II- Law Director: That is to be determined. This is the mechanism by which we can open it up to a system different to what we have now.

Comments or Questions?

Ruth Detrow: Are these two amendments going to be separate issues on the ballot?

Richard P. Wolfe II – Law Director: They have to go together, because if one passes and the other didn't, it wouldn't fit together, it wouldn't make sense. They both relate to the same issues so both of them need to be passed either together or not at all.

Glen Stewart: Keeping in mind that all of these ultimate decisions rest with the voters of Ashland, Ohio. What we are doing, is proposing to put this recommendation by the Charter Review Committee on the ballot for the voters of Ashland Ohio to make their judgment known.

Questions or Comments?

*Move the Ordinance be passed on the first reading by Ruth Detrow, seconded by Robert L. Valentine W1.
Ayes: Robert L. Valentine W1, Robert M. Valentine W2, Ruth Detrow, Paul Wertz, Glen Stewart.*

Move to suspend the rules 3 separate meetings, 3 separate nights by Paul Wertz, seconded by Robert L. 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, Ruth Detrow, Paul Wertz, Glen Stewart.

Move the Ordinance be passed by Glen Stewart, seconded by Robert L. 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, Ruth Detrow, Paul Wertz, Glen Stewart.

Res. # 12-07

Item (a) **A RESOLUTION AUTHORIZING THE CITY OF ASHLAND TO FILE AN APPLICATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR ASSISTANCE THROUGH THE CY 2008 OHIO COORDINATION PROGRAM AND EXECUTING A CONTRACT WITH ODOT UPON GRANT APPLICATION APPROVAL.**

Move for non-reading in full by Paul Wertz, seconded by Ruth Detrow.

Ayes: Bob L. Valentine W1, Bob L. Valentine W2, Ruth Detrow, Paul Wertz, Glen Stewart.

Comments:

Anna Tomasek: This is a State Grant from Ohio Department of Transportation that funds the Ashland Community Coordination Program. It is a Coordination Program that works with Ashland Social Agencies in the City to provide transportation to make it more affordable in the County. In 2008, the City will be applying for \$43,059.00 which the majority of those funds going to pay for a full-time coordinator and for transportation trips from the County. Most of these trips are for medical purposes, doctor's appointments. The Grant application is due for the State, September 4, 2007.

Questions or Comments?

Move the Resolution be passed on the 1st reading by Paul Wertz, seconded by Robert L. Valentine W1.

Ayes: Bob L. Valentine W1, Bob M. Valentine W2, Ruth Detrow, Paul Wertz, Glen Stewart.

Move to suspend the rules, 3 separate meetings, 3 separate nights by Paul Wertz, seconded by Ruth 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: Bob L. Valentine W1, Bob M. Valentine W2, Ruth Detrow, Paul Wertz, Glen Stewart.

Move the Resolution be passed by Robert L. Valentine W1, seconded by Robert M. Valentine W2.

Ayes: Bob L. Valentine W1, Bob M. Valentine W2, Ruth Detrow, Paul Wertz, Glen Stewart.

Res. 13-07

Item (b) **A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR FY 2008 TRANSPORTATION GRANTS. THESE GRANTS MAY INCLUDE THE OHIO ELDERLY AND DISABLED TRANSIT FARE ASSISTANCE PROGRAM, AND THE DISCRETIONARY URBAN CAPITAL.**

Move for non-reading in full by Paul Wertz, seconded by Robert L. Valentine W1.

Ayes: Bob L. Valentine W1, Bob M. Valentine W2, Ruth Detrow, Paul Wertz, Glen Stewart.

Comments:

Anna Tomasek: This is a State and Federal Grant for Ashland Public Transit. This is the transportation system that runs the City of Ashland. In 2008, the Federal operating dollars will be \$261,679.00 dollars. The State operating Grant will be \$64,353.00 dollars and at this time for 2008, Ashland Public Transit will not be applying for any capital dollars. We will not be purchasing a vehicle that will occur in the next Grant cycle in 2009. This Grant application is due September 4, 2007, State of Ohio.

Glen Stewart: Is this combined State and Federal for \$64,353.00.

Anna Tomasek: \$64,353.00 is the actual State dollars. The \$261,679.00 dollars is actual Federal dollars. The Elderly and Disabled program is \$23,366.00; and that money is for a program that are eligible or 65 years and older and are disabled receive a discount on their fares in the City.

Glen Stewart: So there are actually 3 packages \$64,353.00, 261,679.00 and \$23,366.00?

Anna Tomasek: Correct.

Questions or Comment?

John Chorpening: Is that for that Saturday Shopper?

Anna Tomasek: Yes. This runs City service. It runs Monday thru Friday from 6:00 am to 9:00 pm, Saturdays 8:00 am until 9:00 pm and Sunday from 9:00 am until 2:00 pm. We will be having a public hearing for public comment on August 16, 2007 at 9:00 am in the Council Chambers Conference Room for the Grant Application.

John Chorpening: Is that an increase?

Anna Tomasek: What, Grant dollars? It is actually a reduction of \$5,000.00 dollars, total for this year.

John Chorpening: So they are still projecting a carry over balance of \$42,000.00?

Anna Tomasek: Yes. Still projecting a carry over balance at the end of this year to be approximately \$40,000.00 dollars.

Questions or Comments?

*Move the Resolution be passed on the 1st reading by Ruth Detrow, seconded by Robert L. Valentine W1.
Ayes: Robert L. Valentine W1, Robert M. Valentine W2, Ruth Detrow, Paul Wertz, Glen Stewart.*

*Move to suspend the rules, 3 separate meetings, 3 separate nights by Paul Wertz, seconded by Ruth Detrow.
Ayes: Robert L. Valentine W1, Robert M. Valentine W2, Ruth Detrow, Paul Wertz, Glen Stewart.*

*Move the Resolution be passed by Paul Wertz, seconded by Robert L. Valentine W1.
Ayes: Robert L. Valentine W1, Robert M. Valentine W2, Ruth Detrow, Paul Wertz, Glen Stewart.*

WARD REPORTS

Ward 2: Bob Valentine

- (a) I turned one thing over to Mr. Wolfe, Law Director; I know he will take care of it.
- (b) Every once in a while we get a nice letter which I happen to have one and I would like to share a little history. I got a hold of Mr. Clingan because I got a letter from people on one of the streets with problems of trees hanging, blocking street lights, they would mow their yard and branches would hit their head. I forwarded it to Mr. Clingan and he took care of it and the letter states: Dear Mr. Valentine, I wanted to thank you for acting right away on this problem, also please let the Arborist Dept. and Mr. Clingan know that their person, Brian was very nice about the entire problem. He also explained how notices were left regarding the wrong streets last year about trimming. Thanks to all, Jerry and Jen Shearer 711 Ohio Street.

Ward1: Bob Valentine: None.

Ward 3 Ruth Detrow

- (a) I had one call about the repaving on Center Street and the person was unhappy because there are several places on the south end where there is almost no curb. I told him I thought it would be milled down, but I would get confirmation in our meeting.

Jim Cooper: Absolutely. It will be milled down by Kokosing similar to what they just completed on Cottage Street.

Mayor Strine: Jim, just to clarify, when they mill it down, it is going to come back up to the same level.

Jim Cooper: Yes Sir.

Ruth Detrow: So it won't be improved?

Jim Cooper: It won't be improved, but it won't be a danger.

Ruth Detrow: His comment was that the curbs up there would look like; when it is all done, it will look like a new suit with a T-shirt under it. That was rather interesting at any rate.

Ward 4 Paul Wertz

- (a) I have a couple of problems on open fires at midnight. Some people called the police and I will talk to the Police Chief again about it. We have this problem every year at this time. Fires burn all night long unattended.

At Large President Glen Stewart

- (a) None.

Old Business: Charter Revisions. I would like to defer that down to our Work Session following our Slide presentation.

New Business:

- (a) We have a vacancy on the Ashland Area Council for Economic Development. There is a Board member to be appointed. This Board member is a representative for the City of Ashland and must be a resident of the City of Ashland for this particular seat that was vacated. I will submit to this Council that Everett DeVaul be considered for this position.

Move to approve the appointment of Everett DeVaul by Paul Wertz, seconded by Ruth Detrow.

Ayes: Robert L. Valentine W1, Robert L. Valentine W2, Ruth Detrow, Paul Wertz, Glen Stewart.

Glen Stewart: This is an appointment that lies within the responsibility area of the City Council likewise if a representative from the commissioners on the commissioner side, if they would have a vacancy, the commissioners would act in the same manner for replacement of one of their representatives, it is a five Board member.

Comments or questions?

- (b) Bogner Construction Company- Ashland Times Gazette is proposing to complete alterations to their facility and parking lot located at 40 East Second Street. As this facility is located within the fire limits of the city, we are submitting on their behalf, plans of the proposed alterations for review and approval of City Council.

Bill Studenic, Bogner Construction, 3110 Shreve Road, Wooster Ohio 44691: The primary purpose of this Canopy addition at the edge of Times Gazette is to provide an area that they can bring papers on trucks from Wooster and distribute them out to the various delivery people in a somewhat enclosed out of the elements facility. There is a current garage building to the East of their office building, that is roughly 50' by 80" that will be torn down and the Canopy will be situated roughly in the middle of the property north or south adjacent to the existing office building. They have a dock and a door there; it goes into the garage at that location now. The canopy structure is all steel frame would have a band of steel siding on three sides, and would be open underneath. So they could park the truck there and cars would come in a one-way direction, pick up the papers and be on their way. I don't know if you all got drawings. The whole site plan shows some reconfiguration of the parking area and it would have one-way traffic coming in off of 3rd Street and head south underneath the canopy and then from there traffic could go back out onto Second Street. The primary purpose of coming before Council is since the facility is located in the fire district; we need your approval on it.

Troy A. Dix, Times-Gazette: A number of years ago we did some internal remodeling. The building needed it. The outside area needs it now. This is primarily trying to make it fit a better downtown environment; tearing down the garage and putting in some Landscaping, and better facilitating newspapers. We are just trying to clean up our own area.

Ruth Detrow: Just to clarify. I think what you do for your own reasons is fine, I don't have any problem with it but just to make sure I have it right in my mind. As I am looking at it from Second Street, that would be the South elevation on your sketch? So that is the part you are going to tear down on the right side, as I look at it.

Troy A. Dix, Times-Gazette: Correct. It is a one-story garage.

Ruth Detrow: So that will be gone and there will be a canopy in there instead.

Troy A. Dix, Times-Gazette: Correct. It sets back about 60'. Our current garage door is about 8' high and we have two trucks and they do not fit in there.

Questions or Comments?

Glen Stewart: I have to ask the Law Director, do we have the authority without the Fire Chief's input on this to okay this, being it is in the Fire District?

Richard P. Wolfe II – Law Director: You should have his in input; but unless you see a problem with it; I am presuming he had the opportunity to review it and comment on it. And if he didn't comment, probably there are no objections to it.

Mayor William E. Strine: I do not know for sure that he has looked at, but I would assume that he has.

Richard P. Wolfe II – Law Director: What is the material that you are using?

Troy A. Dix, Times-Gazette It is a structural steel frame and metal siding.

Richard P. Wolfe II – Law Director: That doesn't sound like it would be a major issue.

Glen Stewart: It would liken itself to some of the Service Stations Canopies only it is attached to the building with pillars on the outward side.

Questions or Comments?

*Move Alterations to be accepted by Paul Wertz, seconded by Robert L. Valentine W1.
Ayes: Robert L. Valentine W1, Robert L. Valentine W2, Ruth Detrow, Paul Wertz, Glen Stewart.*

Glen Stewart: You are all set; it only took 57 minutes to do that.

(c) [Planning Commission, City of Ashland Ohio – Wireless Telecommunications Collocation Installation, rooftop of Ashland University Library.](#)

Steve Williams, 355 E. Church Street, Marion, Ohio 43302: We are the Architects here on behalf of Verizon Wireless.

Mayor Strine: I would like to point out that this was presented to the Planning Commission and the Planning Commission did recommend to Council to approve this. It is a good effort of using a facility to put a tower on rather than building a new tower.

Does this have to be approved by the FAA because of the height of that being atop a building?

Steve Williams: No, actually there are taller structures than what we will be using.

Glen Stewart: I want to comment. I read through some of the material and it sounds as though this is for a service improvement within the University as well as the community itself, is that accurate?

Steve Williams: That is accurate, yes. It is addressing coverage which benefits students in that area, but it certainly adds to the coverage of the community as well.

Glen Stewart: Will this eliminate any freestanding towers that are about the community now?

Steve Williams: No.

Glen Stewart: And you are already set with the University, is that correct? Are they acceptable to it?

Steve Williams: Yes. They are agreeable to this installation.

Richard P. Wolfe II – Law Director: We have an Ordinance that encourages collocation of such facilities rather than having separate towers.

Questions or comments?

*Move Installation be accepted by Paul Wertz, seconded by Robert L. Valentine W1.
Ayes: Robert L. Valentine W1, Robert M. Valentine W2, Ruth Detrow, Paul Wertz, Glen Stewart.*

Robert L. Valentine W1: I probably should have mentioned this as Old Business, but I mentioned something at the last meeting and I didn't want it necessarily done this meeting, but just to mention it to the Mayor, about Insurance.

Mayor Strine: Did we schedule that for a meeting?

Robert M. Valentine W2: You are supposed to get a hold of Cherie and see what she can do with the Insurance.

Glen P. Stewart: Why don't we put that on one of our first September meetings?

Robert L. Valentine W1: How is the situation as far as the change with garbage pick up and how is that working?

Curt Young: I am not sure that there is a specific issue.

Robert L. Valentine W1: One thing which was brought to my attention is that if you have a 32 gallon can and you stuff in a bag, you put it out on the street, you are not supposed to take it out of the can and set it there, it stays within the can, doesn't it?

Curt Young: It just stays there.

Fred Pryor: I wanted to ask a question about the garbage pick up. I have been told that they have to pick up everything, short of tires and batteries they find on the curb.

Curt Young, Sanitation: I am not really sure how to answer that except no we won't pick up tires and we don't pick up batteries.

Fred Pryor: Like wood, Furniture. Things that are not garbage, too big for cans and you are picking up couches.

Mayor Strine: We are providing a service to our community. So there are times when it is necessary to pick up things like that and we do that and we charge if people put things out like that.

Fred Pryor: Well, the regular trucks just grab them as it is going by, they are not going to get charged.

Curt Young: It is a judgment call generally on the part of the workers on the crew. We do have limitations by the hopper full. Whatever it takes to fill the hopper in that truck. When it exceeds the point, then there is a charge for it. Generally people do call in advance and set up a special pick up for a large volume of material. We are just really trying to meet the needs of the public, not to make it any more complicated than it needs to be.

Fred Pryor: Well what I am told by someone who is working there now, if it is there; it gets thrown in the truck. Some of this stuff shouldn't be going to a landfill to be dumped. I just wondered if they changed things.

Mayor Strine: I would suggest perhaps that individual you might ask him to talk to Curt if he has an issue with what he is doing?

Fred Pryor: Well he didn't, but I was wondering about it.

Mayor Strine; If he doesn't have an issue with it, why would you have an issue with it? I don't quite understand, if we can provide a good service to our community.

Fred Pryor: No that is not what I am trying to get across. It costs a lot to dump the stuff, they have to go a long distance, so what I am saying is, if it is there, they are throwing it in a truck.

Mayor Strine: Why don't you come in and talk to us about it?

Glen Stewart: Mayor Strine attempted to share with you basically a service that is, there are some of those who call for a special pick up and like any service I presume there may be some that abuse it a bit. But I think we have a pretty darn good service and I don't care to fix something that is not broken.

Mayors Comments:

- (a) I would just like to announce that Karen Graven-Gelber resigned from the Planning Commission and I have appointed Chester Millheim to fulfill that term.

Regular Session adjourned at 8:07 p.m.

Work Session begins at 8:08.

Discussion: 20-Minute Slide Presentation on the Wellhead Protection Program.

Glen Stewart: We need to get a Work Session scheduled for in September.

Work Session to follow the meeting on Tuesday September 18, 2007

- (a) Update on the Industrial park Infrastructure: Where do we stand, the Farm itself as far as buildings, have a plan to dismantle some of those buildings, suggest to Council consider codes involved prior to the sale of the property. What do we expect from the proposed purchaser. What our expectations might be, before we enter into a purchase agreement. I think that is city owned land, it is the City, not Economic Development Dept that needs to manage that, and the city should manage that.*

Mayor Strine: When you say upgrade on the Industrial Park, are you looking at that from the prospective of construction going on?

Glen Stewart: I would like to know from the standpoint of all of the infrastructure, where do we stand on that, where do we stand on the farm itself, as far as buildings and so on. I think we have a plan to dismantle some of those buildings. I am going to suggest that our Council people consider some sort of codes that would involve prior to the sale of the property. What do we expect from the proposed purchaser; what our expectations might be before we enter into a purchase agreement. I think that that is city owned land. It is the city, not the economic development department that needs to manage that. The city should manage that, but I think my personal view, based on some recent sales, we were concerned about some of the criteria that this Council felt was appropriate and I think I may even present some of that and it may very well be a significant piece of what Evan has researched. So we will do that on the 18th of September 2007.

And Cherie, you are going to do yours on the First Regular meeting in September on the 4th, 2007?

Cherie Helterbride: Yes.

Glen Stewart: Council, do we want to go any farther with the Charter Revisions that have been presented to us? If we do, we need to do that ASAP.

Robert L. Valentine W1: The only question I have is the proposals that they made. In this one letter that was sent, dealing with City/County. Al said, he advised with the approval of this Charter to section 50 does not automatically mean that it would be required to take place, it would only give current Council or future Council the opportunity to consider and/or move the next step forward. Current Charter language per conversation with Law Director, Mr. Wolfe would not allow combination contract. That is what I was trying to point out.

Glen Stewart: Number 3- Finance Director's qualifications, we said no not at this time. Number 4 – which was the Charter for the Mayor through the Safety Service Director – we said no at this time. Number 5 – recommend Council to pursue combining City/County and the discussion there was I recall discussing, do we really want to put something on for the voters to give us the authority to do something without their vote. That would be, I think what Al's letter addresses is that we could put a Charter Revision and then put the power within the future Council to move to a single entity. I think that is where our discussion stopped as to whether you really wanted to ask the community to put that authority within the body.

Paul Wertz: I thought we had already agreed to put that on for 2008 to re-evaluate?

Glen Stewart: Yes. 2008. And also the clarification of the language for Emergency Ordinances, we said no. So actually, we are done with our Charter for this year. The Charter does not have to wait any specific time before we can prepare something for the next general election.

Robert L. Valentine W1: The thing is, I think once you establish a precedent to follow through.

Glen Stewart: I would not say anyone of them are bad, there are some that need more in-depth review. Some are not time sensitive to this election. Is that appropriate?

Mr. Paxton, did we give you enough time?

Larry Paxton: Yes Sir. Thank you very much. I appreciate it.

[Wellhead Protection Plan Program Presentation:](#)

First of all, thank you for changing your schedule around to allow us to have this informational meeting for Wellhead Protection Program. To date, Mr. Wisner started this process about two years ago. We have with us this evening Chris Everett, Geologist from Burgess and Niple Engineering out of Columbus Ohio. This is the firm the City employed to develop the Wellhead Protection program for us. He has a 20-minute slide presentation for you this evening. Also we invited the Township trustees where our wells are located in as well.

Chris Everett, Geologist: I am going to talk today about the Wellhead Protection Program in general. What is the purpose of this presentation? Essentially this is what we would call a staple or presentation. Really our goal is to inform anyone here in attendance about general aspects of Wellhead Protection planning as well as specific efforts undertaken by the city. Why am I here? Do you drink or do you use the water supply for the City of Ashland? I suspect many of you do. Do you live or work in the city? Do you live near the city water supply? Well, if so, you are a stake owner, essentially anyone who uses the water, lives near the water is effected by the use of the water, they're a stake holder and anyone has a vested interest. So what is water protection? I guess in technical terms, it is protection of all the areas surrounding the water supply well from which the well's ground water. The program is designed to safeguard the drinking water supply by preventing contamination and I put the emphasis down on preventing because, believe me, once you have contamination, it is a mess. You do not want to deal with it. So if you can prevent any sort of impact to your water, that is the way to get it. The program also focuses on detecting contamination. Administration of the Wellhead Protection Program as a whole. It was originally mandated by the Federal Government through the Safe Drinking Water Act. With that the US EPA was charged with general oversight of the Water Protection program and really the US EPA in addition to the drinking water, they are really responsible for Federal Laws involving source control and pollution prevention. Knowing that, the Ohio EPA is the local one responsible for implementation and enforcement of Federal action as well as State actions. And then you come down to the City of Ashland which the City specifically plans their Wellhead Protection Program specific to the Community. Why? Well first of all, the EPA says

you have too. So that is where you start. In broader terms, drinking water is really an important resource. I think here in Ohio and the Midwest in general, we tend to take water abundance for granted but the reality is we have some of the best water supplies in the world. Drinking water, portable water for any use is just becoming critical worldwide. In a broad stroke that is the first consideration. You want to prevent Emergency abandonment or remediation of a wellfield in case it does become contaminated. It helps to prevent large capital expenditures for good water treatment facilities, which might include air-stripping towers. Anyone that knows the situation down in Wooster, they have had massive contamination problems over the years. They just installed new activated carbon facilities. If you do find a problem, having a good plan in place really gives you a lead-time to react if there is a problem.

Glen Stewart: Can I ask a question? The contamination in Wooster, Is that the well field?

Chris Everett: That is where it ended up eventually. They never determined who was primarily responsible. There is so much industry there.

Glen Stewart: So this is an occurrence that is even semi-local to us?

Chris Everett: And that is the point, it is certainly not an isolated incident, it is one that is very local here. I have to assume everyone has heard of Wooster. They are not the only ones. Massillon, their wells are not contaminated but they have issues and concerns. You do not want it to be contaminated. Really it is the focus of Wellhead protection in preventing that. So what are the components of a Wellhead Protection Program? First of all you have to delineate what your Wellhead Protection area is or what that area around your well is that withdraws water and the markers for that are 1 in 5 years; so you delineated one year Wellhead Protection area and then surround that with your 5 year Wellhead protection area. Once you delineated those you inventory potential contaminate sources within those areas and it doesn't mean that those sources impact your well. Through a combination of practices or maybe chemicals that they keep on site. If there wasn't a problem, it could protect you.

Finally you have protective strategies and protective strategies are exactly what it says, to prevent or protect. Including Public education, which falls under this meeting today. Really that is the most important thing. Making people aware of what they do, how it can affect their drinking water? Source control strategies can involve things like Ordinances specifically ones I've seen before, ask for industries within a Wellhead Protection area to submit annual inventories of chemicals on site. Contingency planning, most water systems have contingency plans in place, that has been my experience in Ashland. Contingency planning just means you are planning for emergencies.

Essentially it is a plan that there is some sort of impact that is detected and gives you a written plan that people know what to do in that event. And then finally, there is what we call Ground Water Monitoring which is essentially analyzing ground water samples that you collect at specified intervals maybe semiannually or annually at a specified distance from your water supply wells. Usually at somewhere near your 5-year Wellhead Protection area boundary or if you have a known problem with some systems, you know there has been a spill and you hear about the facility you want to specifically be a part of that. So just in general, here is a quick summary of where Ashland is. The Wellhead Protection area delineation and kind of a summary were completed by the Ohio EPA themselves in November 2003. The potential contaminate source inventory is currently undergoing revision as part of the protective strategies planning which is in progress. It is really a more detailed one that focuses a little more strictly on one and five year Wellhead Protection areas and the reason the city is so interested in protective strategies at this point is there are grant funds available and it is from the clean water act section 319.

Assuming you have a particle of water or a molecule of water that is sitting right at that five year delineated boundary. It is going to take five years for it to get to the molecule and that is assuming movement with what we would call ground water. It involves identifying and inventorying all

of the contaminate source within your Wellhead Protection areas. You want to identify past, present. Potentially future land uses. Note: It is really important; an identified source is not necessarily a threat to ground water supply. You know reasonably anticipated if there was an accident or whatever, a spill that it could have the potential to do so. Through my experience, folks who are identified as an owner of a potential contaminate source tend to get a little upset. Protective strategies which is what we are working on in the City right now. They're workable strategies for preventing, detecting and responding to ground water contamination within the Wellhead Protection area. You will never see another protective strategy plan that is exactly like Ashland's. That is because it is tailored to the community. Each community is different. I have done many of these over the years and I will tell you, they are not even remotely alike when it comes down to it. The components, we have two of what I would call prevention strategies which are: [Public Education, and Source Control Strategies](#), [Detective Strategies, which is ground water monitoring, and the Response Strategy, not really a strategy, but contingency planning; I mean what do you do if there is one.](#)

If there is any information anyone would like specifically about Ashland's Wellhead Protection program, you can contact Mr. Bruce Wisner, myself Chris Everett or Ms. Heather Raymond of the Ohio EPA. She is actually a very approachable gal; really enthusiastic about her job and she is not the "Drop the hammer" kind of EPA person that maybe people would think of. So in conclusion, Wellhead Protection Plans are developed and implemented by the local owners and operators of large community public water systems utilizing ground water and that is part of the Ohio EPA's Mission Statement. Any questions?

Ruth Detrow: We got with our materials the Wellhead Protection Plan for the City of Ashland, and I understood there are three businesses that are a moderate risk instead of a low risk so does that mean we need to do something about that?

Chris Everett: It is really an informational type thing, I mean, again, any municipality or water surveyor could take specific steps if they want to, you know I have seen communities that basically do nothing all the way up to, and I live in Columbus and they have probably got one of the most overcompensating Wellhead Protection Plans I have ever seen. They go to the point of regulating farmers who live in their Wellhead Protection areas making them submit inventories of any fertilizers or chemical on an annual basis and along with that, that is actually Codified for the City of Columbus. I can't necessarily recommend that you do or don't do that. I really look at the source inventory as an informational tool. It gives them something to keep an eye on and just to be aware of. I think you always have to be careful when you go into implementing some sort of regulatory process. To tell you from experience that Columbus has had nothing but headaches, the city has been trying to buy new land for additional wells, and no one will sell it to them. I really like to push educating the population. Keep your eyes open. If you are out in the field with your tractor and your gas tank ruptures and you spill a load of gas, call somebody, don't just ignore it. Those are the sort of things that I think are much more effective over regulation. That was the long version.

Glen Stewart: What is the frequency that is recommended for the contaminate sources? How often do you re-inventory them?

Chris Everett: I generally recommend an annual inventory, usually that will change. You might get one or two that come off. You know, if you just make a habit of doing it on an annual basis, it kind of becomes routine. If you wait five years in between, you might have to make some staff changes. I don't think I would delay more than annually. I have seen some that do every two years.

Paul Wertz: The actual Wellhead itself, the city owns that particular wellhead?

Chris Everett: No. You lease it and the 300-foot radius around it. That falls under a different program.

Paul Wertz: A couple of years ago, there was a report on Wellheads given and it said the city had to lease so much land around that wellhead for its protection and they increased it. I just wondered if we meet that criteria.

Chris Everett: You either have to have easement or ownership of a 300-foot radius around each well. There was talk of going to something like 1000 foot radius, but that didn't happen, simply because most water supply wells would not be able to meet that.

Bruce Wisner: Keep in mind even though we have got an easement for 300 feet, that doesn't mean that the farmer isn't going to allow you land in that area, they usually do. We just don't have trouble with that.

Ruth Detrow: They aren't restricted from using fertilizers in the area?

Bruce Wisner: Obviously that is a good thing, knowing what kind of pesticides they use, because we really have never had any problem when we tested the wells, a clay soil tends to be very good for keeping contaminants from getting into the well.

Chris Everett: I can actually expand on that a little bit. The really big thing you need to worry about in farming, more than anything is Nitrates on fertilizers. Pesticides and Herbicides are what we call; they don't like to dissolve in water is the best way to put it, so it does not travel through the soil, making it to the ground water. In addition most pesticides and herbicides do what we call photo degrade. So the presence of sunlight over time, breakdown into products not harmful. Nitrates are a problem anywhere that there is farming. Really land application of fertilizers is a lot better than most situations. In a lot of systems where they obtain ground water and what we call very bad deposits underlying like the Tuscarawrus River over near Massillon. A lot of their waterings are coming from the River. Well if you think about fertilizer application, a lot of it ends up as run off and ends up in the River. So if you are drawing large amounts of water from the River, major Nitrates. But even so, I mean you have a limit of 10 parts per million for drinking water. Most systems max out around 4-5. Columbus probably has the highest I have seen, but that is because they are actually drawing water straight from the River. Every spring we get a notice in the mail about the drinking water.

Ruth Detrow: Is there a program, we are thinking about a Reservoir, for a Wellhead Protection type of thing for the Reservoir.

Chris Everett: Yes, actually the Wellhead protection falls under a Water program called Source Water Protection and a Reservoir would fall under the Source Water Protection, very similar. It is just a way of delineating your one and five year boundaries is a little different. It is really more of a technical issue than anything. Essentially with ground water, you are looking at molecule travel through the ocufor. The surface water source you are talking about watershed runoff.

Questions or comments?

John Chorpening: It is unusual to have all of your water sources in one area?

Chris Everett: Actually I would say that the City's is pretty spread out. This is actually one of the proper well fields I have seen. If you look at your one year protection area sir, there are gaps between them so if you have something that shows up in your well up here, you can assume it is

going to be quite a bit of time before it would ever show up in your wells. That is actually an excellent situation for a water system. That is not available to most water systems.

Mayor Strine: You assume if it showed up in the bottom one that it would never show up in the top one?

Chris Everett: That is correct. Because we didn't mention it here but what is this Jerome Fork that flows through here? Ground water is flowing to the South so if you have something show up here, it is either going to flow into your wells that are intercepting it or further on down.

Ruth Detrow: We wouldn't have control over contaminates out in the countryside at all. Does the EPA control that or who does? Or does anyone?

Chris Everett: No one really controls that. Obviously there are regulations put on source of what you can buy or use. Although if someone wants to break the law, I suppose they will just ignore this. This is where education is so important. Making people aware to their actions can affect the water that they drink or that their friends drink. Most people want to believe they are getting a clean drink of water and they do not want to do something to it.

Larry Paxton: This completes the program. It will be submitted to the EPA and Chris Everett would like a copy of the Minutes and the notes. Thank you for the time.

Comments or questions?

Motion to adjourn meeting by Glen Stewart, moved by Robert L. Valentine W1, seconded by Robert Valentine W2.

Ayes: Robert L. Valentine W1, Robert L. Valentine W2, Ruth Detrow, Paul Wertz, Glen Stewart.

ADJOURNMENT AT 8:43 P.M.

Submitted by
Valarie Bishoff
Clerk of Council