

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.

A moment of silence was observed due to the passing, last week, of Mr. Ricardo Pugliese, the Ward 2 Councilor's father, whose services were today.

Members Present: Mr. Richard F. Balog, (Ward 1)
Mr. James M. Trisket, (Ward 5)
Mrs. Ann I. Stranman, (Ward 3)
Mrs. Julie A. Lattimer, (Ward 4)
Mr. Christopher J. McClure, (Vice President)
Mr. J.P. Ducro IV, (President)

Member(s) Absent: Mr. August A. Pugliese, (Ward 2)

Officer(s) Present: City Manager James M. Timonere, City Solicitor Michael Franklin
City Auditor Dana D. Pinkert

Officer(s) Absent: Clerk of Council LaVette E. Hennigan

Excused Absence: Mrs. Lattimer moved, Mr. Trisket seconded to excuse the Ward 2 Councilor from this evening's meeting; motion CARRIED.

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

Presentations: None

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

December 17 Regular Meeting
December 27 Special Meeting

Mrs. Lattimer moved, Mrs. Stranman seconded to waive the reading of the consent agenda minutes; motion CARRIED. Mrs. Lattimer moved, Mrs. Stranman seconded to adopt the minutes; motion CARRIED.

FORMAL LEGISLATION REQUESTS

ORDINANCE NO. 2013-20 AN ORDINANCE REPELAING, IN ITS ENTIRETY, ORDINANCE NO. 2013-19, PASSED ON JANUARY 28, FOR THE PURPOSE OF CORRECTING AN ERROR IN THE COPY OF THE CIVIL SERVICE RULES ATTACHED THERETO.

ORDINANCE NO. 2013-21 AN ORDINANCE ENACTING NEW RULES AND REGULATIONS OF THE CIVIL SERVICE COMMISSION OF THE CITY OF ASHTABULA, OHIO. The Solicitor reported, "The Commission and the Safety Forces Committee both requested, as part of taking the reference to Sergeants out of the Police eligibility testing and putting in the reference to Lieutenants, language that indicated that a person who would then in the rank of Patrolmen without time off discipline for a period of at least one year prior to appointment would be eligible to take the test. In putting that into legal form I misunderstood the intent and I indicated that the period of time without time off discipline had to be one year prior to taking the examination. That isn't what the Committee and Commission specified, so it was my error. Their minutes are consistence that what they wanted was one year prior to date of appointment. The idea being that appointments don't occur at the time of testing. So, people can test and if the appointment is later, if there has been some time off discipline they nonetheless may be considered for a later appointment."

Mr. Balog moved, Mr. McClure seconded to accept the consent agenda formal legislation requests; motion CARRIED.

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PUBLIC DISCUSSION (Consent Agenda Legislation Only) - None

LEGISLATION READING

ORDINANCE NO. 2013-20 AN ORDINANCE REPELAING, IN ITS ENTIRETY, ORDINANCE NO. 2013-19, PASSED ON JANUARY 28, FOR THE PURPOSE OF CORRECTING AN ERROR IN THE COPY OF THE CIVIL SERVICE RULES ATTACHED THERETO.

ORDINANCE NO. 2013-21 AN ORDINANCE ENACTING NEW RULES AND REGULATIONS OF THE CIVIL SERVICE COMMISSION OF THE CITY OF ASHTABULA, OHIO.

ORDINANCE NO. 2013-22 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO DISPOSE OF OBSOLETE POLICE VEHICLES BY MEANS OF TRADE-IN FOR CREDIT AGAINST THE PRICE OF NEW VEHICLES.

ORDINANCE NO. 2013-23 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH GPD GROUP, TO PROVIDE PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE CITY'S WASTE WATER TREATMENT PLANT NPDES PERMIT RENEWAL AND UPDATE PROCESS.

ORDINANCE NO. 2013-24 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH DALENE M. PRIDE, TO CONDUCT AN AUDIT OF CERTAIN OHIO BUREAU OF MOTOR VEHICLES RECORDS FOR, AND ON BEHALF OF, THE CITY OF ASHTABULA.

ORDINANCE NO. 2013-26 AN ODINANCE APPROVING AND ADOPTING AN INDIGENT BURIAL POLICY FOR AND WITHIN THE CITY OF ASHTABULA.

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. On the roll call to waive the Charter requirement of two readings: Mr. Balog, Mr. Trisket, Mrs. Stranman, Mrs. Lattimer, Mr. McClure, Mr. Ducro voted yea; motion CARRIED. On the roll call to adopt the consent agenda ordinances: Mr. Balog, Mr. Trisket, Mrs. Stranman, Mrs. Lattimer, Mr. McClure, Mr. Ducro voted yea; motion CARRIED.

(END OF CONSENT AGENDA)

REGULAR AGENDA

READING AND DISPOSAL OF MEETING MINUTES - None

CITY MANAGER'S REPORT

Group Life Insurance

The City Manager requested an ordinance to enter into an agreement with Consumers Life Insurance Company of 17800 Royalton Road, Strongsville, OH 44136, in the amount not to exceed \$0.21 per \$1,000 for Basic Life and \$0.04 per \$1,000 for basic AD&D, for a period of two years beginning March 1, 2013. Mrs. Lattimer moved, Mrs. Stranman seconded to grant the Manager's request. The President asked if the rate is higher or the same. The Manager responded he believes it is the same and that the rate is locked in until 2015. The President asked what the total amount would be. The Manager was unable to provide that amount at the meeting. The motion CARRIED.

FY 2013 Community Housing Improvement Program (CHIP)

The City Manager requested an ordinance for authorization to prepare and file an application with the Ohio Development Services Agency for the FY 2013 Community Housing Improvement Program. Mrs. Lattimer moved, Mrs. Stranman seconded to grant the Manager's request. The Manager reported this is also known as the C.H.I.P. grant, to assist with home rehabilitations. The application is "done every two years and then the two years in between is when we actually administer the funds". In the past the City has received up to \$500,000, but now is only eligible for up to \$400,000, due to programming changes. The motion CARRIED.

Health Insurance Consultant

The City Manager requested an ordinance to enter into an agreement with Giangola Insurance Agency, Inc. of 1000 Lake Avenue, Ashtabula, OH 44004 for the purpose of providing consulting services for the City of Ashtabula for a period of one year in the amount not to exceed \$1,250.00 per month, or \$15,000.00 annually. Funding for this expenditure will be taken from Account Number 602-140-5420. Mrs. Lattimer moved, Mrs. Stranman seconded to grant the Manager's request. The Manager reported three bids were received. Giangola was the lowest at \$15,000, and the highest came in at \$36,500. We are currently paying \$24,000 for said services, thus will save \$9,000. The motion CARRIED.

Safe Routes to Schools (SRTS) Project (Sidewalks)

The City Manager reported Trans Systems, the consultant assigned by the Ohio Department of Transportation (ODOT) to the project, was in town on Thursday, January 31.

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They were able to see the arrival and dismissal of elementary campus students on a wintery day, thus were able to see some of the issues being faced. This will help them to assess how to make student walking and biking to school safe. The SRTS Committee met that afternoon. The information Trans Systems gathered will be put into a report and submitted to ODOT, with the hopes of being awarded the grant. The grant could be up to \$500,000, which might not get us far into the project. Work will commence in 2015, but efforts are continuing to have the work commence sooner. A public hearing has to take place before the application is submitted. The hope is that the City will be able to use other funding to supplement the \$500,000 (e.g., Formula, CDBG grants), in order to extend the routes from where SRTS will end. This is a joint project between the City of Ashtabula and Saybrook Township, and therefore they will be joint applicants.

J.E.D.D.s

Council has scheduled two public hearings to discuss the J.E.D.D. contract with Saybrook Township (at St. John School), and Ashtabula Township (at Family Dollar Store – Route 20, 3236 north Ridge East, Brockway to NEO, and Mauro to NEO). The Clerk announced that the Saybrook public hearing will be on March 4 at 5:15 p.m., and the Ashtabula Township public hearing had to be rescheduled to March 18, at 5:30 p.m. The notice for the latter public hearing is scheduled to appear in the Star Beacon on Friday, February.

2013 Budget

He and the Auditor have continued to work on the budget with input from Council and the employees. He thanked Auditor Pinkert for her tireless assistance to make sure “we do what’s right for the employees and for our citizens.”

The Manager announced the City has received notice that an additional \$120,000 in revenue will be received. He would like to designate the revenue for Public Works. It had been discussed to use the revenue for the \$10,000 early retirement buyout. That idea is no longer an option given the feedback received after presenting it. \$115,000 of unemployment expenditures was able to be placed into the revenue side of Public Works after determining layoffs. In looking at all other City departments, it is believed that a Waste Water Treatment position may be added without increasing their total expense. This may be accomplished by moving some overtime around and put focus on their true needs. The position will be posted tomorrow and the plan is to hire internally. The vacant Housing Inspector position in the Planning & Community Development Department was posted today. “What we got this down to was 4 total people having to be removed from Public Works. With the two transfers around it looks like we’re down to 2 layoffs now. And, at this time, looks like it’s going to be it. It’s still unfortunate we have to go through this, but we feel that... and I will tell Council as I have before, it’s an extremely tight budget. It is an extremely conservative budget, and we’re going to have to harp on our department heads and everybody else in the City that if you don’t absolutely need it we’re not going to authorize those purchases this year.

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We need to be extremely conservative on what we purchase and watch the expenses in every avenue that we can. We would also like, and we're going to bring to the Finance Committee meeting, to go back to the original plan of doing a two year buyout for the employees. We do feel that with the number of people still committed and interested in that program, although we'll have to do these two layoffs, we're hoping it won't be any longer than a year, depending on how quickly others decide to retire. They may only be laid off for a few months – six months or just depending on how those other retirements come in. We'll bring that information to the Finance & Personnel meeting for you to decide on at that time. So, that is where the budget stands at this point.”

QUESTIONS AND/OR COMMENTS FOR THE CITY MANAGER

Budget: The Ward 4 Councilor thanked the Manager for his budget ideas and hard work to keep employees working, while, realizing the Auditor and Solicitor provided their assistance.

Salt: The Manager reported that the original 1500 tons of salt that was purchased is gone. Another 500 tons was ordered, and was budgeted for. Quite a bit of overtime has been worked, especially weekends and holidays. It seems to be when the storms are hitting. They have done an outstanding job keeping main streets open, and the mechanics have done great servicing the equipment. He asked residents to be patient with side street plowing.

CITY SOLICITOR'S REPORT - None

QUESTIONS AND/OR COMMENTS FOR THE CITY SOLICITOR - None

CITY AUDITOR'S REPORT

Budget: The Auditor echoed the Ward 4 Councilor's sentiments regarding the Manager's budget efforts. She said while his requests are challenging in working out the numbers, he has been easy to work with.

Bond Counsel: Treasurer Lori Mackey provide the Auditor with a memo today, (of which Council received a copy), informing her that bond counsel has issued the opinion that the City is able to borrow money to finance a two year O.P.E.R.S. (Ohio Public Employees Retirement System) buyout.

QUESTIONS AND/OR COMMENTS FOR THE CITY AUDITOR

Borrowing to Finance Buyout: The President asked for an explanation on the benefit of financing buyouts. The Auditor responded that, "Part of what we're discussing is an unfunded liability we have in the first place. We calculate every year, as part of our annual reports, the compensated absences and the sick time buyout that we would have based on what people have earned. So, we've rolled up part of that and it gives us a way to manage it. That way we know when we have to pay that and make payments on that, and not have surprises based on when somebody is going to retire. The other side of it is, initially the thought was to offer a buyout to save jobs, basically for people that are within a couple years of their retirement, instead of laying off people in Public Works. And, that's where the idea came from. So, I think that just from discussion with the City Manager, it was to change the culture through attrition and change some of the way we do things within the departments. So, from a financial standpoint we have ways that we can budget for those payments. We can't just get funding saying that we'll just pay it off. We have to pledge certain types of revenue, and we'll do that as part of the bond process. Right now it's a special revenue bond that we're thinking of. And we have other obligations that we'll have paid off at the end of this year that we can use some of that money for. And, I can provide all those calculations when the time comes for that."

President: What are some of the obligations we'll have paid off at the end of this year.

Auditor: Revolving Loan Payment – January 2014 - \$63,000 per year is budgeted at the present time. This is the one which resulted from the error which occurred in the former Housing & Community Development Department now known as Planning & Community Development Department.

President: The hope was also to have a younger and healthier workforce which possibly would reduce health care and workers compensation costs.

CITY COUNCIL COMMITTEE REPORTS

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

The Chair announced the Committee will meet on Wednesday, February 6, at 6:00 p.m., to again discuss the proposed Vacant Building Program, bike racks, and matters which the Parks & Recreation Board have to present.

The Chair moved, Mrs. Lattimer seconded to formally request ORDINANCE NO. 2013-25 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A COMMUNITY REINVESTMENT AREA TAX INCENTIVE AGREEMENT WITH 4314 MAIN AVENUE, LLC, FOR TAX ABATEMENT AT 50% FOR 7 YEARS FOR THE RENOVATION OF APPROXIMATELY 10,000 SQUARE FEET OF OFFICE SPACE IN THE CITY.

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The Manager reported the project will be located next to the Fire Department on Main Avenue at the former Social Security office. The owner is going to renovate the space for Burns Kids College daycare (*insert: which is currently located on the west side of the former Hotel Ashtabula, which is being renovated by Signature Health*). The motion CARRIED.

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

The Chair announced the Committee is scheduled to meet on Friday, February 15, at 8:00 a.m., which is a switch with the Safety Forces Committee.

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

The President announced the Committee will meet on Tuesday, February 12, at 8:00 a.m.

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

The Chair announced the Committee is scheduled to meet on Friday, February 8, at 8:00 a.m. The topics will be licensing of alarm companies and carrying of certain weapons prohibited legislation (*insert: Codified Ordinance No. 549.10*).

Work Session – No Report – No Report

FORMAL LEGISLATION REQUESTS – None

PUBLIC (LEGISLATION) PORTION – None

LEGISLATION READING

ORDINANCE NO. 2013-25 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A COMMUNITY REINVESTMENT AREA TAX INCENTIVE AGREEMENT WITH 4314 MAIN AVENUE, LLC, FOR TAX ABATEMENT AT 50% FOR 7 YEARS FOR THE RENOVATION OF APPROXIAMTELY 10,000 SQUARE FEET OF OFFICE SPACE IN THE CITY, 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: Mr. Balog, Mr. Trisket, Mrs. Stranman, Mrs. Lattimer, Mr. McClure, Mr. Ducro voted yea; motion CARRIED.

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Liquor Permit Request

Briquettes Smokehouse LLC dba Briquettes Smokehouse, 1033 Bridge St., Ashtabula, OH
D5L - 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. – sales until 1:00 a.m. This is located in the Revitalization District. Mrs. Stranman moved, Mrs. Lattimer seconded to take no action; motion CARRIED.

UNFINISHED BUSINESS

Waste Water Treatment Open Position: The Ward 4 Councilor asked what the educational requirements are and is an employee given a prescribed amount of time to obtain the requirements. The Manager responded that, in April when the posting first went out, it required a Class 1 Certification. The current Solid Waste Operate was given 18 months to get the Class 1. In light of layoffs, and wanting to hire from within, the position is being posted with that same offer of 18 months to obtain the Class 1 Certification. Also required is a CDL (Commercial Driver’s License), and high school or GED diploma.

Housing Inspector Position: The Manager reported this position was previously posted, is a Step 1, and for some reason it has a requirement of 5 years lead or inspection experience for an entry level position. It was not caught when the position was first posted, and no current employee qualified. He said after speaking with the department head he asked the 1197 Union to consider having the job description amended to remove the 5 year requirement of lead or inspection experienced. The union concurred, and the requirement was removed.

NEW BUSINESS - None

MISCELLANEOUS BUSINESS - None

GENERAL PUBLIC PORTION - None

CLOSING REMARKS

The President welcomed Pastor Wright, with the First Baptist Church, Park Avenue, back to the meeting, offered condolences to him for the passing of his father, and thanked him for being present. He reminded the viewing audience to “Keep Believing in Ashtabula”.

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ADJOURNMENT

Mrs. Lattimer moved, Mr. Trisket seconded to adjourn the meeting.

DATE APPROVED: **March 4, 2013**

ATTESTED BY: _____

J.P. Ducro, IV
President of Council

ATTESTED BY: _____

LaVette E. Hennigan, MMC
Clerk of Council