
Ashland City Council

MINUTES FOR THE REGULAR SESSION OF COUNCIL Tuesday, April 21, 2009

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

ROLL CALL

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

Note: Throughout the minutes, Robert L. Valentine and Robert M. Valentine are designated as to their ward representation, W1 and W2.

PLEDGE OF ALLEGIANCE

PRESENTATION OF MINUTES

Regular Session: April 7, 2009

No Corrections or Comments.

Motion to accept the Minutes by Paul Wertz, approved by Stephen Stuart, seconded by Ruth Detrow

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

Abstain: Robert M. Valentine W2.

Paul Wertz: We have a Public Hearing at 7:10; we will go on with Legislation until 7:10 p.m.

LEGISLATION

Ordinances

Ord. No. 30-09

Item (a) AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO FILE A GRANT APPLICATION AND ENTER INTO A CONTRACT WITH THE OHIO REGIONAL DEVELOPMENT CORPORATION FOR THE OHIO DEPARTMENT OF DEVELOPMENTY COMMUNITY HOUSING IMPROVEMENT PROGRAM (CHIP); AND DECLARING AN EMERGENCY.

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

Ellie Grubb: This is an Ordinance asking Council to approve the Mayor to file a Grant application with Ohio Department of Development for Community Housing Program. It is a \$500,000.00 dollar Grant and the breakdown for that would be; \$250,000.00 dollars of the grant would go towards owner rehab; \$150,000.00 dollars would go to home repair and they have a new category this time around and this is 2 years; it is for emergency monthly housing payments. So basically there is \$80,000.00 dollars designated to help someone who may be on the verge who has lost their job and found one but got behind on their mortgage. So this would help them pay for 3 months of their mortgage

to keep them out of bankruptcy. But this is to contract with the Ohio Regional Development Corporation, non-profit organization and they do the administration of the grant for the City of Ashland. Their portion consists of \$500,000.00 dollars grant.

Paul Wertz: This is something we do every year, correct?

Ellie Grubb: Every two years.

Robert L. Valentine W1: Just a question for information. Is that 12% of the \$500,000.00 for administration?

Ellie Grubb: Yes.

Robert L. Valentine W1: Okay, so the City of Ashland pays 12%, that is just 12%; that doesn't actually come out of the City of Ashland, it comes out of the grant?

Ellie Grubb: No, it comes out of the grant.

Ruth Detrow: Is that extra category, the new one, does that have to be repaid?

Ellie Grubb: No, not at all.

Ruth Detrow: Okay. I know some of those grants if you sell the house soon, you have to repay it.

Ellie Grubb: That's right, on some of the categories, are down payments on homes, which we are not doing this time. We felt this time, when I say we, there is a housing advisory committee that has put together through this office and they are representatives from Banks, realtors, all the agencies that deal with housing issues and homeless issues. And we discuss what we think their needs are in the city. The county has their own CHIPS and they do for the county. It is low to moderate income. The mortgage payments do not have to be repaid.

Questions or comments?

Moved by Robert L. Valentine W1 and seconded by Robert M. Valentine W2 that the Ordinance be passed on the first reading to invoke Section 113.01 of the Codified Ordinances as the distribution of this Ordinance has satisfied the requirements of said Section and that a further reading be dispensed with at this time.

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

Move to suspend the rules, 3 separate meetings, 3 separate nights, by Ruth Detrow, seconded by Robert L. Valentine W1

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

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

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

Ord. No. 31-09

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

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

Mayor Stewart: This is equipment for basically upgrade the capability out at the Municipal Court. They have actually in BOLD print, hardware and software, etc. to audio and video tape, add equipment to design to capture the proceedings of the court and then it goes into a software and puts it into a storage in electronic form. I am not familiar with what that equipment actually is. The Court has handled this. They do it out of the funds that have been set-aside for it in the Special Projects Fund and Eric has been very good at working with us bid wise and that sort of thing. I did not get into their business on this. I feel that it is appropriate and they have the funds to do it and they need to eliminate as much handwork as they can. It seems to be a process by getting it into electronic storage format.

Robert L. Valentine W1: I just looked into to see what; this is Special Project, so it just doesn't mean software and such. They have budgeted around \$468,000.00 in that category. First I thought it was just software.

Questions or comments?

Moved by Ruth Detrow and seconded by Robert L. Valentine W1 that the Ordinance be passed on the first reading to invoke Section 113.01 of the Codified Ordinances as the distribution of this Ordinance has satisfied the requirements of said Section and that a further reading be dispensed with at this time.

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

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

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

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

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

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

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

PUBLIC HEARING # 1 - 7:10 p.m.: Community Development Block Grant Small Cities Program

Larry Paxton, Acting Director of Engineering: This is a Public Hearing for Community Development Block Grant program. The purpose of the hearing is to provide citizens pertinent information about the program including an explanation of the activities and program requirements. Provide the public with input and community development and their needs. The definition of low income is to allow 50% of immediate income. If the metropolitan area is greater than 50% or up to 80% of the metropolitan area. The entire area must be between low to moderate income. We do have a map here (passed to council only). It does show the areas of the community that does fall into this category. This year is for the 2010 construction year; the city will be allocated \$86,000.00 dollars under this program. Some examples we have used this money for in times past is for traffic signals, water valves, the Buckeye/Marlo Sanitary Sewer replacement project which was recently bid is in a low-to moderate income area and we are utilizing some of that money with matching dollars for the sewer fund. The sewer in that area. The Ashland County Oral Health Services received some money a few years ago, the wastewater treatment plant, we have scheduled a high service pump repair project and we will be using some of this money to help redo those pumps out at the Water Treatment plant. The time frame is interested in individuals in groups should submit a letter to the Engineering Department to apply for consideration to the Block Grant program. The letter should be proposed project with estimated cost. The deadline for the project will be May the 4th at 4:00 in our office. The reason for that is we have to hold another hearing May the 19th and before we do that we have to advertise in the newspaper what we will be using the money for, for this program. This hearing is only to start the process.

Questions or discussion?

Robert L. Valentine W1: Do we have any figures?

Larry Paxton: \$86,000.00 is the maximum. In times past it has been separated; for example like the high service pumps I believe received about \$48,000.00 dollars and then we used some money for other projects in the community as well. We shared some of that.

Questions or discussion:

Motion to move back into Regular Session by Paul Wertz, moved by Robert M. Valentine W2, seconded by Ruth Detrow.

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

Ord. 32-09

Item (c) AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN ANNEXATION AGREEMENT WITH MONTGOMERY TOWNSHIP; AND DECLARING AN EMERGENCY. (3.171 Acres) Ag.

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

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

Mayor Stewart: This is a section of County owned land that is directly west of Kingston; it is what I call the Ag Building out there. They are prepared to come into the city. Rick has advised me that it was initially excluded from the expedited process so we will work through that and it will come in, in that manner. We will get the agreement with the Township Trustees, etc.

Richard P. Wolfe II, Director of Law: They have already approved it.

Robert L. Valentine W1: Do they have a water line out in front?

Mayor Stewart; One of the things that we talked with them about when we first talked about annexation was that they had just put several thousand dollars in their sewage treatment operation and I believe that; well I know that we told them that they could continue using that until it needed significant maintenance and then they would have to hook on. Water, I don't recall for sure, Bob. Yes water is out there.

Robert L. Valentine W1: Everything on all sides is a part of this.

Questions or discussion?

Moved by Robert L. Valentine W1, seconded by Ruth Detrow that the Ordinance be passed on the first reading to invoke Section 113.01 of the Codified Ordinances as the distribution of this Ordinance has satisfied the requirements of said Section and that a further reading be dispensed with at this time.

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

Move to suspend the rules, 3 separate meetings, 3 separate nights, by Ruth Detrow, seconded by Robert L. Valentine W1.

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

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

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

Ord. 33-09

Item (d) AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF EQUIPMENT FOR THE STORMWATER DIVISION OF

THE CITY OF ASHLAND, OHIO, OBTAINING FORMAL ADVERTISING AND BIDDING;
AND DECLARING AN EMERGENCY.

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

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

Larry Paxton: This is a replacement of a 1998 Aqua tech that we currently have. It is a truck and the body that goes along with that. The Aquatech is a vacuum hook up that will vacuum the sewer line out. It also has a water tip on it that will go up the sewer line to dislodge the jam in it. Used to unplug the sewer line. The current truck has become very undependable. It's been in the service garage a lot. In doing that, it is in dire need of replacement. The truck itself unfortunately only has about 65,000 miles on it. But that is miles; the truck idles a lot when it is out on service calls. It is a piece of equipment that is similar to a fire truck and you hope you never have to use. But unfortunately you use it most of the time in an inconvenient time because it usually breaks or a sewer line plugs on a Friday night or on a Sunday afternoon, rather than waste a piece of equipment we have to have people out there to unplug these service lines. That is why we are asking for this piece of Legislation. We have some pictures of the old truck compared to the new truck (pictures passed to Council only). The white vehicle is the new vehicle and the green vehicle is the one we are asking to replace.

Ruth Detrow: How much use does it actually get? I know its irregular.

Larry Paxton: It is irregular but it is used; I would say, might be a couple days, 3 days a week.

Michael Hunter, City Utilities: What I would like to say, it is used when necessary but we have an obligation. It is written into our permit from the Ohio EPA, we have a classified classic system. Our sanitary sewer system is classified and we have a requirement to maintain. And part of that requirement is not just the emergency use as it is currently being used for; we relegating the existing pieces of equipment for emergency purposes only because it is unreliable to put in on the street as often as it needs to be. We need to do systematic cleaning of our system beginning at one end of town and working all the way down to the other end. We cannot do that with the existing piece of equipment. So if we get that piece of equipment when these people aren't involved with an emergency or whether a repair system or storm sewer system, they are going to be cleaning sewers.

Ruth Detrow: So it is going to get constant use?

Michael Hunter: Frequently.

Ruth Detrow: And certainly every week.

Michael Hunter: Absolutely. We have that requirement.

Ruth Detrow: And this is not funds; these funds do not come out of the General Fund.

Mayor Stewart: No they do not.

Larry Paxton: They come out of that \$3.50 dollars per month that we pay. This is an example of us putting those funds to work to make our system better.

Robert L. Valentine W1: That budget amount is what \$300,000.00 in that particular category, correct?

Questions or discussion?

Stephen Stuart: A couple of comments. This is obviously a significant amount of money when you add the price of the chassis and the vacuum together. And we are replacing a unit that really is a little less than 10 years old. I guess I would emphasize if we go ahead and approve this that we need as you indicated; we need to make maximum use of it and go in on a plan basis to clean out these areas and also if the present piece of equipment is not dependable and it is costing us a lot to repair; I think we ought to get rid of it.

Michael Hunter: I concur with that. The last two years written into our permit; we are required to do what is called a WIB, that is water in basement. I think it is getting very close where Ohio EPA is going to incorporate that into some form of regulation where it is going to become a violation when we have water in basement. But the fact of the matter is I have to record those, I have to respond to those and annually we have to provide a report. Part of that report requires us to specify what we would mitigate that. It is very difficult now, as I understand to provide a proper mitigation because we are not doing the systematic thing that we were doing in prior years. Just before I came here, they had done the entire system, but that is when the machine began to fail, its reliability began to degrade. We simply couldn't do that. We need to get back to that. And we certainly will.

Mark Burgess: Council President, Mayor can I say something? One alternative use for this truck is in certain soils we can use this truck for trench collapse and rescue with more granular type soils then if we had a person trapped in the soil we would use this truck or call to use this truck to help excavate so we can get a patient out. So there is another use, hopefully we will never have to use it but there are certain cases where we would use this as a resource.

Robert L. Valentine W1: But you haven't used it yet though, the old one?

Mark Burgess: Fortunately we haven't had a trench rescue. We are trained for it, but knock on wood.

Questions or comments?

Move the Ordinance be passed on the 1st reading by Stephen Stuart, 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: Robert M. Valentine W2, Ruth Detrow, Paul Wertz, Stephen Stuart, Robert L. Valentine W1

Move to suspend the rules, 3 separate meetings, 3 separate days by Ruth Detrow, seconded by Robert L. Valentine W1.

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

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

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

Ord. No. 34-09

Item (e) AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF EQUIPMENT FOR THE STORMWATER DIVISION OF THE CITY OF ASHLAND, OHIO, OBVIATING FORMAL ADVERTISING AND BIDDING 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: Robert M. Valentine W2, Ruth Detrow, Paul Wertz, Stephen Stuart, Robert L. Valentine W1

Larry Paxton: This is the adjoining piece of Legislation for the truck. It is a 2009 International 7000 truck. I might add it is being purchased from Abers, locally.

Questions or discussion?

Richard P. Wolfe II: In case you are wondering why these two items were separate; I felt that they were sufficiently distinguishable that they should be in separate pieces of legislation. Sometimes they can be combined; I felt in this case it was appropriate to separate them.

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

Move to suspend the rules 3 separate meetings, 3 separate nights by Paul Wertz, seconded by Ruth Detrow to invoke Section 113.01 of the Codified Ordinances as the distribution of this Ordinance has satisfied the requirements of said Section and that a further reading be dispensed with at this time.

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

Move the Ordinance be passed by Robert L. Valentine W1, seconded by Ruth Detrow to invoke Section 113.01 of the Codified Ordinances as the distribution of this Ordinance has satisfied the requirements of said Section and that a further reading be dispensed with at this time.

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

Resolutions

Res. No. 5-09

Item (a) A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO FILE AN APPLICATION FOR AND ENTER INTO AN AGREEMENT WITH THE U.S. DEPARTMENT OF JUSTICE BUREAU OF JUSTICE ASSISTANCE, FOR THE PURPOSE OF ACQUIRING FUNDS THROUGH THE RECOVERY ACT EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM; AND DECLARING AN EMERGENCY.

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

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

Chief Bill Miracle: This Resolution will allow Police Division and the Mayors office to apply for a grant through the Bureau of Justice systems in the amount of \$13,944.00 which the city of Ashland has been allocated through the recovery funds that President Obama and Congress has recently authorized. That amount of money is the City's share that is available to us. As part of that, we have to develop a program and apply for those funds. The program that we are designing has to do with Rapid Response training. The proceeds from the grant can be used for a number of things. Among them; overtime for officer training; and also equipment. Those are the two things I believe that we are going to use the money from the grant for. There should be a crank caller program for each officer, which will allow us to respond to those types of incidents. We will be applying for those. The turn around for the grant is fairly quick from my understanding and we can access those funds fairly quick.

Questions or discussion?

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

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

Move to suspend the rules 3 separate meetings, 3 separate nights by Paul Wertz, seconded by Ruth Detrow to invoke Section 113.01 of the Codified Ordinances as the distribution of this Resolution has satisfied the requirements of said Section and that a further reading be dispensed with at this time.

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

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

Res. 6-09

Item (b) A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO FILE AN APPLICATION FOR AN ENTER INTO AN AGREEMENT WITH THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF COMMUNITY ORIENTED POLICING SERVICES, FOR THE PURPOSE OF ACQUIRING FUNDS THROUGH THE COPS HIRING RECOVERY PROGRAM; AND DECLARING AN EMERGENCY.

Move for non-reading in full by Ruth Detrow, seconded by Robert M. Valentine W2.

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

Comments:

Chief Bill Miracle: This is another great program that we are applying for; we would like to apply for. This is coming from an office of Community Oriented Policing COPS grant. It is a Hiring and Recovery grant. Hiring and Retention grant that we are applying for which will allow us for over a 3 year period to access a little over \$806,000. 00 dollars to hire (1) officer and retain (3) others during that period of time. So it will ease the strain on the Police Division budget obviously if we can obtain these. This is a very good grant program, it is \$1 billion dollars nationwide and I understand that there are a lot of applications. They have told us that we will have use of the grant award by September 1 and hopefully a long time before that, but we don't know what we are going to get or how much we will be funded for but that is what we are applying for.

Questions or discussion?

Robert L. Valentine W1: Just entry-level salaries? No overtime? Just regular entry level?

Chief Bill Miracle: This particular grant covers base salaries and benefits or starting salaries. It doesn't cover the full cost of the officer over the three-year period but it probably covers 70-80% of the cost to the city for those officers during that period of time. So we are hopeful.

Questions or discussion?

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

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

Move to suspend the rules 3 separate meetings, 3 separate nights by Paul Wertz, seconded by Ruth Detrow to invoke Section 113.01 of the Codified Ordinances as the distribution of this Resolution has satisfied the requirements of said Section and that a further reading be dispensed with at this time.

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

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

Res. No. 7-09

Item (c) A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE STATE OF OHIO DEPARTMENT OF NATURAL RESOURCES FOR ACCEPTANCE OF A CAPITAL IMPROVEMENT GRANT; AND DECLARING AN EMERGENCY.

Move for non-reading in full by Robert M. Valentine W2, seconded by Ruth Detrow.

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

Comments:

Tim Clingan, Parks: This Resolution will allow us to accept a grant that has been appropriated by the 127th General Assembly through House Bill # 562. We notified them of our need and through the General Assembly they patched that on to the Ohio Department of Natural Resources to be administered by the division of Real Estate and Land Management. This is a project that we have been wanting to do for several years as far as renovating the Bandshell. I sent you out the letter earlier last week explaining the details and in that letter I said \$213,500.00; it was actually \$215,000.00. I was a little off there. The sources of the funds would of course be \$148,500.00 coming from this grant and the balance is \$66,500.00 is coming from account 211, which is our Bandshell improvement fund. Those funds are a part of a carryover balance that has been received through donations over the years.

Questions or discussion?

Robert L. Valentine W1: It just looks like it has been utilized quite a bit. Last year it was used quite a bit. I would imagine with the Economic situation the way it is it will probably be utilized even more. You probably have statistics on that but I think last year, and I have commented before and that is the idea that I have talked to numerous people and maybe because of my age, I don't know but we really enjoy going out to the concerts.

Paul Wertz: I have been to several and the place has been packed. It has been utilized.

Mayor Stewart: One of the things when you go out there, when you first look at it, it is really an attractive structure; look at it a little closer and there is a lot of maintenance that is in dire need of being done to preserve it and I would hate to see that fall into any further disarray and I think these funds can be put to some good use.

Robert M. Valentine W2: So Tim, when would they start working on that?

Tim Clingan: We would put it out for bids here very soon after this approval. We would want that to start immediately after the last performance, which would be about the first part of September. With these funds we do have until June 30, 2010 to take care of that.

Robert L. Valentine W1: That is kind of ironic; I can remember back in the '60's and the '70's and the '80's and that was the responsibility in the summer time that I had, and we had about 4 or 5 concerts and they were mainly from Mansfield. No restrooms. It has really changed, drastically. When the seats went in and all of that. I think it is really great.

Tim Clingan: It was built in 1949.

Robert M. Valentine W2: I cleaned that one summer.

Questions or discussion?

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

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

*Move the Resolution be passed 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: Robert M. Valentine W2, Ruth Detrow, Paul Wertz, Stephen Stuart, Robert L. Valentine W1.*

WARD REPORTS

At-Large: Stephen Stuart

(a) I would like to take my time on a Ward report to share some concerns for Public Record that I think we all have as Council members. And they pertain to our Finance Director. As you recall, at the March 17th meeting, her resignation was accepted by Council and her resignation said in part that it would be effective with completion of the 2008 annual audit and its submission to the State Auditor's office; the anticipated date is June 1, 2009 and you also remember that I questioned our Finance Director at that time how she planned to fulfill commitments of two full time positions and I think her response was something to the affect that "I am available 24/7 to the citizens of Ashland. Well we met with the Auditors who are auditing the City's financial records for the 2008 fiscal year this afternoon at 4:00 p.m. and these auditors indicated that the audit process was stalled because of the failure of the Director of Finance to provide timely information to the auditors that had been requested some 2 months ago. Specifically the December 31, 2008 cash reconciliation and bank statements; the additions to the Capital assets; and information regarding the debt of the City of Ashland. Now this is a real concern that the process is stalled and if you think about the request of information for the December 31 cash reconciliation of Bank statements. That is a process that you go through immediately in closing out the fiscal year. You have to have that done before you start your next fiscal year. Now why that wouldn't be available some 3-1/2 months later is a real concern to me. To the best of my knowledge no one has seen our Director of Finance in this building during normal working hours since she started her new position March 3. I would like these comments to be part of our record.

Ward 2: Bob Valentine

(a) No report

Ward 1: Bob Valentine:

(a) No report

Ward 3: Ruth Detrow

- (a) I would also like to make note of the fact that our Finance Director is not here tonight; at our last Regular Council meeting our Finance Director was not here.
- (b) I have one thing in my ward reports. I had a call from a gentleman, on Lee Avenue, who has a problem with ground hogs coming up right into his yard and tearing things up. I spoke to the Mayor about it and while I was there, and talked to the Police Department about permission for that man to shoot them. I tried to get back to him and I think maybe I had a wrong phone number because I cannot reach him now. I may have to go to his house. There are ways to take care of animals that are being a terrible nuisance. We have the forms to fill out and there is a way to take care of it. I certainly hope that the man on Lee Avenue gets back to me because I am really proud of the fact that things really worked out fine except for the fact that he doesn't know it.

Ward 4/President: Paul Wertz

(a) No report

Old Business:

Robert L. Valentine W1: One thing I want to thank Cherie for is that she sent a letter to the Mayor suggesting that if we are going to look into Health Insurance for next year that anyone that has Insurance Company that is interested or an Agent was interested if they did call she would put them on the list and notify them if that is what Council decided to do. We talked about that at the last meeting and I appreciate Cherie following up with that. The second thing and I think it is a step in the right direction; I think we encouraged Valarie to go to these Municipal Clerk Association Meetings, Spring Conference and that is quite a detailed report there. And as a matter of fact all of the meetings you have attended and I think this is a very good thing. I believe it is very valuable. I think you can pick up a lot of things from other clerks too things that you don't think about or things that they do that you think would be applicable to what we have here. I read through the whole report and I want to thank you.

Advertising on Private Property Permit Application: Ashland County Memorial Park, 1058 U.S. N. 250, Ashland, Ohio 44805; weekly, monthly- Charles Smith-contact person.
(Application has been withdrawn)

Paul Wertz: The last meeting we tabled that Sidewalk waiver; I would like to bring it back to the floor for the next meeting. Is that okay with everyone? (Ayes- All Council).

New Business:

Mayor Stewart: Yes, I have a blue folder here, a Proclamation I would like to read to this Council this evening.

PROCLAMATION:

WHEREAS, the office of Clerk of Council is the oldest among Public Servants and

WHEREAS, Clerks of Council are ever mindful of the importance of being neutral and giving equal service to all and

WHEREAS, the Clerk of Council serves as the information center between the Council office and the citizens they serve and

WHEREAS, the Clerk of Council prepares the Council agendas, records and indexes minutes and maintain the Council's Ordinance and Resolution files and

WHEREAS, in 1984, President Ronald Reagan issued an official Proclamation recognizing the Municipal Clerks Week and the essential role a Clerk plays in local government

NOW THEREFORE IT BE KNOWN that I, Glen P. Stewart, Mayor of the City of Ashland proclaim May 3 through May 9 2009 as Municipal Clerks Week.

HERE UNTO, I set my hand on this 5th day of May.

Mayor Stewart: I have signed it and sealed it and I will present this to you Paul Wertz, President of Council to give to your Council Clerk and the 5th day of May we will all be up for ice cream and cake.

Mayors Comments:

I would like to make a point to Council that the Tax Budget timeline is coming at us like a freight train. It is necessary that my office receive a target for revenue and other input that comes out of the Finance office. This is a detailed delicate, almost as bad as the budget, and it takes a lot of time and my request is that we receive those targets as soon as possible. The time of the submission for the tax budget is after the suggested or potential departure of our current Finance Director. It puts me kind of at a quandary.

Paul Wertz: When does that have to be in?

Mayor Stewart: Either July 1st or July 15th and I am not sure.

Paul Wertz: It is not that far away.

Mayor Stewart: No it isn't and we should be working on it.

Ruth Detrow: But we can't.

Mayor Stewart: We can't within a target. The other thing I would like is to have Larry Paxton give us a brief update on the street paving program, but before he does that there may be other Council members that have submitted this, I only have one, I only have one submission from one Council member on suggested streets. Now if you have already talked to Larry and he has them in his file, so be it. There is going to an abbreviated paving program this year but we do want your input.

Larry Paxton: As you know we have been working through the winter on a water line replacement project. We have several leader beds that have been torn up for a good few months waiting for materials when warm weather comes along settling of the water lines. Last week Sarver paving opened up there Asphalt plant and as of Friday evening I had sent an e-mail to Simonson Construction who is the contractor on the job that they have two crews working on that water line replacement project. I have asked them before when they begin another street to put a new water line in. If one of those could be pulled off and be put on the restoration of the neighborhoods that already have been torn up by this project and they have agreed to that. And so in the very near future you are going to see some of those streets that have been open for a period of time, restored, repaved and cleaned up. With that, on Thursday I have already sent an email to you, the Mayor's office and others or some of you I believe that Thursday Morgan Avenue will be closed for the entire day. That will be the first street that will be paved. In doing that Morgan Avenue has had a lot of water breaks. We are not just paving the trench, we are paving clear over to the curb to get a good foundation for the street. You are going to see more of that as we go through that process. They will have to pull out after Morgan Avenue to do some painting and another project but then they will return. The first of May you will see some of those starting to be restored, their pavement put back in, grass seeding and so forth.

Paul Wertz: Some of the streets that are really bad had cracks in them, are you going to go out and put patch in there? Years ago we had that patching system; did we stop doing it?

Jerry Mack: We used to do the hot crack sealing. Our equipment is just not up to par and wouldn't be safe to use for that.

Paul Wertz: Some of the cracks, something should be done with them because they are going to get worse if not taken care of.

Jerry Mack: There is another process too that we have been looking at for a couple of years and Larry and I have talked about it. It is the Flurry seal process, which is not paving but we have got to get in and see how that compares with paving. I am not sure price wise how that works but we are going to find us some people and look at a couple of streets and see what they think of the situation. And that has to do with some of the cracked streets too. We may not have to pave them; we might be able to do something like that.

Robert L. Valentine W1: I don't want Steve Stuart being the only one who, of course others did too, I certainly agree with your comments you made relative to the meeting that we had and the information that you provided; I want you to know I felt the same way that you did.

Robert M. Valentine W2: Myself, too.

Paul Wertz: I agree with that too.

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

None.

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

ADJOURNMENT AT 7:53 P.M.

Submitted by
Valarie Bishoff
Clerk of Council