

**ORDINANCE NO. 2017-141**

**AN ORDINANCE VACATING OR ABANDONING THE CITY’S INTEREST IN A PORTION OF AN ALLEY EXTENDING NORTH OFF OF WEST 13<sup>TH</sup> STREET**

**WHEREAS**, a written petition has been filed with the Clerk of Council on behalf of NEO Development, Inc., who is the owner of real property adjoining an alley extending northward off of West 13<sup>th</sup> Street along the east line of Permanent Parcel No. 68-403-00-133-00, and turning thence westerly along the north line of said Parcel, and more particularly depicted in the map attached hereto and incorporated herein, requesting that the City Council of the City of Ashtabula vacate or abandon the public’s interest in said alley in accordance with Revised Code Sections 723.04, et seq.; and,

**WHEREAS**, the City Council on December 4, 2017, conducted a public hearing upon said petition; and,

**WHEREAS**, in accordance with R.C. Section 723.04 of the Revised Code of Ohio, the City Council finds that there is good cause for such vacation, that it will not be detrimental to the general interest, and that it should be made;

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Ashtabula, Ohio:

**SECTION 1.** That the City of Ashtabula shall, and does hereby vacate and abandon any public right, title or interest, except for easements for utilities and emergency access, in and to the alley described in the surveyor’s description and map attached hereto as exhibits.

**SECTION 3.** It is hereby found and determined that all formal actions of this Council concerning and related to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its Committees that resulted in such formal action were in meetings open to the public in compliance with the requirements of Section 10 of the Municipal Charter of the City of Ashtabula, Ohio, and of R. C. Section 121.22.

**SECTION 4.** For the reasons stated in the preamble, this ordinance, if approved by the votes of five (5) or more members of Council, shall take effect immediately, otherwise 30 days thereafter.

PASSED: \_\_\_\_\_

\_\_\_\_\_  
**John S. Roskovics**  
**President of Council**

**Vote:**

|            | Yea | Nay |
|------------|-----|-----|
| Roskovics: | ___ | ___ |
| McClure:   | ___ | ___ |
| Vacant :   | ___ | ___ |
| Pugliese:  | ___ | ___ |
| Holman:    | ___ | ___ |
| Speelman:  | ___ | ___ |
| Haines:    | ___ | ___ |

ATTEST: \_\_\_\_\_  
**LaVette E. Hennigan**  
**Clerk of Council**

APPROVED: \_\_\_\_\_  
**James M. Timonere**  
**City Manager**

*Approved as to form and correctness this \_\_\_\_\_ day of \_\_\_\_\_, 2017.*

\_\_\_\_\_  
*Michael Franklin, City Solicitor*

*(legislation reqs-drafts-finals/2017-141 vacate portion of alley north of west 13 street)*

City of Ashtabula  
Original Appropriations  
FY 2018

Exhibit "A"

| FUND                     |                            | Beginning Balance * | Revenue    | Expenditure Appropriation | Difference | Ending Balance |
|--------------------------|----------------------------|---------------------|------------|---------------------------|------------|----------------|
| 101                      | General                    | 345,000             | 8,909,192  | 8,316,060                 | 593,132    | 938,132        |
| 101                      | General Court              | 0                   | 517,000    | 1,077,814                 | (560,814)  | (560,814)      |
|                          | Total General Fund         | 345,000             | 9,426,192  | 9,393,874                 | 32,318     | 377,318        |
| <u>Other City Funds</u>  |                            |                     |            |                           |            |                |
| 166                      | Unclaimed Money            | 21,084              | 3,000      | 6,000                     | (3,000)    | 18,084         |
| 192                      | Parking Deck               | 5,524               | 0          | 2,500                     | (2,500)    | 3,024          |
| 201                      | Police Levy                | 154,481             | 491,003    | 570,371                   | (79,368)   | 75,113         |
| 202                      | Street Light Assessments   | 11,071              | 458,500    | 458,500                   | 0          | 11,071         |
| 204                      | Food Service               | 7,159               | 58,700     | 58,712                    | (12)       | 7,146          |
| 205                      | Public Works               | 72,323              | 660,050    | 686,912                   | (26,862)   | 45,461         |
| 206                      | State Highway              | 19,127              | 50,021     | 50,000                    | 21         | 19,149         |
| 208                      | Public Health Nursing      | 19,987              | 3,200      | 3,200                     | 0          | 19,987         |
| 209                      | Auto License Tax           | 18,918              | 140,000    | 140,000                   | 0          | 18,918         |
| 217                      | Law Enforcement Trust      | 50,240              | 12,000     | 45,000                    | (33,000)   | 17,240         |
| 219                      | Motor Vehicle License      | 15,351              | 37,500     | 37,500                    | 0          | 15,351         |
| 225                      | Sanitation                 | 142,893             | 1,950,000  | 1,966,991                 | (16,991)   | 125,902        |
| 231                      | Fire Pension               | 2,794               | 377,380    | 376,870                   | 510        | 3,304          |
| 232                      | Police Pension             | 13,048              | 362,380    | 361,171                   | 1,209      | 14,257         |
| 233                      | Parks & Recreation         | 70,000              | 300,500    | 287,036                   | 13,464     | 83,464         |
| 240                      | Marina                     | 6,430               | 12,000     | 12,000                    | 0          | 6,430          |
| 262                      | Recycling Grant            | 60,935              | 0          | 0                         | 0          | 60,935         |
| 263                      | Police Grants              | 9,409               | 65,000     | 28,700                    | 36,300     | 45,709         |
| 264                      | Fire Grants                | 1,467               | 15,000     | 0                         | 15,000     | 16,467         |
| 290                      | CDBG                       | 95,000              | 19,000     | 40,000                    | (21,000)   | 74,000         |
| 291                      | Code Enforcement           | 212,664             | 265,000    | 313,924                   | (48,924)   | 163,740        |
| 301                      | ERIP                       | 518                 | 270,000    | 267,500                   | 2,500      | 3,018          |
| 388                      | Voted Bond Debt            | 55,484              | 10,200     | 10,200                    | 0          | 55,484         |
| 412                      | Permanent Improvement      | 1,453,790           | 1,076,711  | 858,134                   | 218,577    | 1,672,367      |
| 503                      | WPC                        | 136,679             | 3,401,000  | 3,400,773                 | 227        | 136,907        |
| 504                      | WPC CAPITAL                | 134,509             | 2,316,000  | 2,315,537                 | 463        | 134,972        |
| 602                      | Self Insurance             | 29,136              | 1,924,999  | 1,924,999                 | (0)        | 29,136         |
| 622                      | Workers' Compensation      | 269,304             | 204,198    | 200,000                   | 4,198      | 273,502        |
| 801                      | JEDD 1                     | 21,235              | 31,000     | 31,000                    | 0          | 21,235         |
| 802                      | JEDD 2                     | 23,257              | 26,000     | 26,000                    | 0          | 23,257         |
| 834                      | Law Library                | 0                   | 30,000     | 30,000                    | 0          | 0              |
| 871                      | Fire Escrow                | 91,110              | 40,000     | 75,000                    | (35,000)   | 56,110         |
|                          | Total Other City Funds     | 3,224,926           | 14,610,343 | 14,584,530                | 25,813     | 3,250,739      |
| <u>Other Court Funds</u> |                            |                     |            |                           |            |                |
| 210                      | Indigent Alcohol Treatment | 36,051              | 11,000     | 10,000                    | 1,000      | 37,051         |
| 214                      | Municipal Probation        | 22,099              | 60,000     | 56,000                    | 4,000      | 26,099         |
| 215                      | AMC Computer               | 19,104              | 26,000     | 34,500                    | (8,500)    | 10,604         |
| 216                      | AMC Security               | 20,366              | 26,000     | 37,000                    | (11,000)   | 9,366          |
| 218                      | IDIAM                      | 6,125               | 5,000      | 4,300                     | 700        | 6,825          |
| 412                      | Permanent Improvement      | 0                   | 0          | 20,000                    | (20,000)   | (20,000)       |
| 420                      | Court Special Projects     | 61,141              | 66,000     | 76,082                    | (10,082)   | 51,059         |
|                          | Total Other Court Funds    | 164,885             | 194,000    | 237,882                   | (43,882)   | 121,003        |
|                          | ALL FUNDS TOTAL            | 3,734,811           | 24,230,535 | 24,216,286                | 14,249     | 3,749,060      |

City of Ashtabula  
2018 Original Appropriations  
by  
Department/Activity

EXHIBIT "A"  
Original

**ALL FUNDS** **24,216,286**

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|                                     |                  |
|-------------------------------------|------------------|
| <b>GENERAL - 101</b>                | <b>9,393,874</b> |
| <b>Legislative</b>                  | <b>80,938</b>    |
| Personal Services                   | 73,088           |
| Operating                           | 7,850            |
| <b>Administrative</b>               | <b>111,869</b>   |
| Personal Services                   | 110,869          |
| Operating                           | 1,000            |
| <b>Finance</b>                      | <b>202,776</b>   |
| Personal Services                   | 155,276          |
| Operating                           | 47,500           |
| <b>Income tax</b>                   | <b>112,991</b>   |
| Personal Services                   | 98,741           |
| Operating                           | 14,250           |
| <b>Court</b>                        | <b>912,560</b>   |
| Personal Services                   | 852,560          |
| Operating                           | 60,000           |
| <b>Solicitor</b>                    | <b>230,102</b>   |
| Personal Services                   | 226,102          |
| Operating                           | 4,000            |
| <b>Police</b>                       | <b>2,667,113</b> |
| Personal Services                   | 2,362,170        |
| Operating                           | 304,943          |
| <b>Motor Maintenance</b>            | <b>125,713</b>   |
| Personal Services                   | 119,963          |
| Operating                           | 5,750            |
| <b>Fire</b>                         | <b>1,861,921</b> |
| Personal Services                   | 1,743,321        |
| Operating                           | 118,600          |
| <b>Health</b>                       | <b>289,414</b>   |
| Personal Services                   | 196,914          |
| Operating                           | 92,500           |
| <b>Planning &amp; Community Dev</b> | <b>74,329</b>    |
| Personal Services                   | 69,829           |
| Operating                           | 4,500            |

City of Ashtabula  
 2018 Original Appropriations  
 by  
 Department/Activity

EXHIBIT "A"  
 Original

|   |                      |
|---|----------------------|
| <b>Fees, Reimbursements &amp; Distributi</b>            | <b>248,000</b>       |
| Operating   | 248,000              |
| <br><b>General, Civil Svc, Land &amp; Blds &amp; IT</b> | <br><b>703,444</b>   |
| Personal Services                                       | 144,844              |
| Operating   | 558,600              |
| <br><b>Transfers Out</b>                                | <br><b>1,772,704</b> |
| Transfers Out   | 1,772,704            |
| <br><b>UNCLAIMED MONEY - 166</b>                        | <br><b>6,000</b>     |
| Operating   | 3,000                |
| Transfers Out   | 3,000                |
| <br><b>PARKING DECK - 192</b>                           | <br><b>2,500</b>     |
| Operating   | 2,500                |
| <br><b>POLICE LEVY - 201</b>                            | <br><b>570,371</b>   |
| Personal Services                                       | 471,371              |
| Operating   | 15,000               |
| Transfers Out   | 84,000               |
| <br><b>STREET LIGHT ASSESSMENTS - 202</b>               | <br><b>458,500</b>   |
| Operating   | 458,500              |
| <br><b>FOOD SERVICE - 204</b>                           | <br><b>58,712</b>    |
| Personal Services                                       | 50,012               |
| Operating   | 8,700                |
| <br><b>PUBLIC WORKS - 205</b>                           | <br><b>686,912</b>   |
| Personal Services                                       | 548,912              |
| Operating   | 138,000              |
| <br><b>STATE HIGHWAY - 206</b>                          | <br><b>50,000</b>    |
| Operating   | 50,000               |
| <br><b>PUBLIC HEALTH NURSING - 208</b>                  | <br><b>3,200</b>     |
| Personal Services                                       | 3,200                |
| <br><b>AUTO LICENSE TAX - 209</b>                       | <br><b>140,000</b>   |
| Operating   | 140,000              |
| <br><b>INDIGENT ALCOHOL TRMNT - 210,</b>                | <br><b>10,000</b>    |
| <b>AMC COMPUTER - 215</b>                               | <b>34,500</b>        |
| <b>AMC SECURITY - 216</b>                               | <b>37,000</b>        |
| <b>IDIAM - 218</b>                                      | <b>4,300</b>         |

City of Ashtabula  
 2018 Original Appropriations  
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EXHIBIT "A"  
 Original

|                                       |                  |
|---------------------------------------|------------------|
| <b>MUNICIPAL PROBATION - 214</b>      | <b>56,000</b>    |
| Operating                             | 6,000            |
| Transfers Out                         | 50,000           |
| <br>                                  |                  |
| <b>LAW ENFORCEMENT TRUST - 217</b>    | <b>45,000</b>    |
| Operating                             | 45,000           |
| <br>                                  |                  |
| <b>MOTOR VEHICLE LICENSE - 219</b>    | <b>37,500</b>    |
| Operating                             | 37,500           |
| <br>                                  |                  |
| <b>SANITATION - 225</b>               | <b>1,966,991</b> |
| Personal Services                     | 861,131          |
| Operating                             | 828,700          |
| Transfers Out                         | 277,160          |
| <br>                                  |                  |
| <b>FIRE PENSION - 231</b>             | <b>376,870</b>   |
| Personal Services                     | 371,370          |
| Operating                             | 5,500            |
| <br>                                  |                  |
| <b>POLICE PENSION - 232</b>           | <b>361,171</b>   |
| Personal Services                     | 355,671          |
| Operating                             | 5,500            |
| <br>                                  |                  |
| <b>PARKS &amp; RECREATION - 233</b>   | <b>287,036</b>   |
| Personal Services                     | 121,536          |
| Operating                             | 134,000          |
| Transfers Out                         | 31,500           |
| <br>                                  |                  |
| <b>MARINA - 240</b>                   | <b>12,000</b>    |
| Operating                             | 12,000           |
| <br>                                  |                  |
| <b>POLICE GRANTS - 263</b>            | <b>28,700</b>    |
| Operating                             | 28,700           |
| <br>                                  |                  |
| <b>CDBG - 290</b>                     | <b>40,000</b>    |
| Operating                             | 40,000           |
| <br>                                  |                  |
| <b>HOUSING CODE ENFORCEMENT - 291</b> | <b>313,924</b>   |
| Personal Services                     | 210,870          |
| Operating                             | 38,300           |
| Transfers Out                         | 64,754           |
| <br>                                  |                  |
| <b>ERIP - 301</b>                     | <b>267,500</b>   |
| Debt Service                          | 267,500          |

City of Ashtabula  
 2018 Original Appropriations  
 by  
 Department/Activity

EXHIBIT "A"  
 Original

|  |                      |
|--|----------------------|
| <b>VOTED BOND DEBT - 388</b>               | <b>10,200</b>        |
| Debt Service                               | 10,200               |
| <br><b>PERMANENT IMPROVEMENT CIT - 412</b> | <br><b>878,134</b>   |
| Operating                                  | 28,666               |
| Capital                                    | 268,700              |
| Transfers Out/Debt Service                 | 580,768              |
| <br><b>COURT SPECIAL PROJECTS - 420</b>    | <br><b>76,082</b>    |
| Special Projects                           | 20,000               |
| Transfers Out                              | 56,082               |
| <br><b>WATER POLLUTION - 503</b>           | <br><b>3,400,773</b> |
| Personal Services                          | 1,307,530            |
| Operating                                  | 1,655,500            |
| Transfers Out                              | 437,743              |
| <br><b>WPC - 504</b>                       | <br><b>2,315,537</b> |
| Operating                                  | 20,500               |
| Capital                                    | 1,858,000            |
| Debt Service                               | 437,037              |
| <br><b>SELF INSURANCE - 602</b>            | <br><b>1,924,999</b> |
| Personal Services                          | 1,674,999            |
| Operating                                  | 250,000              |
| <br><b>WORKERS COMPENSATION - 622</b>      | <br><b>200,000</b>   |
| Personal Services                          | 180,000              |
| Operating                                  | 20,000               |
| <br><b>JEDD 1 - 801</b>                    | <br><b>31,000</b>    |
| <br><b>JEDD 2 - 802</b>                    | <br><b>26,000</b>    |
| <br><b>LAW LIBRARY - 834</b>               | <br><b>30,000</b>    |
| <br><b>FIRE ESCROW - 871</b>               | <br><b>75,000</b>    |