

**Call to Order**

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

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

The Vice President requested a moment of silence to observe the passing of two “titans of industry” in Ashtabula City, Mr. Ralph Giancola (Zehrco GMR) and Mr. Joe Jamal (Ashtabula Rubber). He said they built great businesses in our City, employed a large number of people, and were very active in the community and with charitable works. He said they will be missed and condolences were extended to their families.

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)

**Member(s) Absent:** Mr. J.P. Ducro IV, (President)

**Officer(s) Present:** City Manager James M. Timonere, City Solicitor Michael Franklin  
City Auditor Dana D. Pinkert, Clerk of Council LaVette E. Hennigan

**Officer(s) Absent:** None

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

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

Ashtabula City Council Regular Meeting  
Tuesday, January 22, 2013

**Presentations:** The Ward 4 Councilor presented the following resolution to Vicki Drug, President of the Ladies Auxiliary of Veterans of Foreign War (VFW) Post No. 943, after complimenting their work which many times is very difficult and goes unnoticed:

**RESOLUTION NO. 2013-14**  
**A RESOLUTION CONGRATULATING THE LADIES AUXILIARY OF**  
**VETERANS OF FOREIGN WAR (VFW) POST NO. 943 ON THEIR**  
**80<sup>TH</sup> ANNIVERSARY**

***WHEREAS**, it has come to the attention of this City Council and these Public Officials of the City of Ashtabula, Ohio, that February 2013, will signify a very special month for the Ladies Auxiliary of VFW Post No. 943; and*

***WHEREAS**, in January 1933, a year after the Veteran's of Foreign War (VFW) Post No. 943 was chartered, 13 ladies met at the YMCA on Park Avenue to form an Auxiliary to Post 943; and*

***WHEREAS**, on February 2, 1933 the Ladies Auxiliary of VFW Post No. 943 was instituted and officers were installed, with Ms. Gertrude Shaw serving as their first President; and for many years have faithfully met at 4102 Main Avenue, with Mrs. Vicki Krug serving as their sitting President; and*

***WHEREAS**, for 99 years the Ladies Auxiliary has been a nationwide organization; whose National Motto is, "In fortitude and loyalty". The organization's objectives are to be fraternal, patriotic, historical, and educational; to maintain true allegiance to the United States government and fidelity to its Constitution and Laws; to foster true patriotism; maintain and extend the institutions of American freedom and equal rights and justice to all men and women; and to preserve and defend the US from all her enemies whomsoever they may be. Their purpose is to assist Veterans of Foreign Wars of the United States Post members, their families, and Auxiliary members.*

***WHEREAS**, the Ladies Auxiliary of VFW Post No. 943 experience so much joy in serving as our community's frontline support to veterans and their families; however we are also keenly aware of and reminded that because of the nature of their unselfish and tireless service, it is not void of difficulty and heartbreak.*

***NOW THEREFORE, BE IT RESOLVED** by this Council and these Public Officers of the City of Ashtabula, Ohio, that we do hereby acknowledge, and with our whole hearts, congratulate the Ladies Auxiliary of VFW Post No. 943 on their 80<sup>th</sup> Anniversary; and for being an essential part of the foundation of Post 943, and for playing a vital role in helping to build the great worldwide Auxiliary organization of today, and thank them for their unwavering dedication to veterans, their families, and the United States of America.*

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ATTEST:

\_\_\_\_\_  
LaVette E. Hennigan  
CLERK OF COUNCIL

\_\_\_\_\_  
J.P. Ducro IV  
PRESIDENT OF COUNCIL

APPROVED:

\_\_\_\_\_  
James M. Timonere  
CITY MANAGER

\_\_\_\_\_  
Christopher J. McClure  
VICE-PRESIDENT OF COUNCIL

\_\_\_\_\_  
Michael Franklin  
CITY SOLICITOR

\_\_\_\_\_  
Dana D. Pinkert  
CITY AUDITOR

\_\_\_\_\_  
Rick F. Balog  
WARD 1 COUNCILOR

\_\_\_\_\_  
August A. Pugliese  
WARD 2 COUNCILOR

\_\_\_\_\_  
Ann I. Stranman  
WARD 3 COUNCILOR

\_\_\_\_\_  
Julie A. Lattimer  
WARD 4 COUNCILOR

\_\_\_\_\_  
*James M. Trisket*  
WARD 5 COUNCILOR

Mrs. Krug introduced Mrs. Sue Elliott, Trustee and Legislative Chairman of their organization, and the initiator of the resolution at Mrs. Krug's request. (Applause). Mrs. Krug thanked the Clerk of Council for all her hard work in putting the resolution together after several calls. She said she is "humbled and honored that the City of Ashtabula would consider presenting the resolution to her organization. Thank you."

Mr. Trisket moved, Mrs. Stranman seconded to adopt the resolution; motion CARRIED.

**Executive Session:** None

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

## **CONSENT AGENDA**

**MEETING MINUTES DISPOSAL** - None

**FORMAL LEGISLATION REQUESTS** - None

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

### **LEGISLATION READING**

**ORDINANCE NO. 2013-08 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH M TECH COMPANY THROUGH THE STATE PURCHASING PROGRAM FOR THE PURCHASE OF SEWER CAMERAS.**

**ORDINANCE NO. 2013-09 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR MOWING SERVICES.**

**ORDINANCE NO. 2013-10 AN ORDINANCE REPEALING, IN ITS ENTIRETY, ORDINANCE NO. 2012-28, PASSED ON FEBRUARY 17, 2012, FOR THE PURPOSE OF CORRECTING REFERENCES TO THE "HOUSING REVOLVING LOAN FUND" AND SUBSTITUTING THE TERM "REVOLVING LOAN FUND".**

**ORDINANCE NO. 2013-11 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENT WITH THE OHIO DEVELOPMENT SERVICES AGENCY FOR LOCAL ADMINISTRATION OF A REVOLVING LOAN FUND.**

**ORDINANCE NO. 2013-12 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO FILE AN APPLICATION WITH THE OHIO ENVIRONMENTAL PROTECTION AGENCY FOR A COMMUNITY RECYCLING GRANT.**

**ORDINANCE NO. 2013-13 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO CHANGE ORDER NO. 1 WITH BUILDING TECHNICIANS CORPORATION FOR ADDITIONAL WORK AND MATERIALS IN THE REPLACEMENT OF A ROOF AT THE CITY'S PUBLIC WORKS BUILDING.**

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**ORDINANCE NO. 2013-15 AN ORDINANCE AMENDING THE MUNICIPAL CHARTER OF THE CITY OF ASHTABULA, OHIO, SUBJECT TO THE APPROVAL OF THE ELECTORS THEREOF, FOR THE PURPOSE OF COMBINING THE SEPARATE OFFICES OF CITY AUDITOR AND CITY TREASURER INTO THE NEW OFFICE OF CITY DIRECTOR OF FINANCE IN ORDER TO IMPROVE EFFICIENCY AND REDUCE EXPENDITURES, BY AMENDING SECTIONS 9 AND 33 AND REPEALING SECTION 34 OF SAID CHARTER EFFECTIVE DECEMBER 31, 2013, AND AUTHORIZING THE SUBMISSION OF THE QUESTION OF APPROVAL OF SAID ORDINANCE TO THE ELECTORATE OF THE CITY AT AN ELECTION TO BE HELD ON MAY 7, 2013.**

Mrs. Lattimer moved, Mrs. Stranman seconded to waive the reading of the consent agenda legislation. The Ward 4 Councilor asked that a brief explanation of each ordinance be provided for the viewing public. The Vice President provided explanations for 2013-08, 09 and 15. He suggested that Council, the City Manager, and the City Auditor send letters to the Star Beacon explaining the Charter change, and that an explanation be placed on the City's website. He said if the voters pass the Charter change being proposed by Ordinance No. 2013-15, it will bring the financial operations of the City into the 21<sup>st</sup> Century. The City Solicitor provided explanations for Ordinance Nos. 2013-10 and 11. The motion CARRIED.

**(END OF CONSENT AGENDA)**

## **REGULAR AGENDA**

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

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

#### **Obsolete Vehicles**

The City Manager requested an ordinance for authorization to dispose of seven (7) vehicles from the Police Department as trade in on the new police vehicles. These vehicles have been warranted as obsolete to the city. A listing of the vehicles for disposal was attached to the Manager's written report. Mrs. Lattimer moved, Mrs. Stranman seconded to grant the Manager's request; motion CARRIED.

#### **Water Pollution Control (WPC) Plant – NPDES (National Pollutant Discharge Elimination System) Permit Updates**

The City Manager requested an ordinance to enter into an agreement with GPD Group of 100 Federal Plaza East, Suite 200, Youngstown, OH 44503 in the amount not to exceed \$28,602.00 for the purpose of updating the City of Ashtabula's WPC Plant NPDES permit. This permit has not been updated to this level in many years. Changes were made to reflect new discharge limits as well as recommendations for ordinance revisions.

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Funding for this expenditure will be taken from Account Number 503-150-5420, WPC Operating. Mrs. Lattimer moved, Mrs. Stranman seconded to grant the Manager's request.  
The Manager reported the permit essentially allows the water to be treated and returned to Lake Erie. It is an annual permit. The motion CARRIED.

### **Joint Economic Development District (J.E.D.D.) Public Hearings**

The Manager reported he has asked Council to scheduled separate public hearings to allow the public to hear comments and recommendations regarding proposed J.E.D.D. agreements with Ashtabula and Saybrook Townships. The agreements will be on display, for public inspection, for thirty (30) days in the office of the Clerk of Council. The Solicitor will provide the Clerk with agreement packets.

### **QUESTIONS AND/OR COMMENTS FOR THE CITY MANAGER**

**Holiday Garbage Pickup:** Pickup this week will remain the same.

**CITY SOLICITOR'S REPORT** - None

**QUESTIONS AND/OR COMMENTS FOR THE CITY SOLICITOR** - None

### **CITY AUDITOR'S REPORT**

#### **Finances**

The Auditor reported 2012 yearend has been closed, the City is moving forward with the 2013 budget, and the first check run of the year will take place this week. The yearend unencumbered cash balance city-wide was \$1.9 million; \$1.3 million of that was the Worker's Compensation and Permanent Improvement Funds which are designated for specific projects. The year ended with all funds to the positive, with the exception of Self Insurance. Part of the Self Insurance Fund negative balance has been addressed in the 2013 budget.

#### **City Income Tax**

In lieu of returns and to save cost, reminder post cards were mailed. Tax return forms may be found on the City's website under Income Tax Department, or may be picked up at the department. They may be printed and completed and returned to the office. There is also an "interactive" form on the website that will calculate the return. The latter method is suggested due to the change in the credit given if a resident works outside the City.

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## **QUESTIONS AND/OR COMMENTS FOR THE CITY AUDITOR**

### **Interactive Income Tax Form**

The Vice President asked if the interactive form may be electronically submitted. The Auditor responded that the form will do the calculation, however is unable to be submitted electronically; it will have to be mailed or hand delivered. She also said the Income Tax Department has received positive feedback from tax preparers who primarily will be using interactive form.

## **CITY COUNCIL COMMITTEE REPORTS**

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

The Chair announced that the next meeting will be Wednesday, February 6, at 6:00 p.m. The main agenda item is to, again, discuss the proposed Vacant Building Enforcement Program ordinance (Ordinance No. 2012-203).

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

The Vice Chair reported on the Committee's January 15 meeting as follows:

**1197 layoffs** – The Union's request regarding how layoffs should take place will be asked to be put in writing prior to the layoff discussion.

**Bureau of Motor Vehicle Audit Services** – More income may be able to be secured by having an audit conducted on all revenues the City "should" receive through license plate renewals.

**Early Retirement Incentive Plan (ERIP)** – The City is looking at offering an ERIP to prevent having to layoff or to lessen the number of anticipated layoffs. The numbers are still being calculated, which will be discussed at the January 28 Special Meeting.

**Indigent Burial Policy** – The proposed legislation is being discussed and will be submitted to Council for a vote.

**Charter Change (Section 9, 33, 34)** – The Committee plans to present the suggested change to combine the offices of the City Treasurer and City Auditor into a Finance Department. The proposed Charter change will be on the May 7 Primary election ballot.

**Non-Union Employees Benefits Package** – The package was discussed, and also discussed at this evening's Pre-Council meeting.

**Combining Public Works and Sanitation Departments** – The Manager's proposed combination of the two departments will be discussed at the January 28 Special Meeting.

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**Auditor's Request for (2) days off prior to one year anniversary** - The President will respond to the Auditor in writing.

**Auditor's One Year Review** – The President will conduct the interview on Council's behalf. At the interview the Auditor will be asked to provide input into how City operations may be improved, since her views are most likely new having only been a part of the Ashtabula City government for one year.

**Meeting** - The Committee's next meeting is scheduled for Friday, February 15, at 8:00 a.m.

### **Legislation Request**

Mrs. Lattimer moved, Mr. Trisket seconded to bring forward the 12 changes to the Non-Union Benefits Package ; motion CARRIED.

Mrs. Lattimer moved, Mrs. Stranman seconded to authorize the Bureau of Motor Vehicles Auditor Services request as suggested by the City Auditor; motion CARRIED.

Mrs. Lattimer moved, Mrs. Stranman seconded to request the repeal of the current Non-Union Benefits Package. The City Manager reported the repeal and replacement of the Non-Union Benefits Package was due to the fact that there was never a document for the non-union personnel. One was created in June 2012; however addendums were needed. A list of the changes was provided to Council. This is not a change in salaries, but rather clarification of benefits to be received. The motion CARRIED.

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

The Chair announced there was no report. The Committee will meet on Tuesday, February 12, at 8:00 a.m.

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

The Chair presented the following:

**Legislation Requests:** Civil Service Commission Rules & Regulations (CSCR&R) – in August 2010, Council passed an ordinance eliminating the rank of Police Captain by attrition and immediately eliminating Sergeants. Mr. Balog moved, Mr. Trisket seconded to repeal the current Civil Service Rules and Regulations because they still reference the positions of Captain and Sergeants; motion CARRIED.

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Mr. Balog moved, Mrs. Lattimer seconded to adopt new Civil Service Rules and Regulations so the Civil Service Commission may move forward with testing for Police Department promotions. The Chair said with the elimination of the positions of Police Captain and Sergeants, there will only be two promoted ranks, that of Lieutenants and Chiefs. The Commission will have to test for the rank of Lieutenant as soon as possible. A vote on the legislation repealing and enacting new CSCR&R will be scheduled for the January 28 Special Meeting. The Manager reported one of the (2) Captains is retiring shortly, and that there are (6) Lieutenants. The Police Department Composition ordinance (*insert: 2010-107, passed on August 2, 2010*) calls for (10) Lieutenants; therefore the testing will take place in order to fill (3) Lieutenant positions, because one Captain will “technically” be in a Lieutenant position. The motion CARRIED.

**Meeting Date:** The Committee is scheduled to meet on Friday, February 8, at 8:00 a.m. the topics will be licensing of alarm companies and a proposed ordinance for prohibitive weapons (*insert: Codified Ordinance Section 549.10*)

**Work Session – No Report – No Report**

**FORMAL LEGISLATION REQUESTS - None**

**PUBLIC (LEGISLATION) PORTION: - None**

#### **LEGISLATION READING**

**ORDINANCE NO. 2013-16 AN ORDINANCE REPEALING, IN ITS ENTIRETY, ORDINANCE NO. 2012-104, PASSED ON JUNE 18, 2012, FOR THE PURPOSE OF CLARIFYING TERMS AND CONDITIONS OF EMPLOYMENT FOR CURRENT ADMINISTRATIVE AND NON-UNION PERSONNEL**, 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 voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mrs. Lattimer, Mr. Balog, Mr. Trisket, Mrs. Stranman, Mr. Pugliese, Mr. McClure voted yea; motion CARRIED.

**ORDINANCE NO. 2013-17 AN ORDINANCE APPROVING AND ADOPTING PAYRATES AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT FOR CURRENT ADMINISTRATIVE AND NON-UNION PERSONNEL EMPLOYED BY THE CITY OF ASHTABULA**, was presented. Mrs. Lattimer moved, Mrs. Stranman seconded to waive the reading of the ordinance; motion CARRIED.

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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 voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mrs. Lattimer, Mr. Balog, Mr. Trisket, Mrs. Stranman, Mr. Pugliese, Mr. McClure voted yea; motion CARRIED.

**UNFINISHED BUSINESS** – None

**NEW BUSINESS** - None

**MISCELLANEOUS BUSINESS**

**Special Meeting:** On Monday, January 28, at 6:00 p.m., City Council will convene a special meeting to discuss early retirement guidelines, combining the Public Works and Sanitation Departments into one Division, and to vote on the proposed amended Civil Service Rules & Regulations.

**GENERAL PUBLIC PORTION** - None

**CLOSING REMARKS**

The Vice President reminded the viewing audience that “We Believe in Ashtabula”. He asked that everyone careful due to the bitter cold and snowy weather, and to bring animals inside.

**ADJOURN**

Mrs. Lattimer moved, Mr. Trisket seconded to adjourn the meeting at 7:44 p.m.

DATE APPROVED: **March 4, 2013**

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

**J.P. Ducro, IV**  
**President of Council**

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

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