

Council met in a **REGULAR MEETING**. The President of Council called the meeting to order at 7:00 p.m., the Ward 4 Councilor offered the opening prayer, and the Pledge of Allegiance was cited.

Members Present: Mrs. Julie A. Lattimer (Ward 4)
Mr. Richard F. Balog (Ward 1)
Mr. James M. Trisket (Ward 5)
Mrs. Ann I. Stranman (Ward 3)
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

Excused Absence: None

Proclamation Presentation: The City Manager read a proclamation in recognition of National Garden Week. The Manager will deliver the document to the Garden Trails Garden Club, a local organization. The President reported that at the last Pre-Council meeting the Club reported they will begin a program to recognition gardens within the City. Nomination forms may be obtained from the Chamber of Commerce. The President said several garden clubs over the years have beautified the community, including Cornelius Park.

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

READING AND DISPOSAL OF MEETING MINUTES

The minutes of the **May 7 Special Meeting** were presented. Mrs. Lattimer moved, Mrs. Stranman seconded that the reading of the minutes be waived; motion CARRIED. There being no corrections, the minutes were approved as presented.

The minutes of the **May 7 Public Hearing** were presented. Mrs. Lattimer moved, Mrs. Stranman seconded that the reading of the minutes be waived; motion CARRIED. There being no corrections, the minutes were approved as presented.

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The minutes of the **May 14 Special Meeting** were presented. Mrs. Lattimer moved, Mrs. Stranman seconded that the reading of the minutes be waived; motion CARRIED. There being no corrections, the minutes were approved as presented.

The minutes of the **May 30 Special Meeting** were presented. Mrs. Lattimer moved, Mrs. Stranman seconded that the reading of the minutes be waived; motion CARRIED. There being no corrections, the minutes were approved as presented.

CITY MANAGER'S REPORT

The City Manager requested ORDINANCE NO. 2012-99, AN ORDINANCE FINDING THAT CERTAIN OFFICE SPACE IN THE MUNICIPAL BUILDING IS NOT REQUIRED FOR CURRENT PURPOSES OF THE CITY AND AUTHORIZING THE CITY MANAGER TO ENTER INTO LEASES OF THE SAME UPON COMMERCIALY REASONABLE TERMS. Mrs. Lattimer moved, Mrs. Stranman seconded to grant the Manager's request. The Ward 2 Councilor asked if there is an interested party. The Manager replied, yes, one. He reported because all city offices were moved to the second floor, with the exception of the Health Department, the vacant offices of the Housing and Community Development, Engineering, and Manager are free to lease. This legislation accepts that the vacant spaces are no longer needed for City purposes and that he has the authority to lease the spaces. He said all lease contracts must be presented to Council for approval. The motion CARRIED.

The City Manager requested ORDINANCE NO. 2012-100, AN ORDINANCE AUTHORIZING THE COUNTY OF ASHTABULA TO FILE AN APPLICATION WITH THE OHIO ATTORNEY GENERALS' OFFICE TO PARTICIPATE IN THE MOVING OHIO FORWARD DEMOLITION GRANT PROGRAM. Mrs. Lattimer moved, Mrs. Stranman seconded to grant the Manager's request. The Manager reported that with all the mortgage settlements taking place throughout the country, the State of Ohio was awarded over ninety-two million dollars through the Ohio Attorney General's office; seventy-five million dollars of the funds were designated for demolitions. The funds were distributed based on the foreclosure rates in the 88 Ohio counties. The County of Ashtabula will receive a little over \$600,000 of the funds. Working with other county municipalities, townships, and the county, it has been agreed upon to allow the county to apply for the funds and be the disbursing agent. The City is hoping to receive \$200,000. Applications are due to the County by July 1, for submission to the State. This ordinance allows the City's participation in the program. The motion CARRIED.

The Manager requested ORDINANCE NO. 2012-101, AN ORDINANCE REPEALING, IN ITS ENTIRETY, PAYROLL ORDINANCE NO. 2012-87, PASSED ON MAY 21, 2012, FOR THE PURPOSE OF AUTHORIZING COMPENSATION TO EMPLOYEES COVERED BY THE AFSCME, OHIO COUNCIL 8, LOCAL 1197 COLLECTIVE BARGAINING AGREEMENT EFFECTIVE MAY 1, 2012. Mrs. Lattimer moved, Mrs. Stranman seconded to grant the Manager's request.

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The Ward 4 Councilor explained this ordinance repeals the current payroll ordinance for the purpose of establishing new pay rates in accordance with the new union contracts that will be set forth in Ordinance No. 2012-102 below. The motion CARRIED.

The Manager requested ORDINANCE NO. 2012-102, AN ORDINANCE AUTHORIZING COMPENSATION, SALARIES AND WAGES TO ALL EMPLOYEES OF THE CITY OF ASHTABULA, OHIO. Mrs. Lattimer moved, Mrs. Stranman seconded to grant the Manager's request; motion CARRIED.

Moving Ohio Forward Demolition Grant Program

The City Manager requested an ordinance to file an application with the Ohio Department of Development's Clean Ohio Assistance Fund to act as the official representative of the City of Ashtabula in its application to participate in the Clean Ohio Assistance Fund through the State of Ohio, and to provide all information required in said application for amounts to be determined to pay the cost of Phase II environmental assessments throughout the City. Mrs. Lattimer moved, Mrs. Stranman seconded to grant the Manager's request. The Manager reported these funds have been up for debate for some time. Originally the State was going to do away with them; however have decided to put more funding into the program. The applications will go in quickly and there will be a limited amount of money to distribute, which the City is preparing for with this legislation. If there comes a point where the City has identified brownfield properties to go after, this ordinance authorizes him to submit the application. He reported that most of the time Phase I and Phase II assessments are fully funded. Phase III clean up will require matching funds. The amount of program funds the City is able to garner is undetermined because the project scope and size will make this determination. The Manager reported the City Port Authority has a consultant to assist them identify brownfields. They are presently conducting Phase II assessments with the funds they have from the last program. If any viable opportunities are determined, having this legislation in place allows the City to apply for Phase II funding during the next round of funding activity. The Manager said his attendance at a conference last week revealed the need for this legislation, and conference attendants were given sample legislation to use. A representative from the County Port Authority was also at the conference. The President thanked the Manager for representing the City at the conference. The motion CARRIED.

High Grass: The Manager thanked those who have taken the time to call his office and report the abundance of high grass violations throughout the City. He reported 152 violation notices have been sent out; 48 have been mowed; 35 owners have complied; leaving about 69 still outstanding. He asked that reports of these violations continue to be forwarded to his office; records of which are being kept. The Manager reiterated the fee for the City to mow a private lot is \$150/per hour, and \$250 administration fee to show up the first time. Second offenses will be charged a \$500 administration fee, for which notices are not required.

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He said owners have walked away from many of these properties, and that owners believe the bank has taken ownership, which in many of the cases is not true

QUESTIONS AND/OR COMMENTS FOR THE MANAGER

High Grass: The Ward 4 Councilor asked if more than a mower is needed to take care of some of the violations. The Manager said some properties have to be sickled before being mowed.

CITY SOLICITOR'S REPORT

Zoning & Property Maintenance Codes: The Solicitor reported that through his continuing education sessions he found out we need to make modifications to our Zoning and Property Maintenance Codes. Rather than reinventing the wheel, the approach has been taken to look at surrounding communities, primarily Lake and Trumbull Counties. His free summer intern, Mr. Michael Hamper, who is from the Jefferson area and just completed his first year of law school at Ohio Northern University, has begun a comparative code analysis. They will be forwarded to the Director of the Department of Planning & Community Development, with the hopes of coming to Council in the future with suggestions for ways to streamline our administration and hopefully make the enforcement of our code enforcement and property maintenance codes more efficient. He welcomed his intern and hopes to introduce him the Council in the near future.

Part-Time Clerical Assistance: The Solicitor reported he was able to post a part-time clerical assistant position and has offered the position to "a young person who has agreed to accept it", and hopes to welcome on Monday, Ms. Monica Sims, of Ashtabula.

QUESTIONS AND/OR COMMENTS FOR THE CITY SOLICITOR - None

CITY AUDITOR'S REPORT

Tax Budget: The Auditor issued a reminder that the City's 2013 Tax Budget will be presented at the first meeting in July.

Part-Time Clerk/Typist: The Auditor announced Mr. John Artuso will begin tomorrow as a part-time clerk/typist in the Auditor's Department. He will fill the vacancy created by Mrs. Kim Adams who successfully bid on an opening in the newly created Planning and Community Development Department.

QUESTIONS AND/OR COMMENTS FOR THE CITY AUDITOR

Sewer/Trash Billing: The President asked if billing is current. The Auditor replied yes. She reported the staff is being reminded that bank reconciliations need to be brought current; while remaining cognoscente that the loss of staff members is a factor in the department backlog.

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Code Enforcement: The Ward 4 Councilor asked if Mr. Artuso's Planning and Community Development Department Code Enforcement responsibilities will be filled by someone else. The Manager said Mr. Artuso may perform both part-time positions, and "we're trying to fill that position. The way in which the Code Enforcement Officer position was put in to place under the past administration needs to be revisited, and needs to be done the right way. So, I'm trying to jump through all those hurdles to make sure that there are no problems with other employees." All the high grass violations would not be tended to if not for him doing the letters and visiting the sites. "We definitely want to have somebody in that capacity in that office. We're just trying to do it above board and do it the right way."

CITY COUNCIL COMMITTEE REPORT

Community / Economic Development / Parks & Recreation (Mrs. Stranman/Mr. McClure)

The Chair announced Wednesday's Committee meeting is cancelled due to the lack of items. She emailed ADDA, LBCA, Port Authority, and Parks & Recreation Board regarding the need to meet. Parks & Recreation responded with funding concerns, which have been resolved.

Announcements

Bridge Street: The Chair reported that on Saturday, May 26, she attended the Blessing of the Bridge and the unveiling of the historic plaques on Bridge Street. It was a small, but nice event; and the plaques have been installed on the buildings.

Beatitude House: The Chair reported she attended the Beatitude House Ribbon Cutting and Open House on Friday, June 1. It was a nice event, well attended, and the apartments are beautiful. Also in attendance were the City Manager, State Representatives Casey Kozlowski and Capri Cafaro, Clerk of Council (who was a volunteer), Police Chief Stell, and the Council President.

Healthy Community: The Chair reported the next event for the 10,000 Steps to a Healthy Community Program is going to be the park walks on Saturday, June 16, from 1:00 p.m. to 3:00 p.m. Volunteers will be in all City parks and at Lakeshore Park in Ashtabula Township.

Meeting: The Committee's next meeting scheduled for July 4th will be rescheduled at a later date.

Finance and Personnel - (Mr. Ducro IV/Mrs. Lattimer): The Chair announced the next Committee meeting will be Friday, June 15, at 8:00 a.m.; which is a change from the normal monthly time.

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Public Works / Utilities / Schools – (Mr. August Pugliese/Mrs. Lattimer): The Chair announced the June meeting will be cancelled unless there is something important to address.

Questions and/or Comments for Committee

School Zone: The Vice President said now that school is out for the summer focus should be placed on getting the school zone completed for student safety in the fall and going forward. The Manager reported an equipment quote has been received. The Ashtabula Area City Schools Board and Saybrook Township have agreed to share in the cost. A contract/agreement is being created in order for each entity to pay one-third of the cost. The lights will be solar powered thus eliminating the need for the Cleveland Electric Illuminating Company's (CEI) service, and the lights will be installed before the new school year.

West Avenue Overpass Lighting: The President reported Reverend McCain, an avid walker, told him most of the bridge is pitch black and needs lighting because of its steep pitch. The Ward 2 Councilor said at the time of the bridge's construction the State did not recommend lighting it, and believes the City would now have to bear the cost.

Safety Forces – (Mr. Balog/Mr. Trisquet): The Chair announced the Committee will meet on Friday, June 8, at 9:00 a.m. The vicious dog/pit bull ordinance will be the hot topic. He encouraged citizens and the administration to attend. He reported the Committee is waiting for the proposed meth lab clean up ordinance to be presented to them for review.

Work Session– (Mr. Ducro IV, Chair) – No Session/No Report

Special Meeting: The Manager announced a special meeting for the purpose of convening an executive session is needed any time before June 15, in order to move forward with voting on all non-union employees' compensation. The City Auditor reported the health insurance change needs to be addressed before the next payroll; which is also why a meeting is needed prior to June 15. She said if a meeting cannot be scheduled, the ordinance will have to be retroactive. The Clerk of Council was asked to schedule the special meeting on the same day as the next council meeting.

PUBLIC (LEGISLATION) PORTION - None

LEGISLATION READING

ORDINANCE NO. 2012-99 AN ORDINANCE FINDING THAT CERTAIN OFFICE SPACE IN THE MUNICIPAL BUILDING IS NOT REQUIRED FOR CURRENT PURPOSES OF THE CITY AND AUTHORIZING THE CITY MANAGER TO ENTER INTO LEASES OF THE SAME UPON COMMERCIALY REASONABLE TERMS, 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, Mr. Balog, Mr. Trisket, Mrs. Stranman, Mr. Pugliese, Mr. McClure, Mr. Ducro voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mrs. Lattimer, Mr. Balog, Mr. Trisket, Mrs. Stranman, Mr. Pugliese, Mr. McClure, Mr. Ducro voted yea; motion CARRIED.

ORDINANCE NO. 2012-100 AN ORDINANCE AUTHORIZING THE COUNTY OF ASHTABULA TO FILE AN APPLICATION WITH THE OHIO ATTORNEY GENERALS' OFFICE TO PARTICIPATE IN THE MOVING OHIO FORWARD DEMOLITION GRANT PROGRAM, 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, Mr. Balog, Mr. Trisket, Mrs. Stranman, Mr. Pugliese, Mr. McClure, Mr. Ducro voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mrs. Lattimer, Mr. Balog, Mr. Trisket, Mrs. Stranman, Mr. Pugliese, Mr. McClure, Mr. Ducro voted yea; motion CARRIED.

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ORDINANCE NO. 2012-102 AN ORDINANCE AUTHORIZING COMPENSATION, SALARIES AND WAGES TO ALL EMPLOYEES 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, Mr. Balog, Mr. Trisket, Mrs. Stranman, Mr. Pugliese, Mr. McClure, Mr. Ducro voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mrs. Lattimer, Mr. Balog, Mr. Trisket, Mrs. Stranman, Mr. Pugliese, Mr. McClure, Mr. Ducro voted yea; motion CARRIED.

LIQUOR PERMIT - NEW D5L Permit – North Coast Properties, Inc., 1025 Bridge Street, Ashtabula, Ohio 44004 (former Hulbert’s Restaurant), was presented. A D5L Permit is for spirituous liquor for on premises consumption only; beer and wine for on premises and off premises in original sealed containers until 2:30 a.m.; and sales until 1:00 a.m. The request is in the Revitalization District located in the Ashtabula Harbor. Mr. Pugliese reported no objection and moved that no hearing take place; Mr. McClure seconded; motion CARRIED.

UNFINISHED BUSINESS

West 51st Street Tree: The Ward 4 Councilor asked for an update. The Manager reported a letter has been sent to the owner, to which a response has not been received.

NEW BUSINESS

Contract Mowing: The President reported receiving a request from a business to assistance the City with mowing. He told the business owner the City is not permitted to subcontract out its services, but that he appreciated the interest.

MISCELLANEOUS BUSINESS

Washington Avenue Resident’s Water Problem: The Ward 5 Councilor reported receiving a phone call from a Washington Avenue resident who the City was working with to address the problem with properties around them being higher in elevation than theirs, thus water is being diverted onto their property. The Councilor said he believes former Engineering Technician David Close visited the area. The Councilor will speak with the owners to determine when they are able to meet with the Manager. The Manager remembers this situation, will review his notes, and asked that the Councilor email the owner’s name, address, and phone number to him so he may follow up.

President Worked Garbage Pickup Shift: The Ward 4 Councilor commended the President for recently working one full garbage pickup shift. She said while she has thought about riding along, she is unable to actually do the work, and thought the President doing some is to be commented. The President thanked his colleague, said he has taken several calls regarding Sanitation, and wanted to experience what they go through on a regular day. He said he was overwhelmed; that it was a very, very challenging job; and believes they work hard.

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He said he does not know how a route can be finished in a day with a driver and one person throwing trash if their coworkers do not show for work. He has a true appreciation for the garbage pickup crews, commended Colin Fagan and Tony Presciano for being gracious while not cutting him a whole lot of slack. The President said the crews have to work with deplorable conditions and have mounds and mounds of garbage to pick up, some of which people should pay to have removed, or should be taken directly to the Transfer Station and be assessed a fee.

He said Waste Management would charge an arm and a leg to pick up what our crews pick up on a regular garbage route; or they would leave it on the curb.

Garbage Pickup Process Review: The President suggested the ordinance outlining the rules of garbage pickup and resident's responsibility be revisited.

President Worked Garbage Pickup Shift (cont'd): The President asked citizens to be attentive to what they put out for regular weekly garbage pickup. He said he must have chosen the hottest day to work a shift, and that he would not have made it were it not for the kindness of the citizens who offered them drinks. The President encouraged every City official to work a shift to see what crews have to go through.

The Vice President said the President has issued a good challenge. He said other departments to consider riding along with are Police, Fire, and Waste Water Treatment. He said three good union contracts were just ratified and he believes "we are working together really well". He said he takes the challenge. The President said he hopes to have the opportunity to do the same in other departments.

West 45th & West Avenue Blinking Traffic Light (by St. Joe's Mission): The Wards 3 & 2 Councilors reminded the Manager he was to ask the Police Chief if the blinking light could be removed. The Manager agreed to do so.

PUBLIC'S GENERAL PORTION

Mrs. Pat Blum, West 17th Street: commended the President on working a full garbage pickup shift.

Street Lighting Assessment: Mrs. Blum asked when refunds would be issued. The President announced October or November.

Clothing Allowance: Mrs. Blum asked if employees still get a clothing allowance. The Manager reported AFSCME Local 1197 employees do; the management's negotiating team worked to get a reduction in the allowance; the contract has not been signed by both parties, therefore is unable to speak about specifics. The President offered to deliver a copy of the contract once signed.

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Adjournment: Mr. Trisket moved, Mrs. Lattimer seconded to adjourn the meeting at 8:03 p.m.

DATE APPROVED: **September 4, 2012**

ATTESTED BY: _____

J.P. Ducro IV
President of Council

ATTESTED BY: _____

LaVette E. Hennigan, MMC
Clerk of Council