
Ashland City Council

MINUTES FOR THE REGULAR SESSION OF COUNCIL Tuesday, June 17, 2008

Council President Paul Wertz called the meeting to order at 7:00 p.m.

ROLL CALL

At-large: Stephen L. Stuart Present
Ward 1: Robert L. Valentine Present
Ward 2: Robert M. Valentine Present
Ward 3: Ruth Detrow Present
Ward 4/President: Paul Wertz Present

PLEDGE OF ALLEGIANCE

PRESENTATION OF MINUTES

Regular Session: Regular Session 6/3/08; Executive Session 6/9/08

No Corrections or Comments

Move to accept the Minutes by Ruth Detrow, seconded by Robert M. Valentine W2.

Ayes: Stephen L. Stuart, Robert M. Valentine W2, Ruth Detrow, Paul Wertz

Abstain: Robert L Valentine W1

Paul Wertz: The next item on the agenda is D.A. R.E. Essay winner Mallory Regula, 6th grade class.

Jeffrey Shipper, D.A.R.E. Police Officer: Every year we have an essay contest among the schools and then those representative schools are then put into a contest for city-wide and then the essay we feel is the best and best represented is picked with the theme which is “ Why they have the power to resist the use of drugs and violence.” It is then selected and they are given some things such as a couple of tickets to Cedar Point itself and an invitation by City Council to be here this evening.

- See D.A.R.E. Essay read by Mallory Regula on file.

Paul Wertz: That was very well done, Thank you. (Audience clapping)

Mayor Stewart: I would like to share my thoughts. I have attended several D.A.R.E. graduations and it is one of the most fulfilling type events that you can go to and I share with any of you if you have never attended a D.A.R.E. graduation, it will be something you will not forget. This is a time when the parents really come out to be behind their kids and they really share with what the kids have learned and the kids share with them what they have learned. Thanks to our Ashland Police

Officer Jeff Shipper, through the many, many years of presenting this program, I appreciate it and I offer my thanks to you and I offer my thanks to you also Mallory Regula for doing such a great job and congratulations.

Public Hearing: The city of Ashland is a recipient of Fair Housing grant money from the Ohio Department of Development through the Community Housing improvement program (CHIP). Michelle Burdette, a representative for CHIP is here with a presentation.

*Move to go into a Public Hearing by Robert L. Valentine W1, seconded by Robert M. Valentine W2.
Ayes: Stephen Stuart, Robert L. Valentine W1, Robert M. Valentine W2, Ruth Detrow, Paul Wertz.*

Michelle Burdett, CHIP Program: I am Michelle Burdette and I am here in place of Cheryl Staron, that could not be here today; I am also the C.H.I.P lady. I administer the C.H.I.P Grant for the City of Ashland. Some of you have met me, some have not. The City of Ashland contracts with ORDC to provide Fair Housing education outreach and services to the residents of Ashland and I would like to briefly share with you what the Fair Housing Office does. It is our responsibility to educate the general public regarding your rights such as Fair Housing legislation. When a county, city township organization agency receives community development grant funds from the Ohio Department of Development we conduct the necessary Fair Housing sessions like this one right now and these sessions fulfill the requirement of the Grant agreement. Our office also receives a few tenant/landlord calls. We do not have an attorney on staff but we do have several resources available; we can help someone explore their options and point them in the right direction to find an answer to their questions or problem. The Director of Fair Housing, Cheryl Staron is available to speak to any group regarding Fair Housing issues and the presentation can be tailored to the groups needs. Our office maintains a toll free number 1-800-581-3247 in order to be accessible to the general public; also we distribute Fair Housing materials, which include the toll free number throughout the community. I am also going to drop these off to Valarie, Clerk of Council, Fair Housing brochures for anyone who would like them and that concludes the Fair Housing presentation. Are there any questions?

Robert L. Valentine W1: How long has this been going on?

Michelle Burdette: The Fair Housing program? I am not sure.

Anna Tomasek: The City of Ashland's has been going on since 1999.

Questions or Comments?

Motion to move back into Regular Session by Paul Wertz, moved by Robert L. Valentine W1, seconded by Ruth Detrow.

Ayes: Stephen Stuart, Robert L. Valentine W1, Robert M. Valentine W2, Ruth Detrow, Paul Wertz.

LEGISLATION:

Ordinances:

Ord. No.# 25-08

Item (a) AN ORDINANCE AMENDING SECTIONS 923.03 AND 923.04 OF THE CODIFIED ORDINANCES OF THE CITY OF ASHLAND, OHIO, RELATIVE TO SANITARY SEWER SYSTEM CHARGES; AND DECLARING AN EMERGENCY (2ND READING)

Comments or questions?

Move to pass the Ordinance on the second 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: Stephen Stuart, Robert L. Valentine W1, Robert M. Valentine W2, Ruth Detrow, Paul Wertz.

Move to suspend the rules, two separate meetings, two 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: Stephen Stuart, Robert L. Valentine W1, Robert M. Valentine W2, Ruth Detrow, Paul Wertz.

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

Ayes: Stephen Stuart, Robert L. Valentine W1, Robert M. Valentine W2, Ruth Detrow, Paul Wertz.

Ord. No.#

Item (b) AN ORDINANCE AMENDING CODIFIED ORDINANCE CHAPTER 1184; REPEALING THE EXISTING CHAPTER 1184; AND DECLARING AN EMERGENCY.

Move for non-reading in full by Paul Wertz, seconded by Robert M. Valentine W2 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: Stephen Stuart, Robert L. Valentine W1, Robert M. Valentine W2, Ruth Detrow, Paul Wertz.

Jim Cooper: Over a considerable period of time the Planning Commission has been looking and reviewing at changing to some degree the sign Ordinance and this what you have in front of you is a look at those changes. Ideally if we had time to look it over very closely and then have questions, we certainly will address them. If you have concerns that need to go back to the Planning Commission we could certainly do that. This is a first effort to make some changes if you find it necessary.

Questions or comments?

Paul Wertz: In section 1184.02, under item (h) does that basically mean that the signs can only have four colors on it? Is that right?

Jim Cooper: Four different colors, it would be what I would consider flat colors.

Paul Wertz: Who will be enforcing this; will it be Roger?

Jim Cooper: Yes Sir.

Mayor Stewart: The changes are all in caps? And anything that has been taken out is left there but lined out?

Jim Cooper: Yes sir.

Mayor Stewart: So the entire before and after Ordinance is actually in place here. This is a very comprehensive form for signs. A lot of time was spent on it and it has some good things in it. It is very precise.

Paul Wertz: Jim, does the Engineering office feel comfortable with this Ordinance?

Jim Cooper: Yes, it is going to give Building and Zoning better control with the situation sort of ambiguous. So they seem happy with it. Some mention of concern about the area for yard signs, like school signs and that type of thing. It is eight square feet in here. The school activity sign is not to exceed eight square feet.

Mayor Stewart: The current signs are significantly larger than that. The schools use the yellow signs that you put the letters on. Those are considerably larger. I don't know how they fit into this Ordinance.

Questions or comments?

Mayor Stewart: Jim, the Civic banner; is that a banner that would be posted on a light pole, for instance or across the street or neither?

Jim Cooper: My understanding on this or our discussion with this would be somewhat like what the University might put across the bridge out there on Claremont.

Move the Ordinance be passed on the first reading by Ruth Detrow, seconded by Stephen Stuart.

Ayes: Stephen Stuart, Robert L. Valentine W1, Robert M. Valentine W2, Ruth Detrow, Paul Wertz.

Ord. No. # 26-08

Item (c) AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR, DIRECTOR OF PUBLIC SERVICE, TO ENTER INTO A MODIFICATION OF THE ROCK ROAD/WELLS ROAD SANITARY SEWER PROJECT-SIMONSON CONSTRUCTION SERVICES INC. CONTRACT AUTHORIZED BY ORDINANCE NO. 59-07; AND DECLARING AN EMERGENCY.

Move for non-reading in full 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: Stephen L. Stuart, Robert L. Valentine W1, Robert M. Valentine W2, Ruth Detrow, Paul Wertz.

Jim Cooper: This is a final change order, as we got into this project, there had to be modifications made to meet some requirements that were brought up by the EPA Lowell Green. When we developed this project, we did not include the electrical work that was included with equipping this. So this will cover what was not included in this.

Questions or comments?

Stephen Stuart: Yes, I understand those things happen. The change orders on both change orders total about 30% of the total cost of the project, which is kind of unusual.

Jim Cooper: Yes Sir. It is more than we would like.

Moved by Stephen Stuart and seconded by Robert L. Valentine W1 to pass the Ordinance on the first reading 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: Stephen Stuart, Robert L. Valentine W1, Robert M. Valentine W2, Ruth Detrow, Paul Wertz.

Moved by Ruth Detrow and seconded by Stephen Stuart 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: Stephen Stuart, Robert L. Valentine W1, Robert M. Valentine W2, Ruth Detrow, Paul Wertz.

Moved by Paul Wertz and seconded by Robert L. Valentine W1 that the Ordinance be passed.

Ayes: Stephen Stuart, Robert L. Valentine W1, Robert M. Valentine W2, Ruth Detrow, Paul Wertz.

Ord. No. # 27-08

Item (d) AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR, DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND TO ENTER INTO A CONTRACT FOR SEVENTEEN (17) WATERLINE REPLACEMENT PROJECTS IN THE CITY OF ASHLAND, OHIO; AND DECLARING AN EMERGENCY.

Move for non-reading in full 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: Stephen Stuart, Robert L. Valentine W1, Robert M. Valentine W2, Ruth Detrow, Paul Wertz.

Jim Cooper: This is a request to go out to advertise for bids on the 17 waterlines. We were fortunate enough to get a congressionally mandated project for the 17 waterlines from Congressman

Regula. The federal share was \$675,000.00 dollars. We had to come up with 45%, which was \$552,500.00 dollars. This goes a long way to help us in our effort to have a solid replacement program for the city of Ashland. In the last 7 or 8 years Curt Young and Engineering; we worked together. Curt's people, they know where the problems are. From a size standpoint or age standpoint or type of material, they come up with priority lists and that is how these were generated and the plans are basically done; we have reviewed them. The quantities have to be put onto the plans. It is a rather large package that has been all at one time and we have until the middle of next year to get this done. We decided this in-house. Phil and Laura did the field work, again Curt Young has helped us immensely giving us advise with all of the plans. This is a citywide effort to improve our infrastructure.

Questions or comments?

Howard Scanlan: Where could people get a copy of that list of replacements plans?

Jim Cooper: I can send it to you; I would be glad to.

Move the Ordinance be passed on the first reading by Ruth Detrow, seconded by Stephen Stuart 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: Stephen Stuart, Robert L. Valentine W1, Robert M. Valentine W2, Ruth Detrow, Paul Wertz.

Moved by Paul Wertz and seconded by Robert L. 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: Stephen Stuart, Robert L. Valentine W1, Robert M. Valentine W2, Ruth Detrow, Paul Wertz.

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

Ayes: Stephen Stuart, Robert L. Valentine W1, Robert M. Valentine W2, Ruth Detrow, Paul Wertz.

Ord. No. # 28-08

Item (e) AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF EQUIPMENT FOR THE WATER TREATMENT DIVISION OF THE CITY OF ASHLAND, OHIO; OBVIATING FORMAL ADVERTISING AND BIDDING; AND DECLARING AN EMERGENCY.

Move for non-reading in full by Ruth Detrow, seconded by Paul Wertz 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: Stephen Stuart, Robert L. Valentine W1, Robert M. Valentine W2, Ruth Detrow, Paul Wertz

Michael Hunter: By this Ordinance we are requesting authorization to purchase a Ford F250, 2008. This will be a replacement vehicle that is going to be replacing a 1988 GMC pick-up with 98,000 almost 99,000 thousand miles on it. My Superintendent had a note in here saying it is old

and falling apart. We need to replace this vehicle with one part of our operating budget. Money was placed in the budget for that purpose and we are requesting permission to make a purchase at this time.

Robert M. Valentine W2: Is that through the State Purchase Plan?

Michael Hunter: Yes.

Stephen Stuart: I guess I have a question why we had to have this Ordinance? What kind of authority does the Mayor currently have as far as authorizing purchases?

Richard P. Wolfe II-Director of Law: In my opinion, he has the authority to authorize purchases up to \$25,000.00 dollars. This is the second time we had to prepare an Ordinance like this because the Finance Director would not authorize payment.

Stephen Stuart: And why is that happening?

Richard P. Wolfe II- Director of Law: I cannot answer that.

Anna Tomasek, Finance Director: Because the City of Ashland' s purchasing policy in Administrative codes 107.01 states that all purchases require to go before Council anything over \$15,000.00 dollars.

Richard P. Wolfe II: That is not true.

Stephen Stuart: And you are the Law Director making this judgment, Anna?

Anna Tomasek: That is per the State Auditors opinion.

Stephen Stuart: Have you in the past signed purchase orders that were less than 25,000.00 dollars or exceeded somewhere between the range of \$22,000.00 and \$25,000.00 dollars?

Anna Tomasek: I would have to go back in to records and look. I cannot answer that at this point in time.

Stephen Stuart: Is there a likelihood in the six years that you would sign something like that?

Anna Tomasek: No since I was only the Finance Director since March 1, 2006. It has always been the policy of \$15,000.00 dollars or higher coming before Council. Council has the ultimate power on the appropriations.

Stephen Stuart: So, my question is, " You don' t know whether you have ever done it?"

Anna Tomasek: In my opinion, no. But I would have to look that up and do research on that.

Stephen Stuart: Well we have a situation where you are putting your judgment in terms of what the Ohio Revised Code says above that of our City Law Director.

Anna Tomasek: It is our City purchasing policy that states that.

Richard P. Wolfe II- The city purchasing policy is just that, it is a policy that was put in effect by the Finance Director, Nancy Boyd at the time and was in conformity with state law 735.05 which at that time I believe it was \$15,000.00 dollars. The limit by state law has been raised to \$25,000.00 dollars. This issue came up either in December or January of this year and I provided an opinion that said in my opinion, policy was superseded by a subsequent change in State Law and that did not seem to solve the problem so here we are back here again on the same issue. As far as whether the State Law controls or whether anything else controls it. If Council has an Ordinance setting a limit or something, the Charter then would take precedence. Absent that, the State law controls. So that is the current circumstance right now and I think if the Mayor has that authority up to \$25,000.00 dollar limit.

Anna Tomasek: And per the State Auditor's office when they reviewed the records, all of our policies in the administrative codes is \$15,000.00 and in order to go to \$25,000.00, Council needs to prove to increase that and then you would be in compliance with all of the rules and regulations. Council has to have that ultimate authority to change that threshold.

Richard P. Wolfe II: The threshold is set unilaterally by policy by the Finance Director then, at that time. Council didn't adopt that policy. So Council can set it; can set it at \$17,000.00, 20,000.00 whatever it wanted too, but absent that, the State Law applies. I have no idea what is meant in reference to Administrative Codes. The State does not have it in Administrative Code.

Anna Tomasek: It is part of the Codified Ordinances.

Richard P. Wolfe II: Well, in the Administrative section; if you are referring to that 107, that is a totally different issue than what we are talking about here.

Anna Tomasek: It is under contracts.

Richard P. Wolfe II: It is a credit for local contractors. Totally different issue.

Anna Tomasek: In that section 107.1 under Administrative code, it actually specifies the threshold being at \$15,000.00, that Council can only; any purchases under \$15,000.00, any elected official can purchasing anything, but anything above \$15,000.00 dollars, Council has to approve. The ultimate decision on the purchasing threshold is Council.

Mayor Stewart: In order to get this vehicle purchased, it was my election and direction of Mr. Hunter to get the information from our Law Director and get this Ordinance before Council. The State Bid process for this year closes on the 20th and I did not want to risk not being able to get the paper work filed at an appropriate time and the Law Director has granted our request and presented this Ordinance.

Stephen Stuart: I applaud you for doing that Glen but I am also personally dismayed that you have to do that. You know, one of the real and only disappointments that I have experienced as being appointed newly to City Council, is the lack of team work coming from our Finance Director where an inordinate amount of time of everyone is spent because there is not teamwork.

Questions or comments?

Move the Ordinance be passed on the first 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: Stephen Stuart, Robert L. Valentine W1, Robert M. Valentine W2, Ruth Detrow, Paul Wertz.

Moved by Paul Wertz and seconded by Robert L. 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: Stephen Stuart, Robert L. Valentine W1, Robert M. Valentine W2, Ruth Detrow, Paul Wertz.

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

Ayes: Stephen Stuart, Robert L. Valentine W1, Robert M. Valentine W2, Ruth Detrow, Paul Wertz.

Ord. No. # 29-08

Item (f) AN ORDINANCE AFFIRMING THAT THE CITY OF ASHLAND' S PURCHASING POLICY IS AND SHALL CONTINUE TO BE IN COMPLIANCE WITH R.C. § 735.05; AND DECLARING AN EMERGENCY.

Move for non-reading in full by Robert M. Valentine W2, 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: Stephen Stuart, Robert L. Valentine W1, Robert M. Valentine W2, Ruth Detrow, Paul Wertz.

Richard P. Wolfe II: I have prepared this to prevent what has happened in the previous Ordinance from happening again. It shouldn' t be necessary but this is the second time this issue has come up.

Ruth Detrow: I really hate to see us pretending that the Finance Director can make the rules and the Law Director' s job is to interpret the law for us. It is not the Finance Director' s job. She has no business doing that.

Questions or comments?

Richard P. Wolfe II: This is affirming that we are following the provisions of 735.05 and it sets the limit currently at \$25,000.00. It does accommodate any subsequent changes to State Law which you can elect to approve or disapprove if such occurs, but that way if there is a subsequent change two or three years from now; another number, inflation, whatever the case may be then that number apply to the city unless you choose otherwise.

Move the Ordinance be passed on the first reading by Robert M. Valentine W2, 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: Stephen Stuart, Robert L. Valentine W1, Robert M. Valentine W2, Ruth Detrow, Paul Wertz.

Moved by Paul Wertz and seconded by Stephen Stuart 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: Stephen Stuart, Robert L. Valentine W1, Robert M. Valentine W2, Ruth Detrow, Paul Wertz.

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

Ayes: Stephen Stuart, Robert L. Valentine W1, Robert M. Valentine W2, Ruth Detrow, Paul Wertz.

Resolutions:

Res. No. # 10-08

Item (a) A RESOLUTION DECLARING COUNCIL' S INTENTION TO VACATE A CERTAIN ALLEY LOCATED IN THE CITY OF ASHLAND, OHIO (Scanlan alley vacation)

Move for non-reading in full by Robert M. Valentine W2, seconded by Robert L. Valentine W1 to invoke Section 113.01 of the Codified Ordinances as the distribution of this Resolution has satisfied the requirements of said Section and that a further reading be dispensed with at this time.

Ayes: Stephen Stuart, Robert L. Valentine W1, Robert M. Valentine W2, Ruth Detrow, Paul Wertz.

Paul Wertz: We would like to set the Public Hearing in 30 days for the alley vacate. The first week in September, September 2, 2008.

Robert M. Valentine W2: That is thirty days?

Richard P. Wolfe II: You can hold a Public Hearing for whenever you choose, as long as it is at least 30 days out. You need to decide now when it is going to be. If you want to go ahead and start planning your August, you can. But the next Regular meeting beyond the thirty-day window would be the first week in September.

Robert M. Valentine W2: Well I just thought as long as this was taking we were going to. Usually we do not wait this long for something like this.

Robert L. Valentine W1: We are talking about August 5, 2008?

Paul Wertz: Technically, the next meeting, we are not entitled to schedule a meeting.

Richard P. Wolfe II: What you will have to do is call a Special Meeting that night which will be at least one of the items on the Agenda.

Paul Wertz: So we can have the Special Meeting and send out the Agenda two weeks before, right?

Richard P. Wolfe II: Yes.

Robert M. Valentine W2: So if there is anything else we need to add to it, we can always add it?

Richard P. Wolfe II: Sure.

Robert M. Valentine W2: All right. I appreciate that.

Valarie Bishoff, Clerk: At 7:00 p.m.?

Paul Wertz: Yes.

Robert L. Valentine W1: Did they really name that Scanlan alley there?

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

Ayes: Stephen Stuart, Robert L. Valentine W1, Robert M. Valentine W2, Ruth Detrow, Paul Wertz.

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

Ayes: Stephen Stuart, Robert L. Valentine W1, Robert M. Valentine W2, Ruth Detrow, Paul Wertz.

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

Ayes: Stephen Stuart, Robert L. Valentine W1, Robert M. Valentine W2, Ruth Detrow, Paul Wertz

WARD REPORTS:

Councilman At-Large: Stephen L. Stuart

- (a) I had a call from a woman within the city to get rid of the rabbits in her yard.

Ward 2: Robert M. Valentine

- (a) I had a couple of calls this last weekend about the weekend before. Awful poor reception on the HD channels. I had it too. So I called Pittsburgh, the Home office and voiced my displeasure as our City Councilman with people calling my house. So couple days later, I did not have the problem then. I was a little concerned.
- (b) I also had a guy call me about a catch basin, which I turned over to Curt; I know he will take care of it. I talked to Mr. Cooper about it too.
- (c) I turned in a couple of high yards to Mr. Wolfe and I guess those are in the process.

Ward 1: Robert L. Valentine

- (a) The people up in Garfield really appreciate. You couldn't put grass there in the middle of winter. I think they understood that. Of course now, they leveled it off and I haven't really gone over there and looked.

Jim Cooper: It is probably about 70% re-seeded. There is a very wet area and we are in contact with them. We are holding \$3000.00 dollars until we get that done and there was one small crack under the porch slab, which the contractor will build a new slab and fix that also. Other than that we are in quite good shape.

- (b) I had two or three that called me within the last couple of weeks and they don't want to be negative at all. They really appreciate what is being done.

Ward 3: Ruth Detrow

- (a) I heard from someone who is concerned about what kind of traffic there might be on East Bank Street when work is being done on the Siler property. It is just something we need to keep in mind I think. Bear in mind that the people who live there may be kind of surprised at the volume of traffic. I think we are working on it. It won't be too bad. If it becomes a very busy facility, it seems that road going out to East main would work better. I talked to someone about how access is to be gained by the public to the Siler property. That is a couple of years away probably. But I was told that access would be through East Bank, there is a stub end at East Bank that comes right up to the property. But there is also another driveway and it goes in from E. Main Street and that is a busy street anyhow. That is a place where you would expect a lot of traffic. So I am just thinking, it is something for us to keep in mind and in our plans and so on so that we don't have a lot of traffic going in and out of what was a dead end street.

Ward 4/President: Paul Wertz

- (a) Rick, on grass complaints, I have had two calls that I turned in on grass. Can I call Darlene to see if they are in the process or what?

Richard P. Wolfe II: Call me. She is on vacation this week.

Old Business: None.

New Business: None.

MAYOR'S COMMENTS:

Yes, I would like to comment a little bit. I too have been up to the Siler property on East Bank Street and we had some concerns about high grass on the Siler property and concerns about Poison Ivy and Poison Sumac. I left the individuals with a voice mail today. I was into the next two weeks for this action day and to take a very large Wild Cherry Tree down because it has poison ivy with large stocks growing up. We have been in to kill it more than once and there are some folks that are very allergic to poison ivy and poison sumac. We will start within the next couple of

weeks to clean it up. At the same time, once we, all in one swat, on the Siler property behind those fences, we will not tolerate any additional dumping of grass clippings and that sort of thing in making a trash yard out of it. We will clean it up and mow it once a week and keep it reasonable. It is a farm, but we don't expect it to be a dumping ground either. So that is the situation.

Richard P. Wolfe II: And removal of poison ivy, etc. was one of the things we agreed to take care of.

Ruth Detrow: Easier said than done.

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

Motion to move into an Executive Session to Consider Employment of Public Employees by Paul Wertz, no action will be taken and we will then return to Regular session, moved by Robert L. Valentine W1, seconded by Stephen Stuart.

Ayes: Stephen Stuart, Robert L. Valentine W1, Robert M. Valentine W2, Ruth Detrow, Paul Wertz.

Moved to Executive Session at 7:51 p.m.

Moved to return to Regular Session by Robert L. Valentine W1, seconded by Robert M. Valentine W2.

Ayes: Stephen Stuart, Robert L. Valentine W1, Robert M. Valentine W2, Ruth Detrow, Paul Wertz.

Move to Adjourn Regular Session by Stephen Stuart, seconded by Ruth Detrow.

Ayes: Stephen Stuart, Robert L. Valentine W1, Robert M. Valentine W2, Ruth Detrow, Paul Wertz.

Adjournment of Regular Session at 8:41 p.m.

Submitted by
Valarie Bishoff
Clerk of Council