
Ashland City Council

MINUTES FOR THE REGULAR SESSION OF COUNCIL Tuesday, April 7, 2009

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

ROLL CALL

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

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

PLEDGE OF ALLEGIANCE

PRESENTATION OF MINUTES

(a) Regular Session 3/17/09

No additions or corrections:

Moved by Robert L. Valentine to be accepted, and seconded by Paul Wertz to approve the minutes as received.

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

LEGISLATION: None

Ward Reports:

At Large: Stephen Stuart

(a) No report.

But I was hoping to ask a couple of questions regarding our Financial Statement of our Finance Director.

Paul Wertz, President of Council: She called me about 5:00 p.m. She said she had a family sickness.

Ward 1: Robert L. Valentine

(a) I had a couple of calls on the; and I think I talked to you a while back, Mayor and I think this was on the recycling out there at Hawkins Grocery store and what had happened; and what happens I think each year is that it looks to me like they are putting more and more material out there and there is no fence to stop it so it just blows everywhere. And so what had happened is; a couple of people in the Ward that I represent went out last weekend

and picked some stuff up and I guess yesterday they did too. Then I got a call from a fellow and he was concerned because he appreciated what the people were doing but he wanted to see if he couldn't come up with some way in which we could resolve this. So I went through the different steps, called Jerry, I wasn't sure who owned the land, so then I found out that Hawkins owned the land so I called Dave Donatini about the situation and he said well they were going to start coming out April 1st to clean it up. One of the problems that they had was that they were going to try and get a fence but I guess whoever the owner of that property there, didn't want to put up a fence. But I think they are looking at that a little bit differently now. I think that would help too.

Mayor Stewart: So Dave, so Hawkins' personnel are going to clean that up.

Robert L. Valentine: No, I am sorry, I should have clarified that. No, recycling is going to clean that up. And then I got a call from Dan Scott and he explained what the situation was and how each year they have gone out in the past and how they were going to start on April 1st. He is short of people, he is in a financial situation too, but they are going to get it. He wonders why they are getting so much stuff and I have no idea why there seems to be so much that is out there anymore. They have had a problem that people are concerned with and it looks like it will be taken care of and I guess Earl Hawkins owns the property and I guess they are going to look into a fence in the future. May be some kind of a snow fence or something like that which will keep a lot of the paper in there.

Mayor Stewart: They are highly utilized. I can't explain the change. I think I reported in our last Council meeting that I called Dan Scott. I had taken some material out there and the dumpsters are full, completely full. So people that take it out there, they are not going to carry it home so it gets stacked on the ground. And probably that may be a cause of the debris too.

Robert L. Valentine W1: No Dan told me they go out there three days a week to pick that up.

Mayor Stewart: That could very well be but that is two weeks ago today that I went out at noontime and it was very, very full. It was over full.

Robert L. Valentine W1: I don't know what; at first I said it had nothing to do with our change that we made. They said they really don't know where all is coming from.

Ruth Detrow: Those are dumpsters that Dan's, the County has?

Mayor Stewart: Yes, they are recycling dumpsters with doors on the side and each dumpster is identified for what goes in it. Some gets newspaper, some gets cans.

Ruth Detrow: I shop out there and I do see the junk piled around too.

Robert L. Valentine W1: It is one of those things, like walking into a room, you don't look up to the ceiling, the same way if you drive out there, you don't pay a great deal of attention to it. It is being taken care of though and that is what is important. That is all I have.

Ward 3: Ruth Detrow

(a) No report.

Council President: Paul Wertz

(a) I got an email from some person on Evergreen about the noise level Chief and they said that they have called the police and they came out and said there is no noise Ordinance or anything like that.

Tammie Bullard, 519 Evergreen Street: This is ongoing. The neighbors directly across the street from me; they are just; the windows are closed and I can still hear these people. They are out until late, late like 4:30 am in the morning. I get up at 5:00 am for work. So I have called several times over the last, we will say, 12 months since these people moved in. Over and over and over at least two or three times a month. The people next door have little kids in school. These people over here work day shift also. The ones right next door to them worked day shift when they were temps at our facility. I listened to them about the people next door. They are constantly up drinking and drunk. They have not got their music loud. I wish they did, then I wouldn't have to hear them hooting and hollering, laughing and carrying on and fighting, arguing, throwing stuff. There are people in the mornings in the summer sleeping in their car with barf down the side of their car. This is ongoing and continuous. Monday night I called to see if they could come out. The guys' name was Jim. It was dispatch. I don't know what their position is outside of answering the phone. But he said there is not a noise Ordinance in the City of Ashland. Now I was hot when I called. I was calm. But I said does that mean I can call you anytime of the day when they are disturbing you? And he said well basically yes. While I was telling him what was happening down the road, yes they were obviously drunk. Jim said they cannot do anything because there is no such thing as a noise Ordinance in the city of Ashland unless they have loud music. I said, Okay. Can't you just have them drive by so they go in the house? Which I think they did.

Paul Wertz: Chief, isn't there disorderly conduct or something like that?

Chief Bill Miracle: What you are telling me is that the dispatcher didn't send an officer out?

Tammie Bullard: I don't know if he did or not, by the time I hung up I was more angry than I was when I called him. So I went directly to my computer and emailed (inaudible).

Chief Bill Miracle: Well the situation is and that is true, there are disorderly conduct laws; but the noise Ordinance is limited to radio type situations either on the street or in a residence. Disorderly conduct is inconvenience, noise etc. If you have a situation, the officers should be coming by. I didn't know your name so I can't look up where the address was and I don't know what the history is up through there. The officer possibly could arrest those people or he could tell them to turn the noise down, but usually repeated calls to the same residence ends up in a citation being issued. If you want to give me a call tomorrow, I can look it up to see what the history is and maybe we can get something done for you.

Tammie Bullard: Concerning the one people, this Monday night was totally a new neighbor. The ones across the street, I have talked with Kim Major after work one day down at the station for a while and she went and furthered the investigation I guess. But she told me I had to tell them it was an ongoing thing, not a new thing and she basically told me what to say when I called which I tried to do that Monday night. I really did.

Chief Bill Miracle: Sometimes dispatchers take it upon themselves to make a determination whether or not to be sent or not. I am not saying in this particular case it was right or wrong but he probably should have sent somebody out and you probably should have insisted. Then an officer would be dispatched and talked to you.

Tammie Bullard: He asked me if I wanted to talk to them that night and I said I don't think that is good for me personally, my house or my safety to do that.

Chief Bill Miracle: Well those are the decisions you have to make and I respect that. Usually if the situation is we send an officer out, especially on repeat calls, I am not saying they always do, but in most cases they take important action in those situations. We may settle it, we may not. But at least we made an attempt.

Mayor Stewart: Are you in a position to call the Chief tomorrow?

Tammie Bullard: Yes I can.

Chief Bill Miracle: If you want to give me a call or Captain Marcelli sometime tomorrow; I will be glad to talk to you further or come down and I will talk to you.

Tammie Bullard: How about at 3:30p.m. I get off work at 3:30.

Chief Bill Miracle: Well I am not usually there at 3:30 but if you are coming, I will talk to you afterwards.

Tammie Bullard: Thank you.

Paul Wertz: Thanks Chief.

OLD BUSINESS:

Robert L. Valentine W1: Well just one thing here; our contract for Health Insurance, has that already been agreed to for this year?

Mayor Stewart: For the calendar year, yes. This calendar year yes.

Robert L. Valentine W1: You know we are looking for places where we can possibly save money and I don't know whether we can or can't, hopefully we would. Is it possible that maybe we would look for some other companies to get involved with this and bring them in? I am talking for the next year?

Cherie Bailey: Certainly that is a decision for if you want to get that out next year or not? But I met with Mr. Stewart and Ruth Detrow and went over a review of our Insurance and how it has been running as far as the cost effectiveness to the city and we have been, in 2005 that year ended up with 3.2 million and the city's cost the last three years has been running between 1.4 and 1.3 million. It has been remaining stable right there so we are holding our own but certainly that is something to look into. It is up to you folks to determine that.

Mayor Stewart: The increase this year was 9.8%, is that correct?

Cherie Helterbridle: Yes. The overall.

Mayor Stewart: 9.8% increase for this year which my information tells me that 12-13% was pretty common.

Cherie Bailey: 25% is in the industry right now.

Robert L. Valentine W1: Cherie, when you throw the figures like 3. something and 1.; what do you mean by that?

Cherie Bailey: One million three hundred thousand (1, 300,000 dollars). It is where we have been staying. 1,305,000 dollars is the city's share. You know of course the whole; because of the way ours is set up with an HRA which means a health reimbursement account, because of the way it is set up, although we budget a certain amount of health reimbursement for each person that is in the plan; they don't all use that and any money that is not used returns to the city and so as the result of the fact that people have not used all of that HRA money, and because

anytime you get a health insurance that is a smaller premium with a higher deductible which is what we have; it costs you're absolute sure cost is your premium and we have reduced the cost of our premium by having a higher deductible and we have helped our Employees out by having an HRA (health reimbursement account). It covers that deductible for them, the greatest part of it. And so when they aren't using all of that deductible, that remains with the city. The city's share alone, the employees have 20%; but the city's 80% has been running between 1.3 million to 1.5 million for the last 3 years.

Robert L. Valentine W1: Well you said there is money returned, what happens with the money being returned?

Cherie Bailey: It goes back into the General Fund.

Robert L. Valentine W1: So anticipate a certain amount in the General Fund?

Cherie Bailey: No we don't anticipate it because we can't. We have to budget a given amount for every employee that is covered. So that in the event that 100% of the employees use it, it is there. But history has shown that they don't use it all Bob so there is some health reimbursement money that comes back into the general fund.

Robert L. Valentine W1: Do we have any idea how much came in from last year?

Mayor Stewart: Yes, we know exactly.

Cherie Bailey: Yes we do. Last year there was \$ 170,000.00 dollars that was not used of the HRA money that was set aside. We set aside \$450,000.00 dollars HRA money. It may have been \$454,000.00 but it is rounded off. \$170,000.00 dollars of HRA money was not used. That is only used, that money goes out against claims that would be normally covered by a deductible coming out of the employees pocket; it goes against helping defray the cost of the deductible. And the cost of the out-of-pocket. But still in doing that, there was \$170,000.00 dollars not used. And the reason that happens is because when we had the self-insurance; we were paying for medical claims; now we are not paying for claims. We know the exact amount of liability we have on each person that is in the health insurance. There is no unknowns in it. And of course there are two ways in looking at health insurance and that is on the part of the employee and the part of the employer and I have to maintain this. This has been really cost effective for the city. Our people do pay 20% and I have contacted a number of communities, many of them, their employees don't pay that kind of percentage of the premium and they are scrambling. I had a gentleman in Toledo tell me just this morning that part of their Health Insurance, that he would do triple flips if he could get his unions to agree to 20%. It is a good thing and it helps to defray the cost to the overall city, more money can go into salaries or other things that need to be met. I think more people are frugal, more careful about their health insurance usage when they do their portion of it.

Robert L. Valentine W1: So we don't anticipate, we can't cause the Mayor said. So lets say \$100,000 some thousand dollars went into the general fund. Maybe that is one of the reasons that we have at the end more than what we anticipated.

Mayor Stewart: Well that is unaccounted for definitely. Bob, the month end reports reflect what the balances are and you know it is much like any other fund; you know about where you are at on it and you could take a nine month or six month forecast, but as the year progresses, anything can happen.

Cherie Bailey: This year, it will reflect it. It has been, and the Mayor knows this and I believe that I have talked with members of City Council, those line items have been so messed up with

things that didn't belong in there and you couldn't have sorted it out and tracked it but I have the report if you care to stop by my office; I would be happy to share that with you and go over it with you how we have tracked since 2003. Well, 2000. I went back to 2000 and I could show you each year how it has been, but there have been some things included in the health insurance that were not necessarily a part of the health insurance itself. Spending claims which are not a part of that.

Robert L. Valentine W1: How long have we been with the company we are with now?

Cherie Bailey: Three years. This is our 3rd year.

Robert L. Valentine W1: I just think it is something to look into, I really do.

Stephen Stuart: Bob I just want to reinforce what Cherie said; as she reviewed the health program and our experience with Ruth and me; I think we have been really very fortunate over the last three years in terms of how it has worked out for both the employees and the city.

Mayor Stewart: The presumption of cost of insurance as Cherie shared, there is an employee cost and there is a city cost and when you compare an employee cost with an employee from another entity; it is extremely hard to get a direct comparison because of coverage's, deductibles, family status. It takes; you almost shouldn't compare Joe Smith with Joe Jones. You need to go back to the basic insurance package and look at what you have bought and what it is costing.

Robert L. Valentine W1: Well if you know what you have; you have something what you want, which is very difficult, I am sure. If you know what you want, you can compare like apples to apples and then you can do that. Okay, thank you.

Mayor Stewart: Thanks Cherie.

Comments or questions?

Paul Wertz: In the interest of the Golf Course. Are we going to put a sign up for that or not? We had a couple of individuals that called and wanted us to put it up.

Mayor Stewart: Well the Golf Course committee is Steve and Robert M. Valentine. They have taken it and have ran with it and has established a committee to study what is exactly, how you say that Steve?

Stephen Stuart: The long term viability of Brookside Golf Course really.

Mayor Stewart: If there are other individuals, you can get a committee too big and you will never get anything done; by the same token there are some volunteers and I have personally, have no problem with adding another person to it. I think since I put it in the hands of a committee that should be Bob Valentine Jr. and Steve Stuart's call. But I don't know that you had those names. I don't know that I shared that with you.

Robert L. Valentine W1: Was there five on the committee?

Stephen Stuart: Yes. Five. You know as far as the process, Bob and I met with Tim and Terry and we talked with them and we probably had twelve or fifteen names that in the process of talking about people in the community who could contribute to this kind of a study, had knowledge of the community, had knowledge of Brookside and we came up with five that have a great deserve. And I think the first meeting will be as shortly after April 15th as possible.

Comments or questions?

Robert L. Valentine W1: Before we move to New Business, are you going to move ahead with what I suggested to you? The name of the street?

Paul Wertz: The two guys that submitted the letter. “Valentine Valley Drive”

Mayor Stewart: The Street name. I have no problem with moving forward with that, I think it is appropriate.

Paul Wertz: He says he would pay for the sign.

Mayor Stewart: It does not impact any mail addresses. It is strictly the name of the drive that goes from Sandusky back into the Golf Course Pro Shop and parking area and the recommendation has been made. The Planning Commission liked it. We did address it because there was some mix up in the names but I think it is a great Idea.

Robert L. Valentine W1: I feel kind of odd, why should I feel odd, but I do.

Mayor Stewart: Well Bob.

Robert L. Valentine W1: I know it’s my brother, but, not odd in that respect, just the idea. Whether I should be bringing this up or not. The point is it was brought to my attention at Rotary today. You were at my table did you notice that, or maybe you weren’t there when somebody brought that up.

Stephen Stuart: Do we need to take action?

Mayor Stewart: Lets have Council recommend that the name be changed and I will move forward with that.

Move for recommendation street name be changed to Valentine Valley Drive by Stephen Stuart, seconded by Paul Wertz.

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

NEW BUSINESS

(A) LIQUOR PERMIT REQUEST: Aldi, Inc. Ohio, Aldi, Inc. 28, 1033 Commerce Parkway, Ashland, Ohio 44805, Transaction: B-New, C1, C2

(New for sale of beer and wine) Terry Ann Zver (will not be here)

Paul Wertz: We have three choices; does somebody want to recommend the choices or any discussion?

Robert L. Valentine W1: Well they are not 500 feet from the School.

Mayor Stewart: They are more than 500 feet.

Move to not request a hearing by Ruth Detrow, seconded by Robert L. Valentine W1.

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

(B) LIQUOR PERMIT REQUEST: Aly Ossman, DBA Christine’s Home Buffet & Grill, 1677 Claremont Avenue, Ashland, Ohio 44805, Transaction: B-New, D1, D2

(On premises sale of beer, wine, liquor). (will not be here).

Paul Wertz: Same thing, three choices.

Robert L. Valentine W1: They said the people were asking for it.

Move to not request a hearing by Stephen Stuart, seconded by Ruth Detrow.

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

(C) ADVERTISING ON PRIVATE PROPERTY PERMIT APPLICATION: Ashland County Memorial Park, 1058 U.S. N. 250, Ashland, Ohio 44805, anticipated frequency of distribution weekly, monthly., contact person: Charles Smith (will not be here)

Paul Wertz: We have a copy of the flyer. When you come in for a permit. You have to make sure it states hanging on it. Weekly and monthly it says.

Mayor Stewart: May I make a comment on this? I think it is not descriptive enough to know what they want to do and how they are going to hang it. We require bags or something that makes it.

Robert L. Valentine W1: Your point is well taken. We have had groups come in and they have described it to us.

Mayor Stewart: And it does not give duration. In my perspective it is going to generate phone calls unless we get that more descriptive.

Motion to get more information by Paul Wertz, seconded by Paul Wertz,

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

(D) SIDEWALK WAIVER REQUEST FORM: Calvin Keefer, 164 Sunset, Ashland, Ohio 44805- Lot Location, corner of Sunset & Southview.

Paul Wertz: I drove by it. There are no sidewalks on the Sunset side, on Southview side, a new development has got sidewalks come up to this lot and stops. Can we make a motion to put sidewalks on the one half the part that is on the Southview side and on the Sunset side when sidewalks are put in, then do it.

Ruth Detrow: Well he has recommended that. I think if we just agree with the Director of Engineering.

Mayor Stewart: I again would like to say something. I don't have a disagreement with this, but this Council spent a year and a half studying sidewalks and does this meet the actual culmination of all of your criteria that you set forth?

Robert L. Valentine W1: That is why I asked whether it was down there all the way.

Mayor Stewart: Here you have a situation that a property has half of the sidewalk and I agree, Sunset has no sidewalks. And I believe that Council determined that until 80% of the sidewalks are in, it wouldn't require additional sidewalks. I think you need to think about what. Now this is a continuation of a street that has already started and it is new construction.

Paul Wertz: But actually this part of Southview down here, nobody has sidewalks. About 7 houses.

Stephen Stuart: As you think about it Glen, do you have any issue with the Director of Engineering recommendations?

Mayor Stewart: Not really. I just want to bring up that Council spent a lot of time and you need to reflect on your decision based on what come out of all those meetings that we had and Bob you ended up chairing it in the end.

Robert L. Valentine W1: That was a committee I was in charge of and I am trying to think back. I would rather go home and review it to make sure. I don't want to do something that if we start out.

Paul Wertz: Go by the 80% and we would have to say, no sidewalks till it is required in the area.

Robert L. Valentine W1: I would rather go back just to check. Do we have to make decision on this to-night?

Mayor Stewart: These are under construction and have a foundation and the gravel is in and it looks to me like they are close to pouring a slab for the home. Construction is nicely started but there is no framing or anything. I don't know that there would be an impact.

Ruth Detrow: I think we should give it a little more thought to be sure it is right.

Paul Wertz: Table it to the next meeting? Does that sound good to everybody?

Motion to Table Sidewalk Waiver by Paul Wertz, moved by Robert L. Valentine W1, seconded by Ruth Detrow.

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

Mayors Comments:

Mayor Stewart: I want to read a Proclamation this evening. It is a Proclamation regarding the National Public Health Week.

Proclamation

WHEREAS, Public Health affects all generations in our Community and

WHEREAS, Public Health improves every aspect of our lives and

WHEREAS, Prevention and protection from disease is generally much less expensive than treatment for it and

WHEREAS, the City of Ashland remains steadfast in support of the mission and vision of the Ashland County-City Health Department, and

WHEREAS, the National Public Health Week theme Building the Foundation for a Healthy America seeks to help the citizens of this community maintain good health through local public health prevention, promotion and protection,

NOW THEREFORE BE IT KNOWN, that I Glen P. Stewart, Mayor of the City of Ashland proclaims April 13, 2009 thru April 17, 2009 as Public Health Week.

Here unto I have set my hand this 7th day of April 2009 and cause the Seal of the City of Ashland Ohio to be affixed.

Mayor Stewart: And I will present that to the City-County Health Board at our Next meeting. That is all I have.

COMMENTS OR QUESTIONS FROM THE AUDIENCE: (Items not Included on the Agenda).
NONE.

Motion to Adjourn Regular Session meeting by Paul Wertz, moved by Robert L. Valentine W1, seconded by Ruth Detrow.

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

Paul Wertz: I would like to thank Gail Crossen for taking the minutes for us tonight also. Thank you Gail.

Adjournment

Adjournment at 7:37 p.m.

Minutes were taken by Gail Crossen in the absence of Council Clerk, Valarie Bishoff

Submitted by
Valarie F. Bishoff
Clerk of Council