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# Ashland City Council

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## MINUTES FOR THE REGULAR SESSION OF COUNCIL March 3, 2009

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

### ROLL CALL

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

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

### PLEDGE OF ALLEGIANCE

### PRESENTATION OF MINUTES

- (a) Regular Session 2/17/09 & Work Session 2/17/09
- (b) Special Session 2/23/09 – Perio, Inc.
- (c) Public Hearing #1 - 2/26/09 – Appropriations 2009

*No additions or corrections:*

*Motion by Paul Wertz to accept the minutes 2/17/09 and 2/23/09, moved by Robert L. Valentine W1, seconded by Robert M. Valentine W2 to approve the minutes as received.*

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

**Paul Wertz:** Also have the Minutes from the Public Hearing #1 2/26/09.

*Motion to accept Public Hearing Minutes by Robert L. Valentine W1, seconded by Ruth Detrow.*

*Ayes: Paul Wertz, Robert L. Valentine W1, Ruth Detrow*

*Abstain: Robert M. Valentine W2*

### LEGISLATION

#### **Ord. 16-09**

Item (a) AN ORDINANCE ESTABLISHING CERTAIN FUNDS TO DEPOSIT AND EXPEND MONIES FOR VARIOUS CAPITAL PROJECTS; AND DECLARING AN EMERGENCY.

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

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

**Larry Paxton:** These are funds working with the Finance Director to create the four individual funds for the State Issue 2 projects that the city applied for last year and we received funding for.

**Mayor Stewart:** Mr. Rose, you have any comments that you would like to make relative to this?

**Larry Rose:** The funds have already been processed for setting up and money has already been appropriated.

**Robert L. Valentine W1:** What percentage?

**Larry Paxton:** Anywhere from 10-15% is City's contribution.

Questions or Comments?

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

*Motion to suspend the Rules three separate readings, three separate days by Ruth Detrow, seconded by Robert L. Valentine W1.*

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

*Move the Ordinance be passed by Paul Wertz, seconded by Ruth Detrow.*

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

Questions or Comments?

**Ord. 17-09**

Item (b) AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR, DIRECTOR OF PUBLIC SERVICE, TO ADVERTISE FOR BIDS AND TO ENTER INTO A CONTRACT FOR THE E. LIBERTY STREET STORM WATER/SANITARY SEWER PROJECT IN THE CITY OF ASHLAND, OHIO; AND DECLARING AN EMERGENCY.

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

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

Comments:

**Larry Paxton:** This is a replacement of the sewer lines, the common sewer line that is located on Liberty Street between Eastern and Main. It will eliminate a bypass of a sanitary sewer system.

**Paul Wertz:** This is the one we did last year and had to have the funds to match it, correct?

**Larry Paxton:** Yes, we have seen this Ordinance before and it was re-funded in this year's appropriations.

*Motion to accept the Ordinance by Paul Wertz, moved by Robert L. Valentine W1 to pass the Ordinance on the first reading, seconded by Ruth Detrow.*

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

*Move to suspend the rules three separate meetings, three separate nights by Paul Wertz, seconded by Ruth Detrow to invoke Section 113.01 of the Codified Ordinances as the distribution of this Or-*

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

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

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

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

**Ord. 18-09**

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 BUCKEYE STREET/MARLO AVENUE SANITARY SEWER REPLACEMENT PROJECT WITHIN THE CITY OF ASHLAND, OHIO; AND DECLARING AN EMERGENCY.

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

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

Comments:

**Larry Paxton:** This Ordinance also we have seen before in 2008. It is a re-bid of this project. It is a Sanitary Sewer line replacement project on Buckeye Street and Marlo Avenue. We have experienced some difficulty up there with some collapsed lines. The residents have received difficulty in that area as well. This is a Community Block Grant Program as well as being funded from the Sewer division.

**Robert L. Valentine W1:** It is what, Federal and local funds?

**Larry Paxton:** Federal and Local funds, yes.

*Motion to pass this Ordinance on the 1<sup>st</sup> reading and moved by Robert L. Valentine W1, seconded by Ruth Detrow.*

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

*Move to suspend the rules, 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: Paul Wertz, Robert L. Valentine W1, Robert M. Valentine W2, Ruth Detrow*

*Move that the Ordinance be passed by Paul Wertz, seconded by Robert L. Valentine W1.*

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

**Ord. 19-09**

Item (d) AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR, DIRECTOR OF PUBLIC SERVICE, TO ENTER, INTO A CONTRACT FOR CONSULTING ENGINEERING SERVICES FOR PROFESSIONAL SERVICES RELATED TO THE DESIGN OF THE WATER TREATMENT PLANT DISINFECTION IMPROVEMENTS PROJECT; AND DECLARING AN EMERGENCY.

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

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

Comments:

**Larry Paxton:** This is an Ordinance allowing the Mayor to enter into an engineering contract for professional services. This is one of the funds that we passed in the first Ordinance. It is a State Issue 2 project where the Water Treatment Plant is converting from a Chlorine Gas to a Liquid Chlorine conversion. It is installing seven 1300 gallon tanks that will hold 12 ½ % Chlorine. It is like industrial size bleach for the Water Treatment Plant.

**Ruth Detrow:** Why? Why are we changing it?

**Michael Hunter:** It is a matter of safety. Chlorine Gas is very hazardous. We have it one-ton cylinders for the pressure. If there should be a leak, scenarios are not good. And so when I came to the city, one of the first things I noticed, I was somewhat surprised to find out that we were still using one ton cylinders for chlorination. Sodium Hypochloride, I will not mislead you, it will be more expensive, but it will be safer. It will be safer to handle. If there is a spill, it will be safer to clean up. Basically it comes down to a matter of safety.

Questions or discussion?

*Move the Ordinance be passed on the first reading by Robert L. Valentine W1, seconded by Ruth Detrow.*

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

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

*Move the Ordinance be passed by Paul Wertz, seconded by Robert L. Valentine W1.*

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

*Motion to move into Public Hearing by Paul Wertz, moved by Robert M. Valentine W2, seconded by Robert L. Valentine W1.*

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

*PUBLIC HEARING #2 – Appropriations 2009, 7:10 p.m.*

**Paul Wertz:** Appropriations 2009 has to be passed by April 1<sup>st</sup>. This is just a hearing, next meeting, if everyone agrees, we will pass the Ordinance.

Questions or comments?

**Travis Minnear, TG:** Well here, spending has gone up close to \$600,000.00. I was comparing to the appropriations last year and the appropriations this year, what is being looked at tonight and I saw that the General Miscellaneous fund has gone up \$294,000.00. I wasn't sure what was covered under that?

**Mayor Stewart:** Did you look through the detail of the entire budget? Which would have detailed anything on that?

**Travis Minnear:** This is what I had. It was the same thing that Courtney had I believe; she was covering the meeting, Special Session. The appropriations were 1,199,950.00 dollars for General Miscellaneous and this year proposed is 1.5 million so I wasn't sure what reason for additional expenditures was and what exactly expenditures could be covered under those and the category.

**Ellie Grubb:** One specific thing is the 911 dispatch. It is not in contract. It significantly has increased from last year.

**Travis Minnear:** Do you know how much that is?

**Ellie Grubb:** The amount that it is this year appropriations we requested is 520,000.00, last year it was 300,000.00.

**Mayor Stewart:** It went up about 140,000.00 dollars in that particular line, relative to 911 or actually it is not 911, it is dispatch. I don't want to mislead. It is dispatch, not 911.

**Paul Wertz:** It is the city's share for 911, because we are County and City together.

**Travis Minnear:** So that is the city's portion of that?

**Paul Wertz:** Yes.

**Mayor Stewart:** It is the increase on the city's portion. The city's share is about \$520,000.00 if I am not mistaken on the line this year.

**Travis Minnear:** So that has gone up you said about \$140,000.00 in that neighborhood?

**Mayor Stewart:** Roughly.

**Travis Minnear:** So there is like another \$150,000.00 or so; a little less than that; I wasn't sure what else would be there?

**Paul Wertz:** Well, without the Finance Director being here, I don't know if you can answer what the General Miscellaneous is or not? I don't have that copy with me.

**Travis Minnear:** Appropriations are, I thought the finance office was in charge of the Revenue and the Mayor's office was in charge of ...

**Paul Wertz:** They have to agree on what is going on.

**Travis Minnear:** Sure, I understand that.

**Mayor Stewart:** Why don't you come in and sit down with me, be very specific with what you want to talk about; I have all the detailing in my office. I can cover any line that you want to cover. I think, personally it is inappropriate to get into the nitty gritty detail unless the whole audience and Council want to do that. That certainly is ....

**Travis Minnear:** It is a Public Hearing, right?

**Mayor Stewart:** Well sure it is. I don't have a problem with that.

**Travis Minnear:** I understand.

**Mayor Stewart:** What other questions do you have?

**Travis Minnear:** This I could direct towards the Fire Chief. I was looking at appropriations for last year, increase was a little less than 16,000.00 and I didn't know exactly in 2008, the General Fund was 3,198,864.00 and what is being proposed this year is \$3,358,527.00.

**Mayor Stewart:** I think if you would look at the line item for employee contributions to Health Insurance, you would see that the majority of that increase is there. I would like for you to look at that in detail. I am doing this from memory Travis.

**Paul Wertz:** But also, with the raises, there will have to be more in PERS and the Retirement.

**Mayor Stewart:** The Health Insurance went up 9.1%.

**Travis Minnear:** So that is mostly just personnel related stuff then? With the Health Insurance and then obviously and you said that there were some, in addition to some raises?

**Mayor Stewart:** There are contractual obligations. There is approximately 3%, Travis.

**Paul Wertz:** But the other stuff goes up too.

**Travis Minnear:** I am not sure, if this might be along those lines as well, but Police was a little over 50,000. I didn't does that kind of relate to some of the similar things at the Fire Department?

**Mayor Stewart:** It relates to some of the things that the Fire Dept had but they took some other costs out so theirs didn't go up as much as, but they had very similar increases. They have contractual increases, they have increases due to health employee contribution to health insurance had to go up into the individual budgets this year and the health insurance went up also.

Questions or comments?

**Jeff Swank, WMFD:** As a result of this budget, some cities and some counties are talking about having to cut positions; are you going to be in that position?

**Mayor Stewart:** I am not in a position to comment on that this evening.

**Robert L. Valentine W1:** We projected a balance of what \$2800.00 dollars? Last year we projected a balance of over \$200,000.00 dollars and we had a lot more than that when we ended up but that doesn't necessarily mean that will happen this year because the climate and everything else is much different.

**Mayor Stewart:** Obviously the effort is to continue with the work force that we have and every effort to contain costs so that we don't have to have any adjustments in work force or hours worked is the direction we are working toward. We, I and I don't think there is anyone in here that can project what the climate of this country will be next month or in six months. It is a very volatile climate right now. If we would look back six months, probably not many of us would have projected where we are at today.

**Robert L. Valentine W1:** Another thing too though, Mayor and you are, they are too watching the Income Tax that is coming in monthly and that is going to have an effect on us, hopefully positive and possibly negative. And you are watching that and I think it is important to do that.

**John Chorpening:** What is the over \$1,000,000.00 spent on the Reservoir?

**Mayor Stewart:** That \$1,000,000.00 dollars goes into, the right term, defease? That was money that was borrowed in 2004. Some years back. Money that was borrowed some years back when the plan was to re-work the old Reservoir that washed out in the flood. We started that process and then we got into a situation with two different EPA groups and it became a project that was not feasible to continue with. So we have had that money and it couldn't be spent for what it is intended. So we have been advised that the correct thing to do from a standpoint of that money, it needs to be defeased.

**John Chorpening:** It is not spent, correct?

**Mayor Stewart:** No.

**Paul Wertz:** It goes into account and it just lies there until...

**Mayor Stewart:** The money is a bond and the bonds can't be paid off until they are mature. But you have to have that money in a safe place so the Bonds can be paid when they mature.

**Paul Wertz:** So that money is going to go to pay the bonds off that we borrowed. But you have to defease it until they are due.

**Travis Minnear:** I was noticing in 2008, I didn't see a listing for on 2301, Municipal Court Judge. I did see the Municipal Court, but I didn't know if it was separate or it had been separated into two separate line items that were...

**Mayor Stewart:** If you want to show me something.

**Travis Minnear:** I saw the 2302; Municipal Court but I didn't see a 2301. Is it in there? I probably just overlooked it then.

**Mayor Stewart:** Yes it is in there.

Questions or comments?

*Motion to close the Public Hearing by Paul Wertz, moved by Robert L. Valentine W1 and seconded by Robert M. Valentine W2.*

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

[Returned to Regular Session at 7:22 p.m.](#)

**Ord. No. 20-09**

Item (e) AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR, DIRECTOR OF PUBLIC SERVICE, TO ENTER INTO A CONTRACT FOR CONSULTING ENGINEERING SERVICES TO DESIGN AND PREPARE PLANS AND SPECIFICATIONS FOR THE JAMISON CREEK LIFT STATION REPLACEMENT PROJECT; AND DECLARING AN EMERGENCY.

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

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

**Larry Paxton:** This is an Ordinance allowing the Mayor to enter into an Engineering contract to redesign the Jamison Creek Lift Station; for the amount of sewage that is going down through that lift station; this lift station will be redone and a few pumps will be installed rather than one. Plans are also to install a generator to the project so if the power goes out, that lift station will continue to operate. It is located right before the Home Depot, the parking lot on East Main Street.

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

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

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

*Move the Ordinance be passed by Ruth Detrow seconded by Robert L. Valentine W1.*

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

**Ord. No. 21-09**

Item (f) AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR, DIRECTOR OF PUBLIC SERVICE, TO ENTER INTO A CONTRACT FOR CONSULTING ENGINEERING SERVICES DURING BIDDING AND CONSTRUCTION FOR THE WASTE WATER TREATMENT PLANT PRIMARY SETTLING TANKS-CONCRETE REPAIRS PROJECT; AND DECLARING AN EMERGENCY.

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

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

**Larry Paxton:** This is also an Issue 2 project authorizing the Mayor to enter into a contract for consulting services of the Primary Settling Tanks for the Waste Water Treatment Plant; they are in need of repair with placement. This fund will assist the city with structural knowledge and information of the project so that it will correctly and installed properly. It will be able to withstand the amount of Liquids flowing through those tanks.

**Ruth Detrow:** Those are pretty old aren't they?

**Larry Paxton:** Yes they are.

**Michael Hunter:** There are some of the original units there. It is what they call primary treatment. It is the first treatment that the wastewater receives. The concrete that they use is called Walker units. I am not even sure if Walker Units are still made. They may be. But these are very old and the concrete is falling apart. It is literally ready to collapse and obviously we need primary treatment. So we need these units repaired.

Questions or comments?

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

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

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

*Move the Ordinance be passed by Paul Wertz seconded by Ruth Detrow.*

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

**Mayor Stewart:** If I may, this is an inordinate amount of Ordinances this evening; but it isn't unusual that at the beginning of the year. These are projects that are planned throughout the year. After we get our budget worked through and so on and we know what we anticipate to have to work with, we bring these Ordinances forth. There are a bunch of them on the Agenda tonight but it is a normal process for the City.

**Ord. No. 22-09**

Item (g) AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR, DIRECTOR OF PUBLIC SERVICE, TO ADVERTISE FOR BIDS AND TO ENTER INTO A CONTRACT FOR THE WASTE WATER TREATMENT PLANT PRIMARY SETTLING TANKS-CONCRETE REPAIRS PROJECT; AND DECLARING AN EMERGENCY.

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

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

**Larry Paxton:** This Ordinance now allows the Mayor to advertise for bids to enter into a contract for the repair of those basins.

**Mayor Stewart:** This is what we just talked about with the Engineering and Issue 2.

Questions or comments?

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

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

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

*Move the Ordinance be passed by Ruth Detrow seconded by Robert L. Valentine W1.*

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

#### **Ord. No. 23-09**

Item (h) AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR, DIRECTOR OF PUBLIC SERVICE, TO ENTER INTO CONTRACTS WITH THE OHIO REGIONAL DEVELOPMENT CORPORATION AND THE CITY OF COSHOCTON, OHIO REGARDING THE OHIO DEPARTMENT OF DEVELOPMENT NEIGHBORHOOD STABILIZATION PROGRAM (NSP); AND DECLARING AN EMERGENCY.

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

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

**Ellie Grubb:** This program is the Neighborhood Stabilization Program. It is part of the Federal Stimulus Funding through the Ohio Department of Development. We were notified at the end of 2008, the Mayor's Office, that the City of Ashland is a part of what is referred to a section 10 which included five different cities and counties. There was \$1,192,000 00 dollars that we are eligible to receive. Obviously when you have five different entities involved in that, we are all going to vie for a piece of that pie. So the deadline for all of this is to be prepared to target what we are going to do with that money, what areas. They were very specific. There were three areas or activities. We chose two activities. We, being the Engineering department and the Mayor. Again, I started working on this with Jim Cooper and then him passing, Larry and I followed through with it. The two target areas that we chose to direct purchase by income eligible is to actually the funds would go to an individual that is employed and has a job to purchase a home, it would be for a down payment and there is another chunk that they could use for rehab. I think the maximum for a down payment would be \$20,000.00 and then \$20,000.00 for rehab; so we targeted that as a need in this community. We are determined to be economically distressed and therefore with our; the location of LMI, we qualify for this. This is why we are involved in this. Why we were offered this. The other is demolition. With this money, we targeted some homes. Larry and some of his staff literally went around the community and had to locate vacated homes. Now that is what they did, realizing when the time comes and we know what we have actually going to receive as a part of this 1 million dollars. We did have to obviously find out; is it in bankruptcy, is it in foreclosure? What is the status of that home? And if it is demolished and we have to then donate the property to a nonprofit agency within a four-year period or it could be made into a park. So there are some restrictions and a lot of I's to dot and T's to cross but the demolition target activity and the ability to provide down payment and rehabilitation money to qualify residents is the two target things. We asked for \$200,000.00 dollars, that was three down payment rehab activities and two demolitions. The demolitions were basically on our main corridor. We targeted that because we feel that that is

something that has been a priority for Council a number of years as far as cleaning up our main corridors through town and with the Industrial Park and the development out there; there are areas that are just horrendous to look at aesthetically that perhaps we can prepare those with these funds. The deadlines, you have an application completely done and down to the State for our request for \$200,000.00 dollars was February 27<sup>th</sup>. It was hand delivered; it had to be there by 7:00 p.m. at night. So as you are finding that most of these stimulus packages; they are a very short time frame. We had two weeks to figure out and talk with the Mayor. The thing that you are approving tonight, however, Ashland County, Coshoc-ton County, Holmes County, Tuscararus County, the City of Ashland, the City of Coshoc-ton, the City of New Philadelphia are a part of this section 10. One of the requirements is that these groups of entities had to choose a lead agency amongst them, amongst this group. We had to submit a letter by the middle of January in order to even qualify to go forward with activities that we will be interested in doing. So Coshoc-ton because we have worked with Coshoc-ton as our C.H.I.P. Community Housing Improvement Program for a number of years. They have been our consultants. They are very familiar. They have all the numbers. They know how to administer them. They are the lead agency. Now there is no cost to the city for this. Incorporated in this 1,192,000.00, 119,000.00 that is the administrative fee for this whole for doing the administrative work for this stimulus package and that is right now on the agreement that you are authorizing the Mayor into tonight is that because Coshoc-ton is the lead agency and is going to be doing the majority of the work, 50% of that administrative fee would go to them and then the remaining 50% of the 119,000.00 dollars will be divided amongst the entities that remain in proportion to how much they actually receive. One important thing is out of all of these, not all of the counties and cities that are mentioned are going to participate. They just didn't have the staff to do the work and couldn't. So really only competing I think there are five as opposed to seven. So may be our chances for getting the money, we will know by April 1<sup>st</sup>. Applications are down to the State now so on April 1<sup>st</sup>, we will know as to whether we receive our request and then start the chain of what needs to be done or accomplished either by demolishing or finding qualified buyers. And it is not for just LMI; it is middle income, so the income is much higher than what the LMI is. For instance, a single person who makes \$45,000.00 dollars or less would qualify for it. If they have a job, they would qualify for the down payment of rehab. That is a lot of information.

**Robert L. Valentine W1:** Let me review some of this will you? You said the figure was 1,192,000.00 is that correct? You said administrative fees were 119,000.00, 50% went to Coshoc-ton; the rest is divided among the entities that are going to take and do something with this project. You said we are probably going to get about; we are going to apply for \$200,000.00? You said that we, you are talking about \$40,000.00 dollars to take a home and fix it up and sell it. You said that would be about three properties right? And you said those that you demolish was about \$2,000.00 and of course once you do that and down the road if you would want to make that a Park, that is the City's responsibility, is that right?

**Ellie Grubb:** Yes.

**Ruth Detrow:** Otherwise it is given to a charitable organization?

**Ellie Grubb:** A non-profit organization and then they have to do something with it in four years that fits into the criteria.

**Robert L. Valentine W1:** So these homes that we looked at very hard as far as construction is concerned are not owned by anyone, or owned by someone?

**Larry Paxton:** They are currently vacant. They may be owned by either an individual, a rental property or something like that or may be in foreclosure. There were 26 different homes that we located and that is of yet to be determined the ownership of the property and we wont know that until once we get the grant and we get into it.

**Ellie Grubb:** The actual criteria is that they be vacant. So that had we had to be sure of. But as to why they are vacant, until whether we know whether we get this or not, then we have to check on them. We did try to check on some, through the Auditor's property search.

**Robert L. Valentine W1:** So you are talking about Cottage Street as a main corridor, is that what you are talking about?

**Ellie Grubb:** There are other locations too, but that was the main.

Questions or comments?

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

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

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

*Move the Ordinance be passed by Ruth Detrow, seconded by Robert L. Valentine W1.*

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

**Ruth Detrow:** Exactly what date is it that we will know?

**Robert L. Valentine W1:** April 1, 2009.

**Ruth Detrow:** And they probably wont announce it; I am being a Councilwoman and a Realtor and realtors are very anxious to help people in this way. But probably we should wait.

**Mayor Stewart:** There aren't any promises.

**Ord. No. 24-09**

Item (i) AN ORDINANCE AUTHORIZING CERTAIN LAND BELONGING TO THE CITY OF ASHLAND, OHIO, TO BE SOLD THROUGH THE COMMUNITY IMPROVEMENT CORPORATION AND DECLARING AN EMERGENCY. (9.008 ACRES TJM, LLC)

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

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

**Mayor Stewart:** I just passed out a little more definitive 9.008 acres plot that we want to sell to the Barbasol or Perio, corporation. Atef is here this evening representing Perio and ultimately Barbasol, LLC. Attached to the Ordinance, you should find the Purchase Agreement. You should find a description of the Parcel and Deed restrictions and of course the actual document as it has been filed with the County. The proposal is to sell 9.008 acres for \$8500.00 an acre to in this case TJM, LLC which is the owner of Perio and LLC. You have already passed an agreement to abate taxes at a pro-rated document. This is authorizing the city to sell through the CIC the land that needs to be prepared to move forward with the construction of this facility. If you have any questions, we have a representative here this evening from Perio and I believe he will be the Plant Manager at the facility when it is started. They are anxious to go and we are anxious to have them go.

**Robert M. Valentine W2:** Mayor, just one real quick question. It is an easy one too. On this map, if they want to buy some more land, we talked about that; is that directly north?

**Mayor Stewart:** Yes it is. Directly north and the reason that option isn't shown we are still working with them on how much land within reason would they want to put under option depending on what they see as going to grow.

What we had initially offered I think 4 ½ acres at the same price that this land is being bought for up to five years (they would have the first right of refusal up to five years). And that may change too, to six to seven.

**Robert M. Valentine W2:** I just wanted to make sure.

**Mayor Stewart:** And you will see on the right side of the document that you have is where the actual railroad is going to go in. That is why that corner is cut off down there at the very bottom right is to make the cross across Faultless Drive and then back into the Industrial Park.

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

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

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

*Move the Ordinance be passed by Ruth Detrow, seconded by Robert L. Valentine W1.*

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

#### Resolutions:

#### **Res. No. 4-09**

Item (a) A RESOLUTION AUTHORIZING FILING OF APPLICATION; PROJECT TITLE FY 2009 SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM; AND DECLARING AN EMERGENCY.

*Move for non-reading in full by Robert M. Valentine W2, seconded by Robert L. Valentine W1.*

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

**Larry Paxton:** This is only the beginning of the Block Grant process. You have to apply for the application and then there is a public hearing process you have to go through. This is just the beginning.

Questions or comments?

*Move the Resolution be passed on the first reading by Paul Wertz, seconded by Ruth Detrow.*

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

*Move to suspend the rules, by Ruth Detrow, 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: Paul Wertz, Robert L. Valentine W1, Robert M. Valentine W2, Ruth Detrow*

*Move the Resolution be passed by Paul Wertz, seconded by Robert L. Valentine W1.*

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

#### Ward Reports:

Ward 2: Robert M. Valentine

- (a) I had a couple of calls. I don't think they read the whole article. I talked to Jerry before the meeting a little bit because one guy was saying he worked a shift and he had to leave it out the night before. He said this is crazy. I said did you read the whole article. He said yes. It says in there if you have a can with a lid on it you are okay to put it out the night before. He said, oh, sorry. Just so you know, you can put it out the night before if you have a secured lid. We don't want it all over the ground.

Ward 1: Robert L. Valentine

- (a) Well he called me also and asked if he wanted to call me back, and he did. I did get a couple of calls; one was Center Lane about the Spring Clean up. I said it was a misunderstanding and probably what will happen there unless things have changed is that we will have that but it will probably be later than what we normally were going to have it. Is that right Mayor?

**Mayor Stewart:** Yes. We are going to have it. We will have a 2009 Spring Clean up; details and sections of the city are yet to be unless Jerry got them together. We have some things to put together and finalize. It will happen in short order.

Ward 1: cont'd

You know when she called I said you just hit it right, She said why, I said we just found out there were some concerns here and as a result, I think there looks like there will probably be a change. It was a misunderstanding I think.

Ward 3: Ruth Detrow

No report.

Ward 4/President: Paul Wertz

No report.

Council-At-Large: Excused

OLD BUSINESS:

**Paul Wertz:** Remember back in December we got the final report from the auditors about the audits they did for the city and they suggested we have a Finance Audit Committee. I think we need to go ahead with that. We need to discuss it and maybe have Rick look at it. See what would be best for the city. We had six cities and had Valarie send out letters to them. It came back anywhere from three people on the committee to five to seven. I think seven is too many and I think five would be ideal. My suggestion is we go with five: Finance Director, Mayor, Two Councilman, and a concerned citizen. A citizen that has a financial background.

**Robert L. Valentine W1:** And this is the recommendation from the State Auditor.

**Paul Wertz:** Yes.

**Robert L. Valentine W1:** Well I think it is good idea.

**Paul Wertz:** You can think about it and get back with Rick. Maybe at the next meeting.

NEW BUSINESS

**Larry Paxton:** I would like to address Council one more time. As we go through our Water line agreement program we have to close streets and we have tried to give plenty of notification before those streets will be closed. Fortunately one of those streets that have experience several break downs the last couple of years, Morgan Avenue has had at least three breakdowns this winter if I am not mistaken Dennis? Five? Thank you. In doing that, it is scheduled to be replaced with a new waterline. Because of that we worked with the Mayor's office, Police and Fire Division, the Street Division and other departments to come up with a formal re-routing of Morgan Avenue. Morgan will be closed for 1 month starting on March 9, 2009. In doing that, as you know Morgan is a main route through the neighborhoods out there. The official route will be down Center Street to Walnut Street back up Claremont then back to King. Mor-

gan will be closed to thru traffic. There will be no parking allowed on the street during construction. There will be one way traffic on the southbound lane of Morgan so the Residents that live there will be able to get out of that street. It will be one way from Center Street to Park Street. We are sorry for the inconvenience of this but this has to be done and we will be replacing the line that continues to plague the Water Distribution part. If you have any calls, please forward them to our office so that we can handle them as best we can. The residents in that area will receive a personal notice as well as you folks have tonight in that area. It will be a month starting on March the 9<sup>th</sup>.

Mayors Comments:

**Mayor Stewart:** I would just like to thank Council for the support that they have given this office and our newly founded Barbasol operation that will be breaking ground here in the next several weeks. We have had good support from the Schools, the Commissioners, the City Council and the Economic Development. It has been a real pleasure working through this and I think the fruits of our labors will be born here late next fall with some new jobs. I thank you. It has been a very cooperative effort and I appreciate it. Etaf, would you like to say something?

**Ataf Halaka, Perio, Inc.:** Yes. I just want to say thank you very much for all your work on this project. I really do appreciate it. Just to give you an idea since I was here 10 days ago. Through the newspaper people started to learn about us and we have received a lot of Resumes. We very clearly explained to people that it is a long way to go before we can actually hire anyone. I was really surprised on how many people came back and said that is okay, we will submit our Resumes. It makes me wonder if they really want to work for a great company like Barbasol or did they really have that much of downward look on the economy not knowing if they will have a job eight months from now. These are people that don't have jobs. As heart breaking as it is, it does give us some joy that we are coming here and hopefully we will hire many people from Ashland. My personal focus is to hire as many people from the Ashland community as possible. If we can hire 100% from the Ashland community, we will be very happy. The other thing I just want to say is that with your help and the city's help, with our owner's ideas of expanding the product line; we really truly believe, although we can't commit yet because nobody knows the future, but we truly believe that our goal is the expansion of the product line, then five or six years from now we will hopefully have 100 to 150 people that work for us. It is a goal and it is not a promise, it is a goal. We just felt that the people of Ashland and the Mayor, Council are extremely supportive of the process we are beginning. We are excited. Hopefully it will help put Ashland on the map of not just Ohio but of the United States. Thanks again.

**Mayor Stewart:** It will be a clean-shaven community won't we?

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

**John Chorpening:** Is there going to be an actual change in the recycling? Of what is require in the bags?

**Mayor Stewart:** Jerry do you want to speak to that?

**Jerry Mack:** I am sorry, I didn't hear.

**John Chorpening:** Is there actually going to be a change in what is required in the bags for recycling?

**Jerry Mack:** No, that is a suggestion. Basically a suggestion in there. The recycling is pretty much going to stay the way it was, although cardboard and newspaper cannot be put in with glass, cans, so on like that. You know, I would like to see, one thing it says you should use a blue or clear bag. One thing with a blue or clear bags when it to the recycling center, clear and blue are also recyclable where a black bag is not. And that is one reason to put everything in that colored bag not just because we like the color. Those colors are recyclable.

**Robert L. Valentine W1:** Could you put like a grocery bag, could you put your cardboard small enough and your newspaper in a grocery bag?

**Jerry Mack:** Sure.

**Robert L. Valentine W1:** We do that; I just want to make sure.

**Jerry Mack:** Our recycling right now is single screening. You know and who knows where recycling is going to go for the future. It was put in there to separate as much as possible basically if there is a change and we have to change to total different items in different bags it just gets people use to it. You never know what is going to happen on the recycling end of it.

**Vance DeWitt:** I wanted to come here tonight because of you guys are talking about jobs and my father which he is 80-years-old and he told me to get my but up here and say my peace. And it is about the Post Office in Mansfield.

**Paul Wertz:** We had, a couple weeks ago; we had a 45-minute interview on this thing.

**Vance DeWitt:** I won't take much time. I promise; I guess they rambled on. So, I just wanted to say there are six out of seven of my family members who work at the Post Office up there and they all live in Ashland County and we all shop and do whatever in Ashland County. And I just wanted say you know, if you guys could please look at the possibility of a Resolution. Since then we started this fight, we have got all the usual players, Sherrod Brown, John Boccieri, people all farther up above that; he is very supportive up north and we have towns now that are adopting Resolutions and I was surprised, I see one of the Postal people here but a couple of the meetings got pretty heated in the towns adopting the Resolutions. The towns are Shelby, this was today, in Crestline, Galion and the other towns around. I just wanted to say that I have been with the Post office for 26 years; my family has worked there. This is just not an economical thing to do and if you possibly could maybe seriously look at helping keep the jobs here. I mean there are a lot of people that live in Ashland County and live in Ashland. It will effect, to me, it is unjust movement of the mail and jobs out of our area. Please consider this.

**Paul Wertz:** The other group two weeks ago came in, two days later we got a phone call from Cleveland management; they wanted to come down and say their pitch. And I said no because we not going to pass a Resolution. The way the wording that your group before came in with us; it is basically us telling them what to do and we could probably word it differently but those Resolutions they had that they told us they want written that way, when you start putting a Resolution we ban this and we ban that; that is not right. I don't want the Post Office coming in here and telling the City of Ashland how to run, so why would I tell them how to do their stuff when I demanded it? Suggestions yes, demand no.

**Vance DeWitt:** I just say that this AMP study that they are having all over the place, when it is a GAO study they look at the studies and say that these aren't just, these aren't right. So that is kind of what our point is look at their investigation. Mr Latta is asking for a GAO study because of the history of the Post Office, like in 1958 they tried to take the mail out of here. The third class they took out a couple of years ago.

**Paul Wertz:** I don't know how the rest of Council feels on this; our Minutes are Public Records and I will go on the Minutes to say I am all for keeping the jobs in Mansfield. I don't know the rest of them feel but do you as Council want to say anything?

**Robert L. Valentine W1:** Well the point is, will Ashland lose any jobs?

**Vance DeWitt:** Well, yes you will. You will lose people in my family. Which I have a lot of time and people say you don't have anything to worry about. I care what happens though because my family, one is 80 and one is 79 and am going to inherit a Restaurant in Perrysville and I will tell you what, there are a lot of people from the Post Office that come to that Restaurant and I know it will effect it. When we try real hard to lure business in, like this, we got the business right here and why don't we try real hard to keep that business here because it is already here. If you look at the interstructure of the Post Office, sometimes they don't make the right decisions for our area. And this is definitely; Akron and Canton are together, I think they should consolidate, but not where we are at in Ashland. You are going to leave over here to Mansfield, to Cleveland, back to Mansfield and back to Ashland.

**Robert L Valentine W1:** Well Paul, we don't have to use this same verbiage that someone else did. You know we don't have to use that because whatever it says there, that is just a suggestion that is being made to us.

**Vance DeWitt:** They are all turning out differently. That was in 2004 that they wrote those other ones. But they are turning out different now. I think everybody realizes that they hired 1700 people in the process; they took the 3<sup>rd</sup> class out and boom....

**Paul Wertz:** Do the rest of Council want to have a Resolution or you want to just go with the Minutes, make a copy and send it over. This is a Public Record. We can send a copy over to them.

**Robert M. Valentine W2:** I am all for keeping it in Mansfield. I like my mail the way it is and I don't want that change. From the way they talked it would change. I would get stuff later; I have a concern with people that are on medications and paychecks; people with Social Security checks, things like that sometimes a day means a lot to some people. So I am behind you guys; I think we ought to keep it in Mansfield too.

**Vance DeWitt:** We are here all the time. Look at the big machine. That thing will be gone. Three of those people live in Ashland. You take a piece of machinery out; you are going to take jobs. All the communities around they are saying no, no. You as Council have your own say so, I would hope that you would see it, six out of seven of my family members, there are three left still working there.

**Ruth Detrow Ward 3:** I just want to say that I would not approve of our Council even voting one way or another on a Resolution unless we hear the other side. We have heard, it has been a total of at least ½ hour, this gentleman and other person and it has been all one side; and that is not right for us to make any kind of decision without hearing both sides. If we even consider doing a Resolution, we are going to have to have those people from Cleveland in and we are going to have to listen to both sides and then make a decision if we want to do it.

**Robert L. Valentine W1:** I think we should consider it. That is the way I feel.

**Paul Wertz:** How do you want to handle this?

**Robert L. Valentine W1;** I would imagine if you want to do what Ruth is suggesting and I have no problem with that whoever contacted you we will contact them and tell them to come on down.

**Vance DeWitt:** In Bucyrus, there were all these people there, it got kind of heated then. Galion they actually told him, Council President told him to sit down and he was out of order and he was steering around the issues. Mr. Swain was his name. They adopted the Resolution right then and there. We are willing to; not to take up your time; but we think you have one heck of a case and I have managers who are helping me.

**Paul Wertz:** Rick can I ask your opinion what you think we should do?

**Richard P. Wolfe II:** Well with all due respect to both sides of the issue, if as he indicated the Congressman and U.S. Senators are asking for a study; I don't know what more there is that we could do to influence that because that is what they are asking is that the matter be studied and looked at and that sounds like that is already being accomplished. And individual Council members have discussed their support for the idea of keeping jobs in the area so I really don't know that it is either necessary or appropriate for Council to take any further action. But if you wish to, you certainly can.

**Robert M. Valentine W2:** Unless he would want to get a copy of the Minutes.

**Vance DeWitt:** What they do; I have a copy of the AMP study and how they do it. It comes down to their figures; we have a town hall meeting; usually everything in the history, the decision is already made. What they are doing is they are saying we looked at these. We don't want to lose the jobs.

**Paul Wertz:** I think we will go ahead. If you want to vote for keeping it in Mansfield, fine, if not, that is your prerogative.

**Ruth Detrow:** Well I hadn't realized until Mr. Wolfe just told us that our Senators and so on were wanting a study of it done.

**Vance DeWitt:** Mr. Latta's office is requesting a GAO study; thanks to Mr. Oxley before, he did the same thing and then it went away. I don't think they want a GAO study. Mr. Oxley helped us out tremendously by saying in 2004 I want a GAO study.

**Ruth Detrow:** Well I suggest we wait until that study comes out. There is no sense in our doing it on our own if someone is going to do all that hard work for us.

**Robert L. Valentine W1:** But I think we can be used as a negative too. If we feel that we support it, then I think we should do that.

**Paul Wertz:** I will come out and publicly say I already did; I support it staying in Mansfield.

**Robert M. Valentine W2:** I already said I support it, **Robert L. Valentine W1:** I did too.

**Paul Wertz:** So it is up to you Ruth, if you don't that is fine.

**Ruth Detrow:** I want what the study says.

**Paul Wertz:** When Valarie, Council Clerk types the Minutes she will get you a copy.

**Vance DeWitt:** Thank you, I appreciate it.

*Motion to adjourn Regular Session by Robert M. Valentine W2, seconded by Robert L. Valentine W1.*

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

**Adjournment at 8:10 pm**

Submitted by  
Valarie F. Bishoff  
Clerk of Council