

Council met in a **SPECIAL MEETING**. The Vice President of Council called the meeting to order at 4:20 p.m., the Clerk of Council offered the opening prayer, and the Pledge of Allegiance was cited.

Member(s) Present: Mrs. Julie A. Lattimer, (Ward 4 – arrived at 4:30 p.m.)
Mrs. Ann I. Stranman, (Ward 3)
Mr. Richard F. Balog, (Ward 1)
Mr. August A. Pugliese, (Ward 2)
Mr. Christopher J. McClure, (Vice President)

Member(s) Absent: Mr. James M. Trisket, (Ward 5)
Mr. J.P. Ducro IV, (President)

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 Vice President announced the purpose of the Special Meeting was to vote on legislation pertaining to Walnut Beach, Payroll, Civil Service Rules & Regulations, and the Law Enforcement Trust Fund.

WELCOME: The Vice President welcomed visitors who included Planning & Community Development Department (P&CD) Project Administrator (PA) Mary Church, Star Beacon reporter Shelley Terry, Lift Bridge Community Association (LBCA) President Shelly Mullen, and Ashtabula Parks & Recreation Board (P&R) Chair Earl Tucker.

DISCUSSION

Walnut Beach Concession Renovations

The City Manager reported:

- * Two (2) of this evening's ordinance pertain to this project;
- * Project Engineers GPD Group, recommended the bid be awarded to Feghali Brothers Construction and Engineering out of Canfield, Ohio, at \$122,500;
- * The highest bid came in at \$181,500; and
- * No local firms bid.

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Project Administrator Church enumerated the Project Scope:

- *Replace men's and women's restroom fixtures to make American Disabilities Act (ADA) compliant;
- *new partitions;
- *paint restrooms and hallway
- *install time locked doors for restroom access when concession stand is closed;
- *ADA compliant ramps;
- *replace all light fixtures throughout concession area;
- *new windows in restroom;
- *new outside shower spigot;
- *the number of commodes in each restroom had to be reduced to make ADA compliant;
- *if there are remaining funds the hope is to award Alternate 2, by way of a change order, which is to paint the remainder of the building.; and
- *new sinks, commodes, and electric hand dryers.

The Manager reported, structurally, the building is in very good shape. The roof did have a few leaks. Having our crews put tar on it and smooth it out should take care of it, and give us a couple of more years. Because of the Lake, it will have to be replaced within 5 years. The Ward 2 Councilor reported the roof was replaced about 6 or 7 years ago, for about \$29,000. The Manager said "we wanted to do it last year" but time ran out. He said it is just a tar roof; there is no ballast. He said one thought is to replace the flat roof, when the time comes, with a pitched, metal roof with tresses, because the elements on the Lake might not be the best for the roof. He said he does not believe there are leaks in the areas where renovation will take place; and PA Church said she has not noticed any on her many trips to the location with contractors.

FORMAL LEGISLATION REQUESTS

The City Manager requested ORDINANCE NO. 2013-53 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH FEGHALI BROTHERS CONSTRUCTION AND ENGINEERING TO PROVIDE CONSTRUCTION AND RENOVATION SERVICES IN CONNECTION WITH THE WALNUT BEACH CONCESSION BUILDING IMPROVEMENT PROJECT. Mrs. Lattimer moved, Mrs. Stranman seconded to grant the Manager's request; motion CARRIED. The Manager thanked PA Church for working with the Ohio Department of Development regarding the use of Revolving Loan Funds on the project, GPD Group, and the contractors. The Vice President said this is one more step in the plan to revitalize the Beach; and a part of the LBCA's Big 3 Projects. The Ward 3 Councilor said some people will be happy the existing concession stand is being preserved verses razed; especially those involved in the new Saving Ashtabula's History group that was just formed. The Vice President concurred and said nothing that could be built today would match the existing structure because is built like a fallout shelter.

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The City Solicitor requested ORDINANCE NO. 2013-54 AN ORDINANCE REPEALING, IN ITS ENTIRETY, PAYROLL ORDINANCE NO. 2013-07 PASSED ON JANUARY 7, 2013, FOR THE PURPOSE OF CHANGING THE COMPENSATION FOR THE POSITION OF PART-TIME CLERICAL ASSISTANT TO THE CITY SOLICITOR FROM \$11.00 PER HOUR TO \$11.50 PER HOUR. Mrs. Lattimer moved, Mrs. Stranman seconded to grant the Solicitor's request. The Ward 2 Councilor said he does not object to this ordinance, but wanted to know if it opens the City up to other part-time clerical assistants to want \$0.50 cents more per hour because they have a bachelor's degree. The Auditor said she believes other clerical positions in the current payroll ordinance are separated out by department; the one related to this ordinance is specifically listed under the Solicitor's section of the payroll ordinance, and other clericals are on a scaled based on union job descriptions. The Solicitor said, as far as he knows other such positions are under the collective bargaining agreement. The Auditor said she also thinks the others start at a fair rate. The motion CARRIED.

The City Solicitor requested ORDINANCE NO. 2013-55 AN ORDINANCE AUTHORIZING COMPENSATION, SALARIES AND WAGES TO ALL EMPLOYEES OF THE CITY OF ASHTABULA, OHIO. The Solicitor reported this ordinance enacts the sole change noted in the repeal ordinance above. Mrs. Lattimer moved, Mrs. Stranman seconded to grant the Solicitor's request; motion CARRIED. The Ward 4 Councilor sought clarification on the position's previous hourly rate. The Solicitor reported prior to the last round of union negotiations the rate was \$12.34 per hour. It went down to \$11.00 per hour at that time, and he found someone to fill it, but they got engaged and moved. He had difficulty finding someone with experience or who had the background he could make use of and train, so he approached his private practice temporary help whose time with him was coming to an end. She has a bachelor's degree and significant office experience. Once her temporary assignment ended he approached her, they discussed the hourly rate, and it was agreed he would ask Council to increase the hourly rate to \$11.50 per hour at 20 hours per week. He said the difference to the City with Ohio Public Employee's Contribution (OPERS), Medicare, etc., for the balance of the year, is only around \$600.00, which amount is already appropriated in to his budget.

The City Solicitor requested ORDINANCE NO. 2013-56 AN ORDINANCE APPROPRIATING FROM UNAPPROPRIATED LAW ENFORCEMENT TRUST FUND 217 THE AMOUNT OF \$11,014 TO ACCOUNT NO. 217-117-5420, ENTITLED LAW ENFORCEMENT TRUST OPERATING, IN ORDER TO RECEIVE AND UTILIZE ADDITIONAL MONIES DERIVED FROM DRUG-RELATED CRIMINAL FORFEITURES. Mrs. Lattimer moved, Mrs. Stranman seconded to grant the Solicitor's request. The Ward 2 Councilor asked what the funds may be used for. The Solicitor noted the list of allowable uses is in the ordinance. The Councilor said because of the recent tragedies in our City, and in others, he wants to know if it is possible to offer a gun buyback program and use some of these funds to help get some weapons off the street. He said he believes it would alleviate some citizen anxieties, and would assist law enforcement officers. The Solicitor said, "I won't say it's impossible. It might be possible because the law does permit "other law enforcement purposes as determined to be appropriate".

I would hope there would be some discussion about that. Because unlike Cleveland or Chicago where there might be a lot of guns circulating locally, I think a lot of the guns that are being used in the crimes that you're reading about, and that we're seeing in the last few months anyway, have been brought in from outside by the people – by people primarily from Youngstown and Cleveland who come here to do bad things. We have guns that have been stolen locally and when the police have tracked them to a certain location, the response is always oh, well that gun I sold it to a guy in Cleveland – I sold it to a guy in Akron – I sold it to a guy in Youngstown. I think we're a net exporter of guns, to be honest with you." The Ward 3 Councilor said some communities have "gun turn in" programs so residents may unload guns they do not want, at no cost to the City. And some will sell safety locks for children. The Ward 1 Councilor suggested the gun buyback could be incorporated into the Municipal Court's Amnesty Day so participants could get their fines reduced. The Solicitor responded, "We don't set the fines for the Municipal Court". The Solicitor again asked that there be some discussion as to whether a gun buyback program is the best use of Law Enforcement Trust Fund dollars. The Ward 4 Councilor said her concern is for the guns with no serial number, and suggested the SF Committee be sure to discuss this aspect. The suggested program was referred to the Safety Forces Committee for consideration. motion CARRIED.

LEGISLATION READING

RESOLUTION NO. 2013-52 A RESOLUTION AUTHORIZING THE TRANSFER OF \$125,000 FROM THE REVOLVING LOAN FUND TO THE COMMUNITY DEVELOPMENT BLOCK GRANT FUND TO MEET THE REQUIREMENTS OF THE WALNUT BEACH PARK CONCESSION BUILDING IMPROVEMENT PROJECT, was presented. Mrs. Lattimer moved, Mrs. Stranman seconded to waive the reading of the resolution; 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: Mrs. Lattimer, Mrs. Stranman, Mr. Balog, Mr. Pugliese, Mr. McClure voted yea; motion CARRIED. On the roll call to adopt the resolution: Mrs. Lattimer, Mrs. Stranman, Mr. Balog, Mr. Pugliese, Mr. McClure voted yea; motion CARRIED.

ORDINANCE NO. 2013-53 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH FEGHALI BROTHERS CONSTRUCTION AND ENGINEERING TO PROVIDE CONSTRUCTION AND RENOVATION SERVICES IN CONNECTION WITH THE WALNUT BEACH CONCESSION BUILDING IMPROVEMENT PROJECT, 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: Mrs. Lattimer, Mrs. Stranman, Mr. Balog, Mr. Pugliese, Mr. McClure voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mrs. Lattimer, Mrs. Stranman, Mr. Balog, Mr. Pugliese, Mr. McClure voted yea; motion CARRIED.

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ORDINANCE NO. 2013-57 AN ORDINANCE REPEALING, IN ITS ENTIRETY, ORDINANCE NO. 2013-21, PASSED ON FEBRUARY 4, 2013, FOR THE PURPOSE OF CORRECTING AN ERROR IN THE COPY OF THE RULES AND REGULATIONS OF THE CIVIL SERVICE COMMISSION OF THE CITY OF ASHTABULA, OHIO, ATTACHED THERETO, 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: Mrs. Lattimer, Mrs. Stranman, Mr. Balog, Mr. Pugliese, Mr. McClure voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mrs. Lattimer, Mrs. Stranman, Mr. Balog, Mr. Pugliese, Mr. McClure voted yea; motion CARRIED.

ORDINANCE NO. 2013-58 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.

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On the roll call to waive the Charter requirement of two readings: Mrs. Lattimer, Mrs. Stranman, Mr. Balog, Mr. Pugliese, Mr. McClure voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mrs. Lattimer, Mrs. Stranman, Mr. Balog, Mr. Pugliese, Mr. McClure voted yea; motion CARRIED.

Citizen Comment

Earl Tucker, East 6th Street – Parks & Recreation Board Chair: said he is glad to see Walnut Beach Concession renovations are going to happen, and that it is a big plus. He said the Board wanted to take on this project for years, but had no funding. He asked if renovations will be completed by the time the concession stand opens. The Manager said it should be completed by June 1, and if anything we might need a port-a-potty for one to two weeks. He said the concessionaire bid announcement went in the newspaper again last Friday, believes someone will come forward.

Adjourn

Mrs. Lattimer moved, Mr. Balog seconded to adjourn the meeting at 4:50 p.m.

DATE APPROVED: **April 15, 2013**

ATTESTED BY: _____
J.P. Ducro IV
President of Council

ATTESTED BY: _____
LaVette E. Hennigan, MMC
Clerk of Council