
Ashland City Council

MINUTES FOR THE REGULAR SESSION OF COUNCIL Tuesday, January 20, 2009

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

ROLL CALL

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

PLEDGE OF ALLEGIANCE

PRESENTATION OF MINUTES

- (a) Special Session – 12/31/08
- (b) Regular Session – 1/6/09

Moved to receive Minutes as correct Robert M. Valentine W2 and seconded by Robert L. Valentine W1 to approve the minutes as received.

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

LEGISLATION

Ordinances:

Ord. No. # 1-09

Item (a) 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 THREE (3) HIGH-SERVICE PUMP REPAIRS PROJECT WITHIN THE CITY OF ASHLAND, OHIO; AND DECLARING AN EMERGENCY.

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

Jim Cooper: This is a CDBG project. These folks are in dire need of some repair. We will repair one at a time and it will give us enough time that we can ultimately come up with a project that we can replace them. I think Mike will agree there; they are needed. \$48,300.00 dollars is the CDBG's amount.

Robert L. Valentine W1: How do we do this? Do we contract with someone to do it or put it out for bids or what is the situation?

Jim Cooper: We will put this out as an advertisement in the paper and this is kind of a specialty type and we will pick out contractors that this is their expertise.

Robert L. Valentine W1: What about \$80,000.00 ?

Jim Cooper: \$60,000.00.

Questions or comments?

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

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

Move to suspend the rules, 3 separate meetings, 3 separate nights by Paul Wertz, 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: Ruth Detrow, Paul Wertz, Stephen Stuart, Robert L. Valentine W1, Robert M. Valentine W2.

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

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

Motion carried.

Ord. No. # 2-09

Item (b) AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE PURCHASE OF EQUIPMENT FOR THE ASHLAND MUNICIPAL COURT; AND DECLARING AN EMERGENCY.

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

Mayor Stewart: I don't have anyone here from the court tonight, but this is a continuation of trying to upgrade the equipment in the court system given the direction towards some of the current equipment that they need. It is out of their budget. Special projects 248-2601-53030 and I recommend that we pass it.

Questions or comments?

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

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

Move to suspend the rules, 3 separate meetings, 3 separate nights by Paul Wertz, 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: Ruth Detrow, Paul Wertz, Stephen Stuart, Robert L. Valentine W1, Robert M. Valentine W2.

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

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

Motion carried.

Ord. No. # TABLED

Item (c) AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR AMBULANCE BILLING SERVICES FOR THE CITY OF ASHLAND, OHIO; AND DECLARING AN EMERGENCY.

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

Comments?

Mark Burgess, Fire Chief: This Ordinance will allow us to go out for request for proposal to contract out Ambulance billing. We have been doing Ambulance billing since about 1970 when the Fire Department took over Ambulance transport from the funeral homes. Since that time, there have been a lot of changes. We think that after much study, we have been meeting since last May 2008. The Finance Director, the Mayor, and myself and staff to try to improve the system and do what is best for the community and the General Fund. We think that going out and having a vendor that does this, as their sole business will improve our collections, increase our revenue and if we do it the right way it will be minimal impact to the taxpayers we serve. So we have the request developed; we would just like to proceed with this.

Mayor Stewart: May I comment? I think that based on what Chief Burgess just said, "Yes, we have been meeting for some period of time". One of the key measures in any proposals we get back is that we want to continue to serve the community with the same personal type service we get. We would not expect that these calls be answered and you want to speak multiple languages and the discussions of the Chief and myself and Anna and others have had; it is pretty important to us that we continue with a level of personal service to these clients. And Anna, do you have any idea how many calls you get on something like this? But people have questions and we want them to be answered in a business-like but kind of Ashland kind of manner.

Anna Tomasek: And we get a lot of clients that come through our door and give payments also. I have some concerns regarding this Ordinance: *I am in agreement with this Ordinance except for the second paragraph and I have a prepared statement that relates only to the second paragraph. This ordinance before council regarding ambulance outsourcing of billing services on the agenda for tonight is not fiscally prudent to approve. I do consider outsourcing to improve city services to address the fiscal operations of the city. I started restructuring this and asked the Law Director for a legal opinion on April 30th because I wanted a legal opinion on outsourcing all such as this Ambulance billing and the operation for Municipal Income Tax. I had asked him directly on those two topics. Basically tonight's legislation in the second paragraph states that the Finance Director has requested delegation of her duties in regards to Ambulance service. This is factually incorrect. In my opinion, I feel that the wording in this legislation is improper and violates the city charter and particularly to the legal opinion that I asked Mr. Law Director and he stated his legal opinion on May 2, 2008 in a letter to me. In this letter he states that it would be possible that this outsourcing, he is talking about outsourcing in general, that it would violate section 37 in the Charter and it may require a Charter amendment and he definitely indicated that outsourcing would require City Council to pass legislation. In addition, he also stated that the Director of Finance should maintain supervision and control of all of the collection process, the money. The word "delegation" in my opinion is not maintaining supervision and control and the other major concern that I have and Council needs to be aware of; when contracting it out, it requires a special audit of controls which is an additional cost to the city. This is required by the State Auditor's office, it is known as SAS70. The word delegate is improper because I cannot give up my authority by City Charter unless the citizens of Ashland vote to change the Charter. Outsourcing is simply hiring a reputable firm to perform the work. I am in agreement that I favor this legislation only if the Finance Director contains and maintains control over the billing collection process in compliance with all of the laws. In conclusion, the city of Ashland needs to justify the outsourcing in compliance with all Federal, State and City laws. I would highly recommend since there is a difference of a legal opinion that we go through a third party such as a State Attorney General Office to give a proper opinion on how to handle the delegating of the Finance Director's authority. In my opinion, from the Law Director's letter on May 2 that this potential legislation would put the City of Ashland in potential litigation. Thank you very much.*

Robert L. Valentine W1: Now you are talking about the bill selection process. For instance, what do you mean? You want that authority, is that right?

Anna Tomasek: To maintain the authority to oversee what just has to happen according to SAS70 which is a strict requirement that I have to maintain for responsibility and proof that money is coming in and that the reports are accurate and correct. There has to be an audit to ensure proper internal controls of this third party administering the collection process. That is required by State Law.

Stephen Stuart: Based upon your knowledge of the kind of outsourcing of Ambulance billing which is done of my understanding by the majority of communities like Ashland. Does not the Finance Director maintain these kinds of things that you are desiring?

Anna Tomasek: What I have found out from talking to North Central Municipal Finance Officers Association, Council delegates the outsourcing to the Finance Director. The Finance Director actually handles the bidding processing contract and make sure that the entity is in compliance with all state auditing requirements such as SAS70. And SAS stands for (Statement of Auditing Standards).

Ruth Detrow: Anna, I would like a copy of your remarks. They were lengthy and in some cases surprising and I would like to be able to see what you just said.

Anna Tomasek: Absolutely.

Mark Burgess: Part of the RFD includes the SAS70 audit, that is part of the services, provided by the vendors that they do that internally on a routine basis to make those adjustments and they can support that.

Anna Tomasek: It has to be a requirement.

Paul Wertz: You know, Anna, I don't know how many meetings that we have had but none of this was brought up. Why do wait until the Ordinance comes out today? You called me at 3:00 p.m., and if you had the concern about this before, why didn't you say something to us all as a group?

Anna Tomasek: When I originally received this Ordinance, this second paragraph was not in it. It was not in the legislation. I saw it this morning, and I addressed you immediately as soon as I saw it.

Ruth Detrow: It was in as of Friday.

Anna Tomasek: Right. And I was in auditing meetings on Friday.

Stephen Stuart: You and I have had a discussion about this, this afternoon and as far as I am concerned, we have to place our confidence in our Law Director to come up with the appropriate wording for Resolutions and I believe from my standpoint and reading the letter that you referred to that he wrote to you May 2, he has done this appropriately.

Questions or comments?

Richard P. Wolfe II- Director of Law: Well yes; either she (Anna Tomasek) is on board with this, or I recommend that you don't approve it. There is a difference of opinion that she is expressing as to whether she is the contracting authority whether the Mayor and Council are going to be the parties entering into the contract and that is a decision you folks have to make among the three separate parties. If you tell me you want it otherwise, we want to draft it so that she does all of the contracting and certainly Council can permit that. But the oversight of collection of monies of the city is the responsibility of the Finance Director and if she isn't in agreement with this, then you shouldn't pass this legislation.

Mayor Stewart: It takes me by a bit of surprise, quite a bit of surprise in that Chief Burgess indicated, or someone indicated we have been meeting since May. Actually, it was significantly before that we first started dialogue on this and I don't know that this paragraph the Finance Director is referring brought all of this other to the surface or not. It seems incredible to me that something we could have been talking about for numerous months and I was of the opinion that we were all on the same page surfaced today. But so be it.

Paul Wertz: That is what I thought also.

Anna Tomasek: I have no problem with the legislation except the word delegate; that is not proper in my opinion. It is the wording. If the Ordinance was worded differently such as outsourcing.

Stephen Stuart: Well the fact that you are outsourcing, you are delegating it.

Anna Tomasek: No there is a difference between outsourcing and delegating.

Stephen Stuart: You are placing yourself Anna, as a legal authority in this matter.

Anna Tomasek: No I am not. I am acting as a Fiscal officer for the City of Ashland.

Stephen Stuart: Well if you think that it is in the best interest of the City of Ashland, that this be contracted out, I don't know how to describe it other than you are delegating that to another agency for that function.

Anna Tomasek: You are hiring and contracting a firm. A reputable firm vs delegating could be anybody.

Ruth Detrow: Could I ask Mr. Wolfe a question?

Paul Wertz: Yes, go ahead.

Ruth Detrow: I am all right that if we made a change such as Ms. Tomasek is suggesting then that would put all of the authority for going for a bid. I mean we take it away from the Mayor and it would give that authority to her. Is that what we are saying? I mean if we made the changes?

Richard P. Wolfe II: No. What I am saying is, that the Charter says that the duties and responsibilities of collecting public monies is that of the Finance Director and Council has no authority to delegate those away unless she is in agreement with that. And if she isn't, then we can't do it. If she is, then you can proceed. Her issue about oversight; in my letter in May I said it would have to be a requirement that she maintain oversight over any collection by some outside party. And as the Chief already indicated that would be part of the proposal. So I see no issue here whatsoever. No valid issue.

Comments or questions?

Move to Table the Ordinance by Robert M. Valentine W2, seconded by Stephen Stuart.

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

Robert L. Valentine W1: We have tabled this; of course we can bring it back up again. In what way are you going to change this? Otherwise you are in agreement with everything but the second paragraph. In what way are you going to change it and what responsibility will that give to you that you wouldn't have had, had we passed this?

Anna Tomasek: The only issue I have with the Ordinance is the word delegation of duties. That cannot occur unless the citizens of Ashland vote by ballot to remove duties. To delegate your duties away.

Mayor Stewart: So if you would Ms. Tomasek, what duties specifically are we talking about? Do you see it is your duty to issue the request for proposal, analyze the bid process and award the contract? Or do you want to maintain fiscal responsibility via audit and the contracting process would remain in the Mayor's office?

Anna Tomasek: The two responsibilities that cannot be delegated is the collection of public monies. That is per Section 37 of the Charter. And the second one is to make sure we have in compliance with SAS70.

Mayor Stewart: Would you please answer my question? My question is, do you suggest that you will handle the bidding process and the auditing process or that you will handle the auditing process or whatever you are referring to with State Laws and so on? Please tell me now.

Anna Tomasek: What I have to be responsible for is on the financial end. Financial operations which is collecting of the revenue to make sure that is proper per Section 37 of the Charter and SAS70. Council can decide whomever they chose what elected official they want to do the bidding process; that does not address the Section 37 of the Charter that we are potentially in conflict with.

Stephen Stuart: Anna, unfortunately, if the process that you are responsible for were being done in a proper, efficient manner, we wouldn't have this Resolution on before us.

Comments or questions?

Resolutions:

Res. No. # 1-09

Item (a) A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ASHLAND TO FILE AN APPLICATION AND ENTER INTO AN AGREEMENT WITH THE PENNSYLVANIA PERFORMING ARTS ON TOUR FOR THE PURPOSE OF ACQUIRING FUNDS FOR THE CITY OF ASHLAND, OHIO PARKS & RECREATION DIVISION BANDSHELL; AND DECLARING AN EMERGENCY.

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

Tim Clingan: This Resolution would allow the Parks & Recreation department to apply for a grant with Pennsylvania Performing Arts on Tour. This year we have some entertainment that is coming out of the State of Pennsylvania that belongs to this Organization and there is 1750.00 dollars available that we would like to apply for, the deadline is February 1. Tricia Applegate is the coordinator for the Bandshell and she has done extensive work trying to find some grants to help cover some of the entertainment expenses for this year. So hopefully we can receive some of that money. It is not a given, it has to be approved. At this point, we do meet all of the criteria. Our chances are real good.

Robert L. Valentine W1: You have never applied for anything before?

Tim Clingan: Not this particular one here.

Robert L. Valentine W1: Outside of the State, have you applied for things?

Tim Clingan: Not outside the State.

Comments or Questions?

Moved by Ruth Detrow and seconded by Robert L. Valentine W1 that the Resolution be passed on the first reading.

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

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 Resolution has satisfied the requirements of said Section and that a further reading be dispensed with at this time.

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

Moved by Paul Wertz and seconded by Ruth Detrow that the Resolution be passed.

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

Motion carried.

Res. No. # 2-09

Item (b) A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ASHLAND TO FILE AN APPLICATION AND ENTER INTO AN AGREEMENT WITH THE OHIO ARTS COUNCIL FOR THE PURPOSE OF ACQUIRING FUNDS FOR THE CITY OF ASHLAND, OHIO PARKS & RECREATION DIVISION BANDSHELL; AND DECLARING AN EMERGENCY.

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

Tim Clingan: This Resolution would allow us to apply to the Ohio Arts Council for the purpose of supplying some grant monies to help support our entertainers that are currently members of the Ohio Arts Council. Last year we received over 4500 dollars and this year we are applying for 3,000.00 dollars. Again, it is a good way to help defray some of the expenses that we have through our bandshell program. I would appreciate your approval.

Mayor Stewart: Tim, what determines how much you elect to apply for?

Tim Clingan: It is the percentage of our contract price with the entertainers. Last year we had four, this year we have three.

Questions or comments?

Moved by Robert L. Valentine W1 and seconded by Stephen Stuart that the Resolution be passed on the first reading.

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

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

Moved by Stephen Stuart and seconded by Paul Wertz that the Resolution be passed.

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

Motion carried.

Res. No. # 3-09

Item (c) A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ASHLAND TO FILE AN APPLICATION AND ENTER INTO AN AGREEMENT WITH THE ASHLAND AREA CONVEN-

TION & VISITORS BUREAU FOR THE PURPOSE OF ACQUIRING FUNDS FOR THE CITY OF ASHLAND, OHIO PARKS & RECREATION DIVISION BANDSHELL; AND DECLARING AN EMERGENCY.

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

Tim Clingan: This Resolution would allow us to apply through the Ashland Area Chamber of Commerce, Convention and Visitors Bureau for \$1,000.00 dollars grant that they allow for groups or organizations that are having new marketing incentives for support. Normally the first year would be approved for \$1,000.00 dollars if you apply the second year, it is \$500.00 and the third year is \$250.00 and that is basically it. I was involved with the CVB for many years and we pride ourselves in helping the community organizations on their advertising and supporting their functions bringing people into our area. At this time, we are at the bandshell; we feel that approximately 50% of our attendees come from out of the county. We would like to have more local people come but we also feel that there is plenty of room for more people to come from outside too, so we went to new advertising in some of the outside papers and CVB type advertising magazines and so on. We rely on donations quite a bit and we do get a lot of support outside the community. Not too many summer programs like we have that was offered and we want to continue that. That is why Tricia Applegate has been so aggressive on trying to get grants to help us out and I appreciate her work on that.

Robert L. Valentine W1: I haven't heard anything but pluses about the program. I know a couple of senior citizens that go to all the programs and I am sure that a lot of people who are out there are senior citizens and I think the attendance has been good to. There is no question about it, it is a community program. I didn't realize the 50% of the 50%, but you are still getting a lot of people from Ashland County and the city too. It is a good program.

Ruth Detrow: And this money is advertising dollars?

Tim Clingan: This would be for the promotion of the entertainment.

Mayor Stewart: I think that 50/50 attendance is a testimony of the quality of the programs that are brought in, not that the city or the community is not in appreciation. We are very much in appreciation but that appreciation spreads beyond the boundaries of the political limits. I am pleased with the program. I hear the same thing.

Questions or comments?

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

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

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

Moved by Stephen Stuart and seconded by Ruth Detrow that the Resolution be passed.

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

Motion carried.

WARD REPORTS:

At-Large: Stephen Stuart
No report.

Ward 1: Robert L. Valentine:
(a) I had a call; it involved the person who couldn't shovel because of the condition that person was in. It dealt with a public alley. I called Jerry on it. It was something they took care of and they called back and wanted to make sure I called Jerry and thanked him. I got his secretary; I did not talk to him personally. I appreciate what you did.

Ward 2: Robert M. Valentine
(a) I got one call from someone up close to ODOT. Last meeting I talked about they wanted me to come to the meeting and it wasn't about zoning, it was about plotting, right Jim? Remember we talked about that? They all showed up, didn't they Jim? Did they table that Jim?

Jim Cooper: Yes sir.

(a) continued: Robert M. Valentine : They must have gotten what they want for now. I haven't heard anymore.

Ward 3: Ruth Detrow
(a) I haven't had a chance to read this sanitation pick-up entirely. I did hear from one citizen who is upset about the fact that people, one person, one family in their neighborhood are putting out their trash ahead of time and they have piles and piles of trash, way more than one household should have and he is upset that he hasn't been able to stir up any kind of response for it. I imagine you are going to answer all of those questions for them?

Ward 4/President: Paul Wertz
No Report.

OLD BUSINESS: None.

NEW BUSINESS:

(a) Proposed appointment to the city side of City/County Board of Health.

Mayor Stewart: I want to present to City Council the following name for your confirmation, *Dr. William H. Latham, DPM*, to be appointed to fill the open position on the County/City Health Board of the City side. The position is vacant due to the retirement of Dr. A. W. Garrett. Normal term is five years. Dr. Garrett actually recommended Dr. Latham to take this position and in checking Al Sanders, it is strictly up to the city who would be appointed to that position. If you concur, I would like to just get a simple vote for the record. Moved to appoint Dr. William H. Latham, DPM to fill the open position on the County/City Health Board of the city side by Robert L. Valentine W1, seconded by Stephen Stuart.

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

Mayor Stewart: I would like to read a letter if I may. This is to Dr. Al Garrett. This letter is to express our gratitude for your 32 years of service to this community for serving on the County/City Health Board. You made outstanding contributions in this position on the Health Board using your medical background and ability to analyze and resolve difficult issues. Your knowledge of the Health issues facing this community was also an asset to the Board. Again, we thank you for your dedication to the community and your willingness to volunteer your skills for the betterment of others for 32 years. This has been signed by myself and all five Councilmen and will go in the mail to Dr. Garrett in the morning. I thank you for your support in this.

Comments or questions?

MAYOR'S COMMENTS:

In lieu of talking, I would like to say something. I know Paul has been in touch with all of you regarding committees. All of you have signed up for a committee or two or three and what I share with you that I have put in hard copy, your volunteerism to these various committees. I will get copies of this out to you. I want to reiterate what is in bold on here is that I do not expect Council to presume an oversight or management of any of the divisions that you are serving on a committee. Simply due to the committee process proposed. Also there is the distinct possibility you can be caught in the middle of a division director and the mayor. You have got to avoid that at all costs. The purpose is that to increase the detailed knowledge of the division, awareness of the individual divisions needs, better enable your communication with your constituents regarding various divisions, observe if you choose, no direct input during the actual process of groups within the divisions. Observe negotiations if you choose to but mums the word. There are two of you that have already served and it is very difficult if you choose to. This should enable you to share your views with the mayor based on direct contact with the divisions. I appreciate you signing up for this. This is something that I had talked about doing a year ago when I took office and I personally see some value. I hope that you see the value in it. If we don't, we can always discontinue it. Paul, that is all I have.

COMMENTS OR QUESTIONS FROM THE AUDIENCE: (Items not appearing on the Agenda)

Paul Wertz: We are going to go into Executive Session to consider compensation of Public Employees. No action will be taken.

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

Executive Session started at 7:40 p.m.

*Moved to return to Regular Session by Stephen Stuart, seconded by Robert M. Valentine W2
Ayes: Ruth Detrow, Paul Wertz, Stephen Stuart, Robert L. Valentine W1, Robert M. Valentine W2*

*Motion to move to adjournment of Regular Session by Paul Wertz, moved by Ruth Detrow, seconded by Robert L. Valentine W1.
Ayes: Ruth Detrow, Paul Wertz, Stephen Stuart, Robert L. Valentine W1, Robert M. Valentine W2*

Adjournment at 8:10 p.m.

Submitted by
Valarie Bishoff
Clerk of Council