

**Call to Order**

Council met in a **REGULAR MEETING**. The President of Council called the meeting to order at 7:00 p.m.

**Opening Ceremony (Prayer/Pledge/Moment of Silence)**

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. JP Ducro IV, (President)

**Member(s) Absent:** 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

**Excused Absence:** Mrs. Stranman moved, Mrs. Lattimer seconded to excuse the Vice President from this meeting; motion CARRIED.

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

**Congratulations:** The President thanked the following employees for their service to the City of Ashtabula; they are scheduled to retire shortly:

|                        |                     |                               |
|------------------------|---------------------|-------------------------------|
| Isidoro (Oscar) Ocasio | Foreman             | Public Works                  |
| Gale Urbano            | Traffic Foreman     | Public Works                  |
| Timothy Ecklund        | Operator 1, Class 1 | Waste Water Pollution Control |

**Presentations:** Mr. Vince M. DePaul, Marketing & Development Manager for GoodCents, presented information and answered questions about the Dominion East Ohio Gas Home Solutions (energy home performance rebate) Program. The rebate is provided when GoodCents contractors perform the energy efficient work. Mr. DePaul may be reached at 1.877.287.3416, for more information.

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**Executive Session:** Mrs. Stranman moved, Mr. Balog seconded to convene an Executive Session to discuss the Sale of Property. On the roll call to convene the Executive Session to discuss the Sale of Property: Mrs. Lattimer, Mr. Balog, Mr. Trisket, Mrs. Stranman, Mr. Pugliese, Mr. Ducro voted yea; motion CARRIED.

**Reconvene Open Meeting:** At 7:30 p.m., the Council President announced the public portion of the meeting reconvened.

**Action resulting from Executive Session:** The City Manager formally requested Ordinance No. 2013-103 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE SALE OF REAL PROPERTY (1530 West 8<sup>th</sup> Street, Ashtabula, Ohio). Mrs. Lattimer moved, Mrs. Stranman seconded to grant the Manager's request; motion CARRIED.

## CONSENT AGENDA

The Consent Agenda is a means whereby Council is able to more efficiently conduct business.

### MEETING MINUTES DISPOSAL

The Clerk of Council reported the May 20 and June 3 Regular Meeting minutes scheduled for disposal this evening will be presented for Council's disposal at their next regular council meeting.

### FORMAL LEGISLATION REQUESTS

#### RESOLUTION

2013-98 A RESOLUTION APPROVING AND ADOPTING THE ASHTABULA COUNTY MULTI-JURISDICTIONAL ALL-HAZARD MITIGATION PLAN. (Fire Chief Pristera)

#### ORDINANCE

2013-99 AN ORDINANCE REPEALING, IN ITS ENTIRETY, SECTION 1361.02 OF THE CODIFIED ORDINANCES OF THE CITY OF ASHTABULA, ENTITLED COMPLIANCE REQUIRED.  
1<sup>ST</sup> Reading (Planning & Community Development Department)

#### ORDINANCE

2013-100 AN ORDINANCE ENACTING SECTION 1361.02 OF THE CODIFIED ORDINANCES OF THE CITY OF ASHTABULA, ENTITLED COMPLIANCE AND PAYMENT OF FEES REQUIRED.  
1<sup>ST</sup> Reading (Planning & Community Development Department)

#### ORDINANCE

2013-101 AN ORDINANCE TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF ASHTABULA, STATE OF OHIO, FOR THE PERIOD JANUARY 1, 2013 THROUGH DECEMBER 31, 2013. (City Auditor)

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**ORDINANCE**

**2013-102** AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO THREE (3) CONTRACTS IN ORDER TO IMPLEMENT AN IMPROVED PAYROLL SYSTEM FOR THE CITY OF ASHTABULA, OHIO FINANCE DIVISION. (City Auditor)

Mrs. Lattimer moved, Mrs. Stranman seconded to accept the Consent Agenda Formal Legislation Requests; motion CARRIED.

**PUBLIC DISCUSSION (Consent Agenda Legislation Only)** - None

**LEGISLATION READING**

**ORDINANCE**

**2013-96** AN ORDINANCE APPOINTING DANA PINKERT AS DIRECTOR OF FINANCE FOR THE CITY OF ASHTABULA, OHIO, FOR A THREE-YEAR PERIOD COMMENCING ON JANUARY 1, 2014, AND AUTHORIZING A WRITTEN CONTRACT OF EMPLOYMENT. (City Council)

**ORDINANCE**

**2013-97** AN ORDINANCE ENACTING SECTION 143.07(f) OF THE CODIFIED ORDINANCES OF THE CITY OF ASHTABULA, OHIO, PERMITTING MODIFICATION OF CHARGES FOR THE USE OF CITY EMERGENCY MEDICAL SERVICES. (Fire Chief Pristera)

**ORDINANCE**

**2013-98** A RESOLUTION APPROVING AND ADOPTING THE ASHTABULA COUNTY MULTI-JURISDICTIONAL ALL-HAZARD MITIGATION PLAN. (Fire Chief Pristera)

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Mrs. Lattimer moved, Mrs. Stranman seconded to waive the reading of the Consent Agenda Legislation; motion CARRIED.

Mrs. Lattimer moved, Mrs. Stranman seconded to waive the Charter requirement of two readings, with the exception of Ordinance Nos. 2013-99 and 2013-100, which will be placed on their first reading. On the roll call to waive the Charter requirement of two readings, as noted: Mrs. Lattimer, Mr. Balog, Mr. Trisket, Mrs. Stranman, Mr. Pugliese, Mr. Ducro voted yea; motion CARRIED. On the adoption of the Consent Agenda Legislation: Mrs. Lattimer, Mr. Balog, Mr. Trisket, Mrs. Stranman, Mr. Pugliese, Mr. Ducro voted yea; motion CARRIED.

**Questions/Comments Regarding Consent Agenda Legislation**

The Ward 2 Councilor asked the Manager to explain Ordinance No. 2013-100. The City Manager reported the Planning & Community Development Department (PCD) requested the ordinance. It was presented to Council's Community/Economic Development/Parks & Recreation Committee for review and discussion. PCD determined several landlords and property owners owe an extensive amount of fees to the City for outstanding sewer charges, private mowing, and any other fees which may be owed on rentals. However, they continue to collect rents and income from their properties and the City has continued to issue occupancy permits each year, thereby allowing them to conduct business as usual; including the allowance of their outstanding fees to be assessed to their property taxes, and then not pay their taxes. It is a small handful of people identified, but it is a problem nonetheless. Therefore PCD recommended that when an occupancy permit is scheduled to be issued on a property, the Department check to ensure no outstanding fines/fees are owed to the City before the occupancy permit is issued. It was suggested that the legislation be presented for two readings, with a start date of September 1, 2013.

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This will give PCD time to notify every landlord/property owner on record instructing them to contact the department. The Manager lastly stated, "This will be another tool used to address our housing stock".

The President asked if a landlord/property owner has multiple City properties, but not all of them have outstanding fees/fines, will an occupancy permit be withheld for all of them. The Manager responded no.

The Ward 4 Councilor said, "I look forward to working with Mrs. Pinkert" for the remainder of her Ward 4 term. "I'm real excited that we renewed that contract; and it's wonderful having you here with us." The President elaborated and said although the contract will not take effect until January 1, 2014, it will be a three year contract once it commences. "We're excited to have that be the case. Thank you Mrs. Pinkert." The Auditor said, "Thank you, I appreciate it. And, I'm looking forward to staying with the City, and continuing to see the exciting changes we're going to make. Thank you."

**(End of Consent Agenda)**

## **REGULAR AGENDA**

**READING AND DISPOSAL OF MEETING MINUTES** - None

### **CITY MANAGER'S REPORT**

#### **Health District Licensing Council**

The City Manager announced the reappointment of Mr. Ron Phelps as a member of the Health District licensing Council (Marina representative), effective immediately with a term to expire on February 4, 2018.

The City Manager announced the reappointment of Mr. John Phelps as a member of the Health District licensing Council (Campgrounds representative), effective immediately with a term to expire on February 4, 2018.

#### **Safe Routes to Schools Grant (SRTS)**

The City Manager announced the City of Ashtabula and Ashtabula Area City Schools District SRTS grant application was awarded. The grant has been in the works for several years. Mr. Grippe introduced the thought of applying for the grant to the school district. Details will be provided as they are received.

**Questions and/or Comments For The City Manager**

**West Avenue Overpass:** The Ward 2 Councilor reported there are chunks of concrete against the curbside of the West Avenue overpass in the construction zone. He reported a motorist hit a piece which then flew and hit another vehicle.

**Route 20 Overpass (between Center Street and Station Avenue)**

The President reported the City Manager is going to have Public Works look at the upheavals in the overpass to see if they can grind them down, or if the Ohio Department of Transportation (ODOT) would take care of it. The Manager reported the City is responsible for the road.

**Mowing**

The Manager reported the former West Junior High School property and the vacant property on the corner of West 43<sup>rd</sup> Street and West Avenue were mowed. The fence on the back of the latter property prevented mowing, so it will have to be determined how to access the property in order to remove the high grass violation.

The Manager reported there are over 130 properties on the high grass/weed list. Some properties have been tended to when notice is received, but many have not. The rain has made it difficult to get to the properties. He gave Oscar Isidoro credit for being diligent and staying on top of the list.

The Manager reported receiving several calls and inquiries about the high grass on Route 11. He reported ODOT approached the City about taking responsibility to mow the City's portion of Route 11. He reported none of Route 11 has been mowed, and that ODOT let the contract out this year, the terms of which he does not know. He said he will continue to stay on them to get the grass cut. He is working on how high grass/weed violations will be addressed once Oscar retires in eleven days.

**CITY SOLICITOR'S REPORT** - None

**CITY AUDITOR'S REPORT**

The Auditor reported:

**May Month End:** The total City-wide fund cash balance is just under five million dollars.

**Year-to-Date Budget:** Citywide we are operating within budgeted expenditures and revenues. Some of the funds are outside of those constraints which are the reason for the appropriation Ordinance No. 2013-101 approved during this evenings Consent Agenda

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portion. The budget adjustments, if approved by Council during the Legislation Reading, will leave the City with a projected General Fund balance of \$122,000. She is working with the City Manager to come up with some operating decreases for next month, in order to boost the yearend balance and to finish the year in a better position.

**2014 Tax Budget:** The 2014 Tax Budget will be presented to Council next month; the draft will be presented at the July Finance & Personnel Committee meeting.

### **Questions and/or Comments For City Auditor**

**General Fund Yearend Balance:** The President said the current \$122,000 projected GF balance could disappear with one major emergency; therefore we are still on a narrow path. He asked the Auditor what would be the idea end of the year balance. The Auditor responded \$300,000; however it is not realistic because it has not happened in several years. Some communities try to stay within a guaranteed three percent or a percentage carryover. More recently she has heard communities do calculations to see that there is enough carryover balance to fund the city for 30, 60, or 90 days. We are never within that. So, \$122,000 in the GF would not last us 30 days. She tends to favor the percentage goal – and noted three to four percent would be idea. The reduction suggestion she is speaking with the City Manager about is with the intent to end with a \$200,000 year end General Fund balance.

**2012 Mowing of Private Properties:** The Ward 5 Councilor asked how much revenue was garnered last year from the City having to mow private properties. The Auditor responded she did not have the information on hand but would provide it. The Councilor commented that the first mow is \$150.00 (Manager added, “plus a \$250.00 administration fee”). He asked how much of the fees are received. The Manager responded PCD sent invoices out today; some of which included 2012 balances, which totaled \$123,000. It will be assessed if not paid by August 2; and hopefully it will be collected. The Ward 4 Councilor suggested this to be a good opportunity for young people to make some summer money. The Manager commented on financial institution’s practice of not taking ownership of a property once they foreclose on it, thus creating what is now termed as “zombie properties”. He said these are the common problem properties. He has spoken with US Senator Rob Portman, Ohio House Representative John Patterson, and Ohio State Senator Capri Cafaro, so they know the City of Ashtabula position.

## **CITY COUNCIL COMMITTEE REPORTS and COMMUNICATIONS**

### **Community / Economic Development / Parks & Recreation (Mrs. Stranman/Mr. Balog)**

The Chair reported on the Committee's June 5 meeting, as follows:

**Sidewalk Regulations (brought to Committee by Architectural & Restoration Review Board [ARRB]):** specially regarding Bridge Street, current sign ordinance prohibits signs on sidewalks, ARRB was most concerned about having sidewalk signs standardized for aesthetic purposes, and suggested permits for sidewalk signs, (they were not concerned about the fee that would be imposed, and would leave that up to the City Council). The matter was referred to PCD for review by the department director with the Solicitor. They will make recommendation. It was agreed that the goal is not to negatively impact business, but that standards should be established, and laws should be upheld, including ADA (Americans with Disabilities ACT).

**New Rental Units – Square Footage:** The square footage of new construction rental units was discussed and referred to PCD for review and recommendation to the Committee.

**Outstanding Fees Owned by Landlords:** The Manager told the Committee that landlords are charging tenants for sewer and trash service, the tenants are paying, but the landlords are not paying the City. It was suggested that occupancy permits not be issued in these instances.

**Downtown Activities:** Ashtabula Downtown Development Association (ADDA) President, Lynda Annick shared some of their activities. She reported the Multi-Cultural Festival will take place July 27 and 28, in and near Cornelius Park. They are working on several projects, (e.g., possible restoration of Shea's Theatre, incubator program, streetscape, and pole banners for Main Avenue (that would be switched on a seasonal basis).

**Bridge Street Activities:** Beach Glass Festival (last week in June), TABS (The Arts on Bridge Street), scheduled for the last weekend in July, and Wine and Walleye Festival is scheduled for the last weekend in August. The bike racks are installed.

### **Parks & Recreation**

**Funding:** There have been on-going questions and concerns regarding the P&R Board's funding (how much they have to work with, and there appears to be disagreement on how the funds may be used due to the City's budget issues). The Board was good about not spending all the allocated funds, but rather decided to let some of them accumulate in order to tackle larger projects. This year's budget issues have made it necessary to use some of the P&R funds to address some of the on-going budget issues. The Chair does not believe Council should hinder the Board's efforts, or punish them for their diligence.



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She suggested the funds on hand now be allowed to be used for funding improvements versus operating costs, which Council has the authority to make happen. Parks have a potential to be a major community draw for visitors to the area, who would then frequent businesses, contribute to local economic development, and additional revenue. "We have to look at the big picture." The Chair said she attended the Board's June 11 meeting, said there is a great Board in place, the members are passionate, and truly want to make our parks and the City better.

**Nappi Field** was discussed at length, and the Board has made the park their priority.

**West 58<sup>th</sup> & East 48<sup>th</sup> Street Parks:** The Board had some improvement in mind, and citizens are helping out.

**West 38<sup>th</sup> Street:** A member of the Board is going to help paint the playground equipment, at no cost to the City.

**Smoking Ban in Parks:** This matter was discussed by this committee and referred to the P&R Board in response to a citizen's concern with smoking on the Carrington Park property (which abuts Smith Field, more specifically the walking track). The majority of Council members at the meeting did not seem interested in pursuing the concern because the parks are open air; therefore any ban would be unenforceable due to budget constraints and the lack of personnel. The matter was referred to the P&R Board, some of whose members were present at the meeting. They, too, do not want to pursue the concern. The City Manager contacted Carrington Park. They reported their benches and trash containers located by the walking track have been removed, and that they are meeting with their residents to "try and get them not to smoke right by the tracks". So they are trying to work with City officials to address the concern. "So, hopefully that will be sufficiently resolved."

**Adopt-a-Park Proposal (presented by Mr. Schork at June 3 Regular Council meeting – see attached):** This matter was scheduled to be discussed at the P&R Board meeting; however Mr. Schork absence. Hopefully he will be present to discuss it at a later date.

#### **Finance and Personnel - (Mr. Ducro IV/Mrs. Lattimer)**

The Chair reported on the Committee's June 14 meeting as follows:

- \* Major funds were reviewed;
- \* Personnel commitments for early retirements were verified;
- \* Supplemental appropriation request was approved (and voted on earlier in this meeting);

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- \* Kronos System is in danger of ceasing to operate; a new timekeeping/payroll system will soon be installed and be more efficient;
- \* Education Reimbursement Policy: a copy was emailed to all members of Council for review; Committee wanted to bring to full Council for comments and questions; essentially the employee would:
  - \*Complete a pre-approval form created by the City Auditor;
  - \*The form will be submitted to the department head or supervisor for review and recommendation;
  - \*Payroll and Human Resources Specialist (PR & HRS) will review form and make recommendation to the City Manager and City Council, who will give final approval, a copy of the approval would be given to employee and PR & HRS;
  - \*When classes are completed and reimbursement requirements met, the employee will make a reimbursement request, and payment would be issued.
  - \*This pertains to college credits only; not for professional development purposes.
  - \*Professional Development courses/conferences/seminars will be handled as a budgetary item within the department; the course will have to directly relate to the job at hand
- \* Consolidation of Treasurer and Auditor's Departments: was discussed and a proposed organizational chart was reviewed. The Auditor reported the chart is preliminary, ideally shows what the department would look like, but could evolve between now and January 1; however the positions and number of employees is true to form.
- \* City Treasurer Lori Mackey to Retire: She submitted her intention to retire, and will continue to work to make the consolidation happen up until she leaves the City's employ. The President thanked her for her many years of services and for the assistance she will provide until she departs.

**Questions/Comments for Committee**

**Education Reimbursement:** The Ward 4 Councilor asked if there presently is a freeze on education reimbursement. The President said no, but approval of available funds is required prior to taking a course. The Manager said what he and the Council President recently reissued was a directive that approval was required prior to being reimbursed.

**City Website:** The City's new website officially went live over the weekend. [www.cityofashtabula.com](http://www.cityofashtabula.com). The Manager said it is about 90% complete, and complimented the department heads on their sections. Alerts and crawlers may be added, as information becomes available.

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The President asked that suggestions for the website be submitted for consideration. He complimented the Manager on achieving this goal, one of which was set when he was first elected, and something that had been talked about for years.

**Public Works / Utilities / Schools – (Mr. August Pugliese/Mrs. Lattimer)**

The Chair reported on the Committee's June 11 Meeting, as follows:

- \* **TimeWarner Cable Manager of Government Relations/Government Affairs, Ms. Dorian Waller**, fielded questions and reported the following:
  - \*most problems with fuzziness, jumping, and tiling originate from problems with the lines inside homes; contact the company and they will check them;
  - \*at times squirrels cause problems with outside lines. Ashtabula has very few problem calls according to their Maintenance personnel;
  - \*if a cable contract runs out and no contact is made, the contract is renewed and price increases are denoted on the cable bill; and
  - \*they will replace wiring if it is determined to be faulty.

- \* **Traffic Control**

- a) **Erect Speed Limit Signs on West 47<sup>th</sup> Street (between West Avenue and Benefit Avenue) (Requestor: Mr. Woissol via Ward 3 Councilor)**

The Ward 3 Councilor reported she has observed speeding on West 47<sup>th</sup> Street and Benefit Avenue. Many motorists take West 47<sup>th</sup> Street to Woodman Avenue to get onto Route 20 in order to avoid the heavy traffic and lights between West Avenue and Route 20. Others reported witnessing the same.

**ACTION: When speed limit signs are not posted the speed limit is 25 mph. Public Service Superintendent Iarocci will instruct the Traffic Department to erect speed limit signs on West 47<sup>th</sup> Street between West Avenue and Benefit Avenue.**

- b) **Remove No Parking Signs on Larson Lane (Requestor: Ms. Enid Negron)**

On May 6, Ms. Negron contacted the Clerk of Council to report that every time she visits her mother's home at 2923 Larson Lane she receives a parking ticket. She reported there are very few visitor parking spaces per complex (Bonniewood), no parking on either side of Larson Lane and no off street parking. She asked that consideration be given to allowing parking on both or one side of Larson Lane.

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**ACTION:**

**The City Manager asked for a recommendation from Police Chief Stell and Fire Chief Pristera. Both Chiefs opposed the request due to the narrowness of the street and the need for emergency vehicles to traverse the road.**

**The Manager reported he called Ashtabula Metropolitan Housing Authority (AMHA) Director, Mr. James Noyse about the matter, and awaits a call back. He will report on Mr. Noyse's comments/recommendations after contact is made.**

**The Clerk of Council offered to inform Ms. Negron of the outcome.**

**c) No Parking Sign Request – Off Bridge Street (Requestor: Mr. Aaron Shinkle)**

On May 19, Mr. Shinkle emailed the following to the Council President: *"I have a question for anyone knowledgeable in parking laws. Last night I was out on Bridge Street and all of the front spots and lots were full, but there was a line of cars parked next to the Harbor Perk (Note: It's along the side of River's Edge Diner), and a nice big spot behind them where I decided to park. I had a performance at the art gallery down there which lasted until about 11 pm, and when I came out there was a tow truck and a police officer waiting there. The officer and the driver were polite and cooperative, but I still had to pay \$65 or have my car impounded. My question to the officer was "why can't I park here? There's no sign stating that this is a no parking zone." To which he responded that "this is a city street." I pointed at a car across the street, and said "but so is that, right?" To which he said "yes, but this is a one way street, and you can't park here. Other vehicles would have too much of a hard time getting around you." Mind you, the huge tow truck had gotten past me and into position with no problem. I have my receipt of payment. Can I contest the charges? At the very least, can we have the city put a "no parking" sign there? There were no parking signs everywhere else, and if I had any slight idea I wasn't allowed to park there, I would have parked somewhere up the street and walked."*

\* The Manager reported the Police Department informed Mr. Shinkle that vehicles parked in the designated, legal parking spaces had a difficult time backing out of their spaces, and that an officer searched for over two hours before ticketing for parking in the road right-of-way.

**ACTION: The President will notify Mr. Shinkle that the road is a one-way street, on which parking is prohibited.**

**Curbside Recycling (csr):** Ashtabula County Solid Waste District (ACSWD), would like the City of Ashtabula to sign off on a Memorandum of Understanding (MOU) promising to participate in the csr program soon to be implemented. The Manager was hesitant to sign the MOU; so the County directed their attention to City Council and asked them to sign it.

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The Manager explained that the ACSWD is working on its Solid Waste Plan for the entire county. The EPA needs the District to get to a 90% curbside recycling rate. In order to do so the City's of Conneaut and Ashtabula have to agree to implement a csr program. When it was first announced, the City "jumped on the opportunity for a grant – probably applied for it a little bit too fast, but we wanted to get it done earlier knowing this was coming". We were not awarded the grant. We met with OEPA representatives about the grant and believe we have a very good chance of being awarded the grant in 2014.

In the meantime, to satisfy the ACSWD's requirement they need the City to enter an MOU. Even though the MOU had lots of "outs" in it, the Manager did not feel comfortable signing a document when he knew we could not do what we were being asked to do. At which time ACSWD sought a resolution (MOU) from Council agreeing to participate.

If we participate half the city would be implement now and half later. It was determined that there are about 7,000 residential garbage pickup stops, therefore 14,000 containers would be needed, at a cost of \$800,000 for the entire city. The startup cost to implement csr in half the City was estimated at \$500,000 (\$250,000 grant/\$250,000 match). This year we would have been able to do that.

Another hesitation in signing the MOU was even though it states, "When grant funding is available" – there may come a time when this is true, but our match is not available. The Manager said the irony of the situation is the OEPA is mandating that ACSWD enact curbside recycling, but it was the OEPA who turned down our recycling grant application. The Manager said, "This is one of those mandates that I'm not willing to pay for, entirely".

The Chair's recommendation is that Council not sign the MOU.

The Ward 1 Councilor asked the Solicitor if he had an opportunity to review the MOU Council was asked to sign. The Solicitor said he has seen it, has not looked at it recently, but shared many of the Manager's concerns when he it was first presented to him. The Ward 1 Councilor reported lines 1 and 3 of the MOU contradict each other. Line (one) says we will have the program in place by June 30, 2016. Line (three) says if we can't do it by 2016, we can whenever funding is available.

The Ward 4 Councilor is not in favor of signing the MOU. She was offended that they did not take the Manager's response, and then went to Council because he would not.

ACTION: The President entertained a motion to present the following for a vote of Council, "Resolution of Council of the City of Ashtabula Committing to the Implementation of a Pay-As-You Throw Curbside Trash and Recycling Program by June 30, 2016. Mrs. Lattimer moved, Mrs. Stranman seconded; motion CARRIED.

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The Clerk of Council explained that the motion was to present the resolution for a vote of Council; and because Council did not want to move forward the vote should reflect that. The President entertained a motion to reconsider the resolution. Mr. Trisquet moved, Mr. Pugliese seconded, the motion to reconsider; motion CARRIED. The President entertained a motion to present the following for a vote of Council, "Resolution of Council of the City of Ashtabula Committing to the Implementation of a Pay-As-You Throw Curbside Trash and Recycling Program by June 30, 2016. Mr. Pugliese moved, Mrs. Lattimer seconded; motion FAILED by a 0 to 6 – the resolution will not be presented for a vote of Council.

The Manager thanked Council for their support. This does not mean the City does not want to implement a curbside recycling program. He believes it is important, and that the benefits of having such a program far outweigh the cons. He will continue to work towards implementing it; and said hopefully another resolution may be agreed upon with the ACSWD that will satisfy their needs.

**What is MOU:** The President reported that an MOU is a contract stating we understand that we agree to do something in conjunction with another party.

**Sewer Rates:** The Chair reported the City's sewer rates have not been increased for 3 years. The Manager and Auditor determined that in order to keep the City's Waste Water Treatment Plant compliant, a sewer increase is required. The Manager reported that July 12, 2012 was the last scheduled increase. The ordinance language has been changed in the proposed sewer increase legislation in order to help consumers better understand their sewer bills.

- \* Currently a percentage of the Commodity Charge goes towards the Administrative Charge and a percentage into Capital Improvement.
- \* They are currently grouped together, but will be separated.
- \* The recommendation is to increase sewer rates over a three year period. Defining/breaking out the Commodity Charge will result in the Capital Improvement increase being 0.05 cents, and the Administrative, and the Administrative Charge increase being 0.20 cents.
- \* The Administrative Charge and Capital Improvement charges would be effective immediately in the first year, and would not increase in years two and three.
- \* The Commodity Charge would be an annual increase over 3 years, going from:
  - \$2.62 in 2013, to
  - \$2.67 in 2014, and
  - \$2.73 in 2015.

The Manager reported the numbers look lower than the current rate only because all charges are grouped together now, but two of them will be separated out.

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The Manager reported he had the Auditor's office run his person bill, resulting in the following analysis: a family of 4; (2 children/husband/wife), at a bi-monthly rate including Equalization Basin, sewer, trash would increase by \$3.52 over three years.

The Manager reported there are over \$2.2 million dollars worth of encumbered improvements needed at the plant. Through attrition and various other means, the staffing levels are low, resulting in personnel in Class I, II, III, and IV certified operator positions has reduced. He said they need to be maintained for the WWTP to remain EPA compliant. He is trying to get the plant's standards where they need to be, which is another justification for the sewer rate increase.

The increase will NOT cover everything needed at the WWTP because sewer bills would be way too high. We are on track for an August 2013 sewer increase effective date. To comply with the Regional Sewer Agreement, the Ashtabula County Commissioners have to approve the increase. The Manager suggested two readings of the legislation.

Mr. Pugliese moved, Mr. Trisket seconded to repeal and enact a new Codified Ordinance Section 937.02 entitled Levy of Charges. The Ward 4 Councilor reported none of the revenue is placed in the General Fund. The President said he appreciates the increase being manageable for citizens. He also said at a time when our tap-in fees were restructured to be more business friendly to spur economic development, there was not an adjustment to the usage fees (which sewer fees are), to compensate for the difference. He said brining the staffing levels up will not have to be absorbed by the rate increase, but that a significant savings in overtime should be realized. The Auditor reported preliminary calculations show revenue will be increased by over \$200,000 per year if the sewer increase is approved. The capital expenses will still have to be supplemented by some of the operating funds. The President confirmed that the timeframe for the WWTP projects will be over a 10 year period. The motion CARRIED.

#### **Safety Forces – (Mr. Balog/Mr. Trisket)**

The Chair announced the Committee's Friday, June 21 meeting will be cancelled, to allow time to prepare for discussions regarding licensing of non-emergency ambulance services, and a proposed ballot initiative for the Police Department manpower. The next Committee meeting will take place on Friday, July 19, at 8:00 a.m.

#### **Work Session - No Report**

**FORMAL LEGISLATION REQUESTS** – None

**PUBLIC COMMENT (Legislation Only)** - None

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### **LEGISLATION READING**

**Ordinance No. 2013-103 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE SALE OF REAL PROPERTY**, was presented. Mrs. Stranman moved, Mr. Pugliese seconded, to waive the reading of the ordinance; motion CARRIED. Mrs. Stranman moved, Mr. Pugliese 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. Ducro voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mrs. Lattimer, Mr. Balog, Mr. Trisket, Mrs. Stranman, Mr. Pugliese, Mr. Ducro voted yea; motion CARRIED.

**NEW PERMIT:** Lakeway Inc., dba Lakeway Delicatessen, 729 Lake Avenue, Ashtabula, OH 44004: D1 - Beer only for on premises consumption and in sealed containers for carry out, until 1:00 a.m. Mrs. Lattimer moved, Mrs. Stranman seconded, to approve the request without objection. The President announced this is a reduction in the libations they have been offering. The motion CARRIED.

**UNFINISHED BUSINESS** - None

### **NEW BUSINESS**

**Public Hearing:** The President announced City Council will meet in a public hearing on Monday, July 15, at 5:30 p.m., in Council Chambers to permit the City Auditor to present the 2014 Ashtabula City Tax Budget. The public is welcome.

### **MISCELLANEOUS BUSINESS**

**Bands-on-the- Beach:** The Manager reminded citizens that this event kicks off at Walnut Beach on Sunday, June 23, from 4:00 p.m. to 6:00 p.m. He thanked Ashtabula County Medical Center (ACMC) and Dr. Kalil for putting the event together.

#### **Walnut Beach Concession Stand:**

**Concession Operator:** The Manager announced there is one very interested party that he hopes will say yes.

**Concession Stand Renovations:** The City Manager reported the new railing system has not arrived, many renovations are completed, and the project is coming along nicely.

**Garbage Pickup:** The City Manager announced there will be no garbage pickup on July 4th; therefore will be delayed one day.



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**Events:** The President announced the following events:

**Westside Shoot Out:** Has returned to the West Street basketball courts, and will take place July 4<sup>th</sup> weekend.

**Mt. Carmel Festival:** Scheduled for July 13-15, at Mt. Carmel Church.

**My Neighborhood Group (Chestnut Street area and St. Peter's Church):** will host a community picnic on Saturday, July 20, at West 58<sup>th</sup> Street Park, beginning at noon, and is open to the public.

### **GENERAL PUBLIC DISCUSSION**

**Mr. Earl Tucker, 1317 Walnut Boulevard, Parks & Recreation Board Chair:** reported the Board has decided Nappi Field will be their priority project. Unbeknownst to his Board another group of citizens are on board with the field upgrades. He read a few of the letters the Board received from children at ABC Childcare Center, located in the immediate Nappi Field area, telling of their desire to be able to use Nappi Field again.

Mr. Tucker announced the Board received a \$350.00 check from Mr. Gerald Cornelius, on behalf of the Cornelius Park Fund, to light the monument honoring his son. Any remaining funds shall be used to upgrade the park water fountain.

Mr. Tucker commented on his research regarding what type mulch to use at Nappi Field. The Board believes it is better to use good mulch and have it last versus frequently replacing it – this sparked discussion. The Ward 3 Councilor announced the Board is in the process of securing quotes for rubberized mulch. She suggested the City Solicitor opine because some of the children's letters mentioned how they broke arms. She said one of the Board members conducted research and found the City would be liable for injuries which may occur on at a City playground. Someone told Mr. Tucker that municipalities are not responsible for playground injuries. American Society for Testing and Materials (ASTM) standards were referenced in the research materials.

The President said he looks forward to receiving a report/recommendation on how to proceed. He suggested that perhaps other organizations can partner with the Board to get the work done, and said he specifically spoke with a national service organization about this.

### **CLOSING REMARKS**

"Remember to Keep Believing in Ashtabula"

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**EXECUTIVE SESSION – None**

**ADJOURNMENT**

Mrs. Stranman moved, Mr. Pugliese seconded to adjourn the meeting at 9:00 p.m.; motion CARRIED.

DATE APPROVED: **September 3, 2013**

ATTESTED BY: \_\_\_\_\_

**JP Ducro IV  
President of Council**

ATTESTED BY: \_\_\_\_\_

**LaVette E. Hennigan, MMC  
Clerk of Council**

# Adopt Ashtabula

Being on the Board of Directors of Saving the History in Ashtabula and after our Park to Park project have made me realize first hand that many areas of the City of Ashtabula are in dire need of some TLC. Most of the work done during Park to Park would not have been as overwhelming a task if only there had been regular maintenance done to the Parks and if the business and property owners would take a little bit more pride in their businesses and Main St..

I wish to propose the following plan that would help to maintain the basic upkeep from Cornelius Park to South Park and possibly along Main St..

This approach has been successful in many other states, counties, cities, and parks. The idea is simple.

1. The 2 parks and Main St. would be sectioned into small, manageable pieces. (see maps below) I realize that the business and property owners have a responsibility to keep their buildings and storefronts properly painted and maintained so Main st. would be an option worth discussing.

2. These parcels would be put up for adoption for a period of 1 year.

3. Families, individuals, and businesses would be able to become the caretaker of the parcel that they choose on a first come basis.

4. Caretakers would sign a pledge document and be required a minimum of 6 scheduled weekends per year, (approx. every 2 months) to provide regular maintenance such as but not limited to sweeping, raking, trimming, edging, cleaning, and any other task that the appointed committee see fit and within all legal parameters of any existing group or organization. Having scheduled weekends for all the caretakers to do their work would create a dual purpose, a competitive and cooperative scenario.

5. A sign would be placed at each parcel to recognize the current caregiver of that parcel. The cost of the sign would be paid for by the winning applicant. This would give them a vested interest in their pledge to become a caretaker.

I have been told that there are caretakers already maintaining some areas of the parks and will be notified of this program should it become adopted and set into motion with the intent to confirm the current caregivers intention during the next 12 month period.

This is of course a rough draft of the idea and may be modified and revised as needed.

Thank you for your time.

Jeff Schork