
Ashland City Council

MINUTES FOR THE SPECIAL SESSION OF COUNCIL Friday, May 22, 2009

Council President Paul Wertz called the meeting to order at 4:00 P.M.

ROLL CALL

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

PLEDGE OF ALLEGIANCE

Legislation:

Ordinances:

Ord. No. 41-09

Item (a) AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR, DIRECTOR OF PUBLIC SERVICE, TO ADVERTISE FOR BIDS AND TO ENTER INTO CONTRACTS FOR THE 2009 REPAIR AND RESURFACING OF VARIOUS STREETS IN THE CITY OF ASHLAND, OHIO, TOGETHER WITH ALL INCIDENTALS AND APPURTENANCES NECESSARY THERETO; 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 L. Valentine W1, Robert M. Valentine W2, Ruth Detrow, Paul Wertz, Stephen Stuart.

Mayor Stewart: As with many requests or directions to advertise for bids, we will add to the specs that an alternate or intermittent paving be included if in fact the bids come in low so that we can do more; we wont be tied into the exact list. I think that is appropriate; that was Rick's suggestion.

Robert L. Valentine W1: I was reading the paper today where Ed Meixner, County Engineer came in lower than what they had anticipated.

Mayor Stewart: That was recommended and I appreciate that. I think it is appropriate.

Robert L. Valentine W1: You made the presentation last Tuesday and it was mentioned.

Questions or Comments?

Move the Ordinance be passed on the first reading by Stephen Stuart, seconded by Robert L. Valentine W1.

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

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

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

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

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

Resolutions:

Res. No. 9-09

Item (a) A RESOLUTION DIRECTING THE MAYOR TO GIVE NOTICE OF TERMINATION OF THE EXISTING AGREEMENT FOR DELIVERY OF MATERIAL TO THE ASHLAND COUNTY RECYCLING CENTER; AND DECLARING AN EMERGENCY.

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

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

Mayor Stewart: If you would note on the 3rd Whereas, there is a misspelling in there; Whereas this Council finds instead of funds. This Resolution came at my request; Late yesterday or yesterday afternoon, there were some verbal changes. We received a letter that I confirmed with most of you in late April. That the Solid Waste facility was going to be a fiber only facility. When I received that and there was a lot of concern about it from our community. I was one of several that entered into some discussions with some other recycling centers. We met with two. Both of them, I am not talking contract. I am talking; here are some budget numbers we could consider. None of them will take glass. Glass is going to go the landfill at this point in time I guess regardless. The two that we talked to that are private firms will both take corrugated, magazines and newspapers that they call slick ends. Aluminum, steel cans and #1 and 2 plastic mixed. There is a possibility that we would not have to haul that material out of town in that both of these entities have compactors that could be considered for use on one of our sites. Instead we would take our recycling trucks and take them to probably our site and dump the material into compactors; that isn't all that easy because right now we take it to the Solid Waste District and when we get in, we dump it and leave. We would have some manual work in unloading unless we figured out how to put a hopper there. The bottom line is that the cost or the two private firms that have talked with us about this to pick up these compactor bins is considerably less than what we are spending today on an annualized basis, \$28,800.00 dollars directly to the recycling center today. We pay that by contract a year. It is a two-year contract. I do not criticize anybody that signed the contract because it was needed I suspect and that is the way it is. That contract runs through the end of this year. It was a two-year agreement. Under the circumstances that the city finds itself in financially and under the circumstances that prevailed until yesterday afternoon about what the recycling center would take; along with the fact that both private entities have suggested that when the market for the commodities that we take; in other words the recyclable and aluminum, steel and plastic, cardboard and the newspaper; when that market turn; once it reaches a peak, we will get a refund once it gets above; for instance, they mentioned cardboard is at 35.00 dollars a ton today, that is what they said. If it would go above 45, the city would start getting a refund. My proposal is that and because even know I was told verbally yesterday afternoon that the recycling center will now, they are going to start taking everything except glass again. Everything being, the newspaper, magazines, corrugated plastic; they are going to start taking it again. That was posted on a sign outside of their facility on Wednesday night and yesterday afternoon. I had dialogue with Dan Scott. He said yes that was changing. They had taken a load of materials wherever they take it; and it had been approved the way they took it. So they are not having to sort as much as they did in the past. In other words, I believe them to be taking mixed material.

Paul Wertz: So if we did all of this, they would pass it, they could still put a bid back in?

Mayor Stewart: To go a step further, if we were to dissolve this I darn sure would not want to leave the local recycling center out of the opportunity to present a proposal to the city to handle the recyclables that they can handle along with any other private firm that we see that could handle for the city and my goal was to do it in the most professional way to handle recyclables at the least cost.

Robert L. Valentine W1: Otherwise when we do this, we are pretty much eliminating the contract with the County, correct?

Mayor Stewart: Yes and there is a reason for that; because the document that we receive put a very significant limit. They were not going to take aluminum, steel or plastics. They were going to take fiber material only. And that was not interested in going to two places. Now verbally, they have told us that they are going to take the aluminum, steel and plastic now as well as the paper and corrugated. Not the glass. No one is going to take the glass.

Robert L. Valentine W1; Well the point being so does that leave us up in the air when you do this? Otherwise if you are talking about contract and if we go with the other side, not with the county, I am sure they are not going to sign a contract for a week.

Mayor Stewart: Well, again, verbally we are locked in to the rest of this month. We pay their \$2400.00 dollars or will. And if we were to continue with the county; If we were to terminate the agreement, It would be my guess they would want to continue with the fee that we are paying. Don't know that. The letter that was sent to us when they were going fiber only also suggested that they would reduce the \$2400.00 dollars to \$1200.00 dollars. Do you know what the \$2400.00 dollars is for? I am not confident that I know what it is for but I am also confident that the city is the only one paying that fee.

Ruth Detrow: In other words the county owns the site and so therefore they are not paying for the use of it.

Mayor Stewart: The Solid Waste District is a separate entity. But nonetheless, they service the rest of the county residents; they are going to continue I am told with some recycling dumpsters around the county. I was told we will not be putting them back in the city because they get too much trash in them.

Stephen Stuart: Who has title to their current recycling center and their equipment?

Mayor Stewart: I don't know that Steve.

Robert L. Valentine W1: Well the recycling center was purchased through a grant. I think it is \$340,000.00. I could be wrong with the figure.

Stephen Stuart: But that answers another question then. If it were purchased through a grant then one thing you could say well does the \$2400 dollars, any of that go towards paying for space; well it wouldn't. They can't charge a lease or rent on space for us if it were purchased through a grant.

Robert L. Valentine W1: Do you serve on the Solid Waste Committee?

Mayor Stewart: There is a committee that meets, yes to answer your question.

Robert L. Valentine W1: I thought the Mayor did.

Mayor Stewart: Okay, it is Ashland County Solid Waste District, Dan Scott coordinator, Nancy, Education. Executive committee is the three commissioners. The Solid Waste management. (SWMP), Kim Edwards is the chairperson, Glen Stewart, Roy Balkin, Marianne Rich, Al Sanders. We met early this year and we met about a month ago, less than that. After we got the closure letter, we met. They are struggling big

time. The sale of the recyclables was a huge part of their operating budget and the recyclables are in the pits right now. Dan and others are struggling.

Robert L. Valentine W1: We use to get a lot for cardboard.

Paul Wertz: They would get \$100.00 dollars for cardboard there for a long time. Now it is down to \$35.00 dollars.

Glen Stewart: I am not interested in putting the county out of business. That is not my goal but I have an obligation to provide this service to the citizens of Ashland at the least cost and with the most reasonable service and I believe that there is reason to dissolve the Resolution even though verbally yesterday afternoon we were told that they were going to start taking some other material that the letter said that they wouldn't.

Robert L. Valentine W1; So the point being, if we do this, then it is opened up for them to bid again too.

Mayor Stewart: I would say that a proposal should be accepted from the Solid Waste district and anyone else who could meet the criteria that we set forth.

Robert L. Valentine W1: So it is still open?

Mayor Stewart: Yes. I don't want to exclude them. That is not my desire.

Robert L. Valentine W1: I think you, when I say instigate, I mean very positively as far as county/city, we have had meetings and everything else. It has been a good relationship and we certainly want to maintain that relationship but that doesn't mean, you know. I think our concern too is what their concern is and that deals with finances.

Mayor Stewart: And it would appear; and I only have two ball park numbers from two private firms that they could be significantly less cost to the city but we don't have any solid numbers from anyone and I don't have Quantified document that they can put Quantification on and that is a proposal that we will have to prepare and send out.

Ruth Detrow: This Resolution which directs you to give notice of termination of the existing agreement is because the existing agreement has been broken by the county because they had too. But that is the reason for terminating it, is it not?

Mayor Stewart: That is correct. The letter that we received and I copied one for all of you;

Ruth Detrow: So we are really saying to them because you broke the contract, we are agreeing to break the contract?

Mayor Stewart: Yes. It was received on the 28th of April and at that point in time, they removed the recycling bins the end of April for those city sites.

Ruth Detrow: And they are not coming back/

Mayor Stewart: I was told they are not going to put them back in the city because they received too much trash. But they do plan on where they told me that they have planned on putting some back around the committee. If it is too harsh, if you don't support it I am okay, but I want you to know I feel there is a need to make some changes.

Robert L. Valentine W1: Well the only thing is otherwise the decision has to be made by next week, right? There is a time element here.

Mayor Stewart: I know that I can get rid of the material but the material at this point in time if I can't take it to the Solid Waste District, I know that I can take it to one of the other two private firms but I am going to incur transportation costs because it is not set up. We will not necessarily have a break in service regardless. There is a potential of an additional cost if we were to go with a private firm getting compactors in.

Ruth Detrow: I think this is just simply good business to make official the fact that the contract has been terminated because then we can go ahead and ask for bids and we aren't taking any chance of doing something that is illegal because we are still in contract with the county.

Mayor Stewart: And I don't know if the county people will contest it or not. But I believe Rick has gone through this, prepared it and I shared with him and when I talked with Rick yesterday morning, I had not received it yet. But the clock is ticking.

Comments or questions?

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

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

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

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

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

Motion to adjourn meeting by Paul Wertz, moved by Robert L. Valentine W1, seconded by Robert M. Valentine W2.

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

[Council adjourned the special session at 4:21 p.m.](#)

Submitted by
Valarie Bishoff
Clerk of Council