

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

Member(s) Present: Mrs. Ann I. Stranman (Ward 3)
Mr. Richard F. Balog (Ward 1)
Mr. August A. Pugliese (Ward 2)
Mr. James M. Trisket (Ward 5)
Mr. J.P. Ducro IV (President)

Member(s) Absent: Mrs. Julie A. Lattimer (Ward 4)
Mr. Christopher J. McClure (Vice 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 Sunshine Law requirements were met.

PURPOSE: The President announced the purpose of this Special Meeting was to permit Council to Convene an Executive Session to discuss Bargaining Unit Agreements and to vote on legislation pertinent to the operation of the City of Ashtabula.

WELCOME: Deputy City Auditor Karen S. Jury

EXECUTIVE SESSION

The President entertained a motion to convene an Executive Session for the purpose stated above. Mr. Balog moved, Mrs. Stranman seconded to convene the Executive Session. On the roll call to convene the executive session: Mrs. Stranman, Mr. Balog, Mr. Pugliese, Mr. Trisket, Mr. Ducro voted yea; motion CARRIED. The City Manager, Solicitor, Auditor and Deputy City Auditor were asked to attend the executive session.

Reconvened Public Portion of Meeting

At 5:25 p.m., the President announced Council reconvened the public portion of the meeting.

Formal Legislation Requests

Mr. Trisket moved, Mrs. Stranman seconded for ORDINANCE NO. 2012-76 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO THREE (3) COLLECTIVE BARGAINING AGREEMENTS WITH THE FRATERNAL ORDER OF POLICE LODGE NO. 26, EFFECTIVE MAY 1, 2012 THROUGH APRIL 30, 2015; motion CARRIED.

Mr. Trisket moved, Mrs. Stranman seconded for ORDINANCE NO. 2012-77 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A BARGAINING AGREEMENT WITH THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL #165, EFFECTIVE MAY 1, 2012 THROUGH APRIL 30, 2015; motion CARRIED.

Mr. Trisket moved, Mrs. Stranman seconded for ORDINANCE NO. 2012-85 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER A CONTRACT FOR THE OPERATION OF THE WALNUT BEACH CONCESSION STAND FOR THE 2012 SUMMER SEASON; motion CARRIED.

LEGISLATION READING

ORDINANCE NO. 2012-76 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO THREE (3) COLLECTIVE BARGAINING AGREEMENTS WITH THE FRATERNAL ORDER OF POLICE, LODGE NO. 26, EFFECTIVE MAY 1, 2012, THROUGH APRIL 30, 2015, was presented. Mrs. Stranman moved, Mr. Trisket seconded, to waive the reading of the ordinance; motion CARRIED. Mrs. Stranman moved, Mr. Trisket seconded, to waive the Charter requirement of two readings. On the roll call to waive the Charter requirement: Mrs. Stranman, Mr. Balog, Mr. Pugliese, Mr. Trisket, Mr. Ducro voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mrs. Stranman, Mr. Balog, Mr. Pugliese, Mr. Trisket, Mr. Ducro voted yea; motion CARRIED.

ORDINANCE 2012-77 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A COLLECTIVE BARGAINING AGREEMENT WITH THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL #165, EFFECTIVE MAY 1, 2012, THROUGH APRIL 30, 2015, was presented. Mrs. Stranman moved, Mr. Trisket seconded, to waive the reading of the ordinance; motion CARRIED. Mrs. Stranman moved, Mr. Trisket seconded, to waive the Charter requirement of two readings. On the roll call to waive the Charter requirement: Mrs. Stranman, Mr. Balog, Mr. Pugliese, Mr. Trisket, Mr. Ducro voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mrs. Stranman, Mr. Balog, Mr. Pugliese, Mr. Trisket, Mr. Ducro voted yea; motion CARRIED.

ORDINANCE NO. 2012-78 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE ASHTABULA COUNTY Y.M.C.A. FOR 2012 LIFEGUARDS AT WALNUT BEACH, was presented. Mrs. Stranman moved, Mr. Trisket seconded, to waive the reading of the ordinance; motion CARRIED. Mrs. Stranman moved, Mr. Trisket seconded, to waive the Charter requirement of two readings.

Form and Correctness

The Clerk of Council asked the Solicitor if he approved tonight's legislation agenda as to Form and Correctness. The Solicitor responded that he had reviewed tonight's legislation and offered his approval.

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

ORDINANCE NO. 2012-79 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A GRANT AGREEMENT FOR JOBS CREATION WITH CHROMOFLO TECHNOLOGIES, LLC AND EXTENDING CERTAIN TIME LIMITS, was presented. Mrs. Stranman moved, Mr. Trisket seconded, to waive the reading of the ordinance; motion CARRIED. Mrs. Stranman moved, Mr. Trisket seconded, to waive the Charter requirement of two readings. The Solicitor requested that by interlineation, LLC be amended to read "Corporation" and apologized for the error. The Manager reported Chromoflo has been made aware of this clerical change. Mrs. Stranman moved, Mr. Trisket seconded the Solicitor's request; motion CARRIED.

The Manager reported, "The chapter that refers to this grant – *Codified Ordinance* Chapter 193, the original actually says over a three year time period – the first 3 years after they do job creation; the bulk of their new employees is going to come in year 4 and 5, so in this ordinance we've also asked to extend that 3 year period to a 5 year period". The President asked for clarification that Council has the authority to extend the 3 year period. The Solicitor replied, "Yes. There's no absolute requirement that there be 3 years. That was written into the legislation as being a reasonable amount, in most cases. The difference would be that the grant (the income tax credit, if you will), would only run for 7 years if we only counted the jobs created in a 3 year period. If we count the jobs anticipated to be created in a 5 year period, then the past script qualifies for a 10 year grant. So, the difference is significant to the taxpayer, and it plays a large part in their decision to continue to invest in our area." On the roll call to waive the Charter requirement: Mrs. Stranman, Mr. Balog, Mr. Pugliese, Mr. Trisket, Mr. Ducro voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mrs. Stranman, Mr. Balog, Mr. Pugliese, Mr. Trisket, Mr. Ducro voted yea; motion CARRIED.

ORDINANCE NO. 2012-80 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH FIRSTENERGY SOLUTIONS CORP. FOR A PERIOD OF 12 MONTHS FOR THE PURPOSE OF PROVIDING A SUPPLY OF ELECTRICITY TO THE PUBLIC BUILDINGS AND FACILITIES IN THE CITY OF ASHTABULA, OHIO, was presented. Mrs. Stranman moved, Mr. Trisket seconded to waive the reading of the ordinance; motion CARRIED. Mrs. Stranman moved, Mr. Trisket seconded to waive the Charter requirement of two readings. On the roll call to waive the Charter requirement: Mrs. Stranman, Mr. Balog, Mr. Pugliese, Mr. Trisket, Mr. Ducro voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mrs. Stranman, Mr. Balog, Mr. Pugliese, Mr. Trisket, Mr. Ducro voted yea; motion CARRIED.

ORDINANCE NO. 2012-81 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH UNION INDUSTRIAL CONTRACTORS FOR THE REHABILITATION OF THE CHEMICAL FEED BUILDING AT THE CITY'S WASTE WATER TREATMENT PLANT, was presented. Mrs. Stranman moved, Mr. Trisket seconded to waive the reading of the ordinance; motion CARRIED. Mrs. Stranman moved, Mr. Trisket seconded to waive the Charter requirement of two readings. The Ward 2 Councilor said he is glad this is finally getting done. This is something that should have been performed 1.5 years ago because of its important. The President asked the Manager to report on the grant payment percentages, for the record. The Manager reported that at a recent Finance & Personnel Committee he misspoke on the OPWC grant percentage breakdown. He said the City of Ashtabula will be responsible for 49% of the cost; and 51% will be that of the Ohio Public Works Commission (OPWC). Part of the 51% is a loan and part is a grant. He apologized for not being able to be more specific, at this time, regarding that loan/grant breakdown. On the roll call to waive the Charter requirement: Mrs. Stranman, Mr. Balog, Mr. Pugliese, Mr. Trisket, Mr. Ducro voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mrs. Stranman, Mr. Balog, Mr. Pugliese, Mr. Trisket, Mr. Ducro voted yea; motion CARRIED.

Formal Legislation Requests

The Clerk of Council reported Ordinance Nos. 2012-82, 83 and 84 came out of the Finance and Personnel Committee, but have formally been requested on the floor. Mrs. Stranman moved, Mr. Trisket seconded, to formally request said ordinances; motion CARRIED.

ORDINANCE NO. 2012-82 AN ORDINANCE TO APPROPRIATE FROM UNAPPROPRIATED GENERAL FUND 101 THE SUM OF \$15,000 FOR THE PURPOSE OF PLACING PHOTO TRAFFIC ENFORCEMENT PROGRAM REVENUE IN THE POLICE DIVISION'S OPERATING ACCOUNT, was presented. Mrs. Stranman moved, Mr. Trisket seconded to waive the reading of the ordinance; motion CARRIED. Mrs. Stranman moved, Mr. Trisket seconded to waive the Charter requirement of two readings. On the roll call to waive the Charter requirement: Mrs. Stranman, Mr. Balog, Mr. Pugliese, Mr. Trisket, Mr. Ducro voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mrs. Stranman, Mr. Balog, Mr. Pugliese, Mr. Trisket, Mr. Ducro voted yea; motion CARRIED.

ORDINANCE NO. 2012-83 AN ORDINANCE TO APPROPRIATE FROM UNAPPROPRIATED GENERAL FUND 101 THE SUM OF \$2,000 FOR INDIGENT BURIALS, was presented. Mrs. Stranman moved, Mr. Trisket seconded to waive the reading of the ordinance; motion CARRIED. Mrs. Stranman moved, Mr. Trisket seconded to waive the Charter requirement of two readings. The President reported that once these funds are expended will we be back in the same position we were prior to this appropriation; and asked the Manager what the next step would be. The Manager reported the City is mandated to fund this account to assist those who are "truly indigent". He reported the Clerk of Council, in a very timely manner, received several indigent burial procedures from her municipal clerk colleagues; a procedure which the City of Ashtabula does not have. He said he liked one of them, in particular. He would like Council to see, with the hopes of putting a procedure in place for us to follow. He reported historically we have provided \$500 per case. The matter was referred to the Finance & Personnel Committee for review, discussion, and recommendation. The Clerk of Council was thanked for her timely assistance. On the roll call to waive the Charter requirement: Mrs. Stranman, Mr. Balog, Mr. Pugliese, Mr. Trisket, Mr. Ducro voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mrs. Stranman, Mr. Balog, Mr. Pugliese, Mr. Trisket, Mr. Ducro voted yea; motion CARRIED.

ORDINANCE NO. 2012-84 AN ORDINANCE TO APPROPRIATE FROM UNAPPROPRIATED GENERAL FUND 101 THE SUM OF \$30,000 FOR SETTLEMENT OF CLAIMS, was presented. Mrs. Stranman moved, Mr. Trisket seconded to waive the reading of the ordinance; motion CARRIED. Mrs. Stranman moved, Mr. Trisket seconded to waive the Charter requirement of two readings. On the roll call to waive the Charter requirement: Mrs. Stranman, Mr. Balog, Mr. Pugliese, Mr. Trisket, Mr. Ducro voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mrs. Stranman, Mr. Balog, Mr. Pugliese, Mr. Trisket, Mr. Ducro voted yea; motion CARRIED.

ORDINANCE NO. 2012-85 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE OPERATION OF THE WALNUT BEACH CONCESSION STAND FOR THE 2012 SUMMER SEASON, was presented. Mrs. Stranman moved, Mr. Trisket seconded to waive the reading of the ordinance; motion CARRIED. Mrs. Stranman moved, Mr. Trisket seconded to waive the Charter requirement of two readings. The Manager highlighted the contract terms. He reported the operator of Time Square on Geneva-on-the Lake will operate the concession stand, and said he is really looking forward to doing so. The new operator also believes more than a \$200 monthly lease payment is warranted; said he would like to pay more; but is unable to because the contract does not specify any more than \$200 per month. On the roll call to waive the Charter requirement: Mrs. Stranman, Mr. Balog, Mr. Pugliese, Mr. Trisket, Mr. Ducro voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mrs. Stranman, Mr. Balog, Mr. Pugliese, Mr. Trisket, Mr. Ducro voted yea; motion CARRIED.

Ashtabula City Council
Special Meeting
Monday, May 14, 2012

Adjournment

Mr. Pugliese moved, Mr. Trisket seconded to adjourn the meeting at 5:45 p.m.

DATE APPROVED: June 4, 2012

ATTESTED BY: _____

J.P. Ducro IV
President of Council

ATTESTED BY: _____

LaVette E. Hennigan, MMC
Clerk of Council