

Council met in a **SPECIAL MEETING**. The President of Council called the meeting to order at 6:00 p.m., the Ward 4 Councilor offered the opening prayer, and the Pledge of Allegiance was cited.

**Member(s) Present:** Mr. James M. Trisket, (Ward 5)  
Mrs. Julie A. Lattimer, (Ward 4)  
Mrs. Ann I. Stranman, (Ward 3)  
Mr. Richard F. Balog, (Ward 1)  
Mr. August A. Pugliese, (Ward 2)  
Mr. Christopher J. McClure, (Vice President)  
Mr. J.P. Ducro IV, (President)

**Member(s) Absent:** None

**Officer(s) Present:** City Manager James M. Timonere, City Solicitor Michael Franklin  
City Auditor Dana D. Pinkert, Clerk of Council LaVette E. Hennigan

**Officer(s) Absent:** None

**SUNSHINE LAW CERTIFICATION:** The Clerk of Council certified conformity to the Sunshine Law.

**PURPOSE:** The President announced the purpose of this Special Meeting was to:

1. Vote on legislation pertinent to the operations of the City
2. Discuss Proposed Early Retirement Incentive
3. Discuss Combining Public Works & Sanitation Departments into one department

**WELCOME:** The President welcomed visitors who included City Treasurer/Civil Service Commission Secretary Lori Mackey, several City employees, Star Beacon reporter Shelley Terry, and a few citizens.

## **DISCUSSION**

### **1. Vote on legislation pertinent to the operations of the City**

The Ward 1 Councilor directed attendants to page 20 of the agenda packet. At the section titled Police Department: (1), the second line reads ... “the promotional examination for the position of (Sergeant)... should read ... “the promotional examination for the position of (Lieutenant)”.

Mr. Balog moved, Mrs. Lattimer seconded to correct the document by way of interlineation; motion CARRIED.

### **Civil Service Commission (here after Commission) Rules & Regulations Proposed Amendments**

President: Asked for a summary of the proposed changes and why this is before Council.

Ward 1 Councilor/Safety Forces Committee Chair: deferred to the Commission’s Secretary to respond.

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Commission Secretary: Basically it's housekeeping. We needed to add the position of Lieutenant here as we added by ordinance some months ago (*insert: Ordinance No. 2010-107, passed on August 2, 2010 and Payroll Ordinance No. 2010-114 passed on August 16, 2010*). We have the Lieutenant's exam pending so I wanted the Rules to be correct. So, we're just taking out Sergeant, Captain – putting in Lieutenant.

President: That's the only modification; very simple.

Secretary: Pretty much.

President: Okay.

Vice President: We did go over that in Pre-Council Monday; and what the makeup would look like. There is one Captain remaining; with Captain Bradley retiring there will be one Captain.

President: That's Captain Cornelius, correct.

Manager: Correct.

Vice President: Any Sergeants left.

Manager: No.

Vice President: No more Sergeants. And then there are five Lieutenants...

Manager: There'll be three Lieutenants open for a total of 10, when it's all said and done.

Vice President: Then we went through a org(*anizational*) chart breakdown of what the numbers would look like for each position, at Pre-Council last Monday. Everybody, I think, had a pretty good understanding.

President: Okay, so now we need a motion to adopt these changes with the interlineation.

Clerk: The interlineation has been done, we just need to go through the normal procedure.

## **LEGISLATION READING**

**ORDINANCE NO. 2013-18 AN ORDINANCE REPEALING IN ITS ENTIRETY, THE EXISTING RULES AND REGULATIONS OF THE CIVIL SERVICE COMMISSION OF THE CITY OF ASHTABULA, OHIO,** was presented. Mrs. Lattimer moved, Mrs. Stranman seconded to waive the reading of the ordinance; motion CARRIED. Mrs. Lattimer moved, Mrs. Stranman seconded to waive the Charter requirement of two readings. On the roll call to waive the Charter requirement of two readings:

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Mr. Trisket Mrs. Lattimer, Mrs. Stranman, Mr. Balog, Mr. Pugliese Mr. McClure, Mr. Ducro voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mr. Trisket, Mrs. Lattimer, Mrs. Stranman, Mr. Balog, Mr. Pugliese Mr. McClure, Mr. Ducro voted yea; motion CARRIED.

**ORDINANCE NO. 2013-19 AN ORDINANCE ENACTING NEW RULES AND REGULATIONS OF THE CIVIL SERVICE COMMISSION OF THE CITY OF ASHTABULA, OHIO**, was presented. Mrs. Lattimer moved, Mrs. Stranman seconded to waive the reading of the ordinance; motion CARRIED. Mrs. Lattimer moved, Mrs. Stranman seconded to waive the Charter requirement of two readings. The Clerk obtained the City Solicitor's approval as to "form and correctness" for today's Legislation Agenda. On the roll call to waive the Charter requirement of two readings: Mr. Trisket, Mrs. Lattimer, Mrs. Stranman, Mr. Balog, Mr. Pugliese, Mr. McClure, Mr. Ducro voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mr. Trisket, Mrs. Lattimer, Mrs. Stranman, Mr. Balog, Mr. Pugliese, Mr. McClure, Mr. Ducro voted yea; motion CARRIED.

## **2. Discuss Proposed Early Retirement Incentive Program (ERIP)**

The City Manager provided the following update:

- \* There was a potential for 9 layoffs – that was with a current total in both Sanitation and Public Works of 32 employees;
- \* The budget proposed a reduction to 23 employees;
- \* After reviewing it more and receiving suggestions from some union members, (Mr. Joseph Bento, Mrs. Carolyn Sheldon), did some evaluating;
- \* One employee retired, the position will not be filled, which reduced the layoff number to 8;
- \* A June retirement is coming up "within the department" that has been budgeted for – the position will not be replaced, reducing the layoff number to 7;
- \* The Housing Inspector position is open in the Planning & Community Development Department. The intent is to fill it internally, reducing the layoff number to 6;
- \* Excessive overtime exists in the Waste Water Treatment Plant; possibly hiring a full-time employee would reduce overtime costs. After discussing this with Plant Superintendent Mike Mearini, filling the position internally is the best way to go; reducing the layoff number to 5;
- \* Having said all this, it will allow for the creation of other jobs in other departments in order to keep staff and keep people employed;

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- \* With the 5 possible layoffs and the potential of doing buyouts, the layoff number might be able to be reduced even more, but I'm not sure what that number would be. It's all going to depend on who's willing to take the buyout, and when they decide to go;
- \* Nobody has said the City's proposed offer to purchase 2 years of Ohio Public Employees Retirement System (OPERS) service credits is not good enough because there's no cash. But, we've heard grumblings that people would rather have cash than have years of service purchased. We have been struggling to find financing to pay for a buyout like that. In the two year model, some of the numbers we showed you before were in excess of about \$600,000 that a loan would have to be secured for. Because of what we budgeted for unemployment and by taking some of the other revenues that we predict would come in, I and the Auditor believe we are confident that we have about \$100,000 that we can offer to the employees today. **We suggest possibly offering \$10,000 to each employee who says yes to the buyout. Basically the way that would work is the employee would get \$10,000 in cash plus their terminal pay, (sick time, vacation time, whatever else is left).** It would be on a seniority basis for whoever would want to participate. Once that \$100,000 is gone, the "buyout would be complete". The second tier to that is there is a potential for funding which Treasurer Mackey has been working diligently on.

**The second option is same structure - \$100,000 buyout with the terminal paid out, but there would not be the \$100,000 cap on it. That cap would be much higher, basically to your comfort level of how much you (City Council) wanted to borrow. And those are the two recommendations we would make to Council.**

**The following points were touched on:**

- \* Callbacks once layoffs occur;

**Auditor:**

- \* An OPERS Retirement Eligible list was distributed. Retirement Eligibility is: 55 years of age with 25 to 30 years of service, or 60 years with any years of service. Based on information in the City's payroll system and information received by employees allowing [us] to contact OPERS: There are 11 employees in Public Works/Sanitation/Waste Water Treatment combined, and 6 in other departments, for a total of 17. "If there are employees with school time, I'm not aware if they might not be included";
- \* Wouldn't be prudent to offer buyout on first come/first serve basis – seniority has to be honored for buyout purposes; and
- \* Every week we do not lay off the people that are included in the budget, the expenditures increase by \$6,000. If we wait until mid February it would add \$48,000 to the Public Works expenses; \$120,000 will be added to their revenue – leaving them a difference of \$72,000 to use for a buyout;

with savings already realized in Code Enforcement and changing some allocations in Waste Water and Sanitation we can get to the additional \$25,000.

- \* Borrowing;
- \* Pension liability;
- \* Repayment;
- \* Cost savings vs. revenues;
- \* There are several variables to be considered;
- \* Employees committing to retiring;
- \* Unemployment benefits;
- \* Rehiring as City employee after retire; and
- \* Cannot borrow to provide cash incentives.

**ACTION: Mr. Trisket moved, Mrs. Lattimer seconded to draft legislation offering the \$10,000 cash buyout with at cap of \$100,000. A question and answer period commenced. The motion CARRIED.**

### **3. Discuss Combining Public Works & Sanitation Departments (hereafter PW/S)**

The City Manager reported:

- \* Of the 32 current employees in PW & S, (1) is the Director , 1 is the Foreman (who has retired), and 2 are Administrative Assistants [non-road employees] ). This leaves 28 people as of today to do the work in both departments;
- \* Proposed New Layout: Of the 23 people that would be retained, only 2 would be considered non-road working staff members, therefore 21 would be road employees, which is 7 less than what is budgeted for;
- \* Former Council President Rodger Altier previously floated the idea of combining the PW & S, along with Waste Water Treatment into the Department of Environmental Services;

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- \* He dispelled the rumor that he wants to bankrupt Sanitation in order to bring in Waste Management as the garbage pickup service. He has no interest in outsourcing the City's sanitation services;
- \* The reason for the proposed combining stems from issues with call offs, vacations, sick time, having being able to schedule employees in areas to get the jobs done;
- \* He issued temporary transfers into Sanitation. He spent (3) days and (12) hours trying to get it done. He left it up to 1197 Union to determine how to give him what he needed – that being 9 people and 3 trucks to get garbage picked up; and
- \* Combining the departments would create room for more efficiency, because the Public Services Director (PSS) would be able to schedule tasks according to the need of the day and the available workforce. Sanitation would take priority if snowplowing is not needed.
- \* The Ward 2 Councilor said he spoke with Mr. Altier who stated he did never advocated combining the departments, but rather putting the departments under one umbrella. The Manager apologized if he misunderstood. The Councilor issued a stern reminder that the City's income tax renewal is scheduled for a vote of the people on May 7. And, if services are not being provided, or if services are going to be cut, the voters will not renew the income tax.

Manager:

- \* Department funds would remain separate.
- \* 60% garbage pickup is the track record. Since the transfers, pickup has been "spot on".
- \* There will be 7 less positions between PW & S with layoffs .
- \* Public Services Superintendent: Not opposed to merger; opposed to laying off because his revenues do not warrant layoffs.
- \* Ward 4 Councilor: While the PSS's departments have been hit the hardest, in the end it was where the cuts had to be made.
- \* Solicitor: Council may legally combine PW & S Departments. Asked to be dismissed if his legal services would not be required. The President asked him to remain a while longer.

The President opened the discussion up to public comment. Several availed themselves of the opportunity to speak.

**ACTION: Mrs. Lattimer moved, Mr. Trisket seconded to combine the Public Works & Sanitation departments and draft legislation to be placed on the February 4 Regular Council Meeting agenda; motion CARRIED.**

### **CLOSING COMMENTS**

President: Hopes combining departments does not cause people to vote against the income tax renewal because they are two separate issues. It would be a very critical mistake if the issue failed. If the income tax renewal fails, the service to residents and the business community will get worse.

Ward 2 Councilor: Encouraged a YES vote to renew the City income tax.

Clerk of Council: In response to a public comment portion question, "What has Council and the Administration done to bring in revenue?", the Clerk enumerated the following:

- a. JEED contracts with Ashtabula and Saybrook Townships are in the works;
- b. Voters passed a 50% income tax credit last year. It was previously a 100% credit. This means Ashtabula City residents who work and pay taxes in another community will get credit for 50% of taxes paid to the other community, up to our rate of 1.8%. Police and fire protection services are provided with income tax revenues;
- c. Scheduled for the May 7 Primary Election ballot is the combining of the Treasurer and Auditor Departments for more efficiency and cost savings; and
- d. Solicitor added that Council passed a Jobs Creation Tax Credit, which was a significant factor in causing an employer who avails themselves of it, to remain in the City and add to their payroll.
- e. Grants were secured for sidewalks on the east and west side of Lake Avenue, from Route 20 to West 36<sup>th</sup> Street. This is money the City did not have to take from its coffers.

President: The time city officials are spending on lawsuits, hearings, arbitrations, council meetings, (such as this one), and are taking time to listen to concerns, is time not being spent on getting businesses to come to the area, working on JEDD possibilities. Why, because there are only so many hours in a day. "I had a lot of visions coming into this position; and all the time I could spend just promoting the City, and doing more things. A lot of the time I've spent has been on things I never would have thought I would spend time on (not that it hasn't been important or worthwhile), but it takes time away from the ability to do."

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Little things that are done make a difference. Front line employees are the face of the City of Ashtabula.

**Adjourn**

Mr. Pugliese moved, Mrs. Lattimer seconded to adjourn the meeting at 9:05 p.m.

DATE APPROVED: **March 4, 2013**

ATTESTED BY: \_\_\_\_\_  
**J.P. Ducro IV**  
**President of Council**

ATTESTED BY: \_\_\_\_\_  
**LaVette E. Hennigan, MMC**  
**Clerk of Council**