

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, Mr. Nelson Morrison lead the Pledge of Allegiance, and the President requested a moment of silence for the fatal shooting of Mr. Richard Riddle, Jr. at Hiawatha Church of God in Christ on Easter Sunday morning, March 31. He asked that the church and community members at-large be remembered.

Members Present: Mrs. Julie A. Lattimer, (Ward 4)
Mr. Richard F. Balog, (Ward 1)
Mr. August A. Pugliese, (Ward 2)
Mr. James M. Trisket, (Ward 5)
Mrs. Ann I. Stranman, (Ward 3)
Mr. Christopher J. McClure, (Vice President)
Mr. J.P. Ducro, IV, (President)

Member(s) Absent: None

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

Officer(s) Absent: None

Excused Absence: None

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

Presentations: None

Executive Session: None

CONSENT AGENDA

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

Ashtabula City Council Regular Meeting
Monday, April 1, 2013

MEETING MINUTES DISPOSAL

March 04, 2013 Public Hearing
March 04, 2013 Regular Meeting
March 18, 2013 Public Hearing

Mrs. Lattimer moved, Mrs. Stranman seconded to waive the reading of the minutes; motion CARRIED. There being no corrections the minutes stand approved as presented.

FORMAL LEGISLATION REQUESTS - None

PUBLIC DISCUSSION (Consent Agenda Legislation Only) – None

LEGISLATION READING – None

(End of Consent Agenda)

REGULAR AGENDA

READING AND DISPOSAL OF MEETING MINUTES - None

CITY MANAGER'S REPORT

2013 Street Materials Bid

The City Manager requested an ordinance to enter into an agreement with Ashtabula Concrete, Inc. of P.O. Box 890, Ashtabula, OH 44004 as the lowest and most responsible bid for the purpose of providing ready mix concrete in the amount as listed on the 2013 Street Materials bid package item #30 for the pricing as listed. Funding for this expenditure will be taken from Account Number 205-156-5420, Public Works Operating. Mrs. Lattimer moved, Mrs. Stranman seconded, to grant the Manager's request; motion CARRIED.

The City Manager requested an ordinance to enter into an agreement with Koski Construction Company of 5841 Woodman Avenue, P.O. Box 1038, Ashtabula, OH 44004 as the lowest and most responsible bid for the purpose of providing cold mix asphalt and surface course in the amount as listed on the 2013 Street Materials bid package item #30 for the pricing as listed. Funding for this expenditure will be taken from Account Number 205-156-5420, Public Works Operating. Mrs. Lattimer moved, Mrs. Stranman seconded, to grant the Manager's request; motion CARRIED.

Ashtabula City Council Regular Meeting
Monday, April 1, 2013

The City Manager requested an ordinance to enter into an agreement with Kinder Morgan/Pinney Dock & Transport LLC of 1149 East 5th Street, Ashtabula, OH 44004 as the lowest and most responsible bid for the purpose of providing limestone in the amount as listed on the 2013 Street Materials bid package item #2, 3, 4, 5, 6, and 7 for the pricing as listed. Funding for this expenditure will be taken from Account Number 205-156-5420, Public Works Operating. Mrs. Lattimer moved, Mrs. Stranman seconded, to grant the Manager's request. The Ward 4 Councilor asked if the above is the normal procedure for securing materials. The Manager responded, "Yes". The motion CARRIED.

Walnut Beach Concession Renovation Progress

The City Manager reported he was hoping to announce a project contractor this evening. However, after the pre-bid meeting changes to the bid were made; therefore an addendum was required. The new bid opening is Wednesday. A special meeting has been requested, with the hopes of naming a contractor and having the project completed by June.

Walnut Beach Concession Operator

The City Manager reported the first requests for proposals (RFP) went out; however there were no takers (which happened last year). He asked that names of persons willing to take the position be forwarded to him, encouraged folks interested to contact him, said he hopes to have the bid reissued by the end of the week, and that operator specifications may be picked up at his office.

Community Encouragement

The City Manager echoed the President's remarks regarding Easter Sunday's shooting. He said, "No matter what time of the year, no matter where things like this take place, events like this are tragic. Of course now being in the national spot light for an event like this certainly doesn't explain to anybody what this City is all about, and the good things that happen in our City. Those always seemed to be neglected and forgotten about in the event of a tragedy like this. We are no different than many other cities. We have more problems than some and less problems than others. I still very much believe in this community. And, I truly hope that people are very aware of their surroundings, and very aware of what's going on in this City, and don't hesitate to call out for help from us. Don't hesitate to come to us for suggestions or just to bounce ideas off of things to help better improve our community. We all need to be very aware. And, quite frankly, it's time for the good citizens, the 90% of us that want to see this place take off and do good things here, just start stepping up and take back our streets, and assisting our law enforcement officers, and assisting this Council, and my administration on different ways that we can help get our youth on the right path, get them back on the right path, and improve this community. So, again, my deepest sympathies to the family and all those that were involved this weekend. And, I also want to commend our law enforcement agencies, and all the agencies that came to assist on that, of course, on the holiday of Easter."

QUESTIONS AND/OR COMMENTS FOR THE CITY MANAGER

Reporting to Law Enforcement

The President reported that during this evening's Pre-Council meeting conversation took place surrounding efforts to make sure citizens are aware of the most appropriate time and way to reach out to law enforcement, or to the community. He asked Police Chief Robert Stell to speak about what may be done through the Broken Windows program, the tip line, or by calling the Police Department non-emergency phone number. The Chief said much of it is just communicating with the Police Department. Realizing people are reluctant to call the Police Department because they do not want to bother them or be a pest because they believe their concern may be minor (which sentiment comes up from time-to-time in the My Neighborhood Group meetings he has attended). He said the Department is not offended when called on for help and service, even if it is minor, because they are not available just to address the big issues. They are available to help resolve neighbor issues. By having a relationship with the community it helps the Department, overall, in getting information to help fight crime citywide. For minor issues call the non-emergency phone numbers. For serious matters call 9-1-1. The tip line phone number is 992-7126. It is typically used for an on-going issue of crime (e.g. suspected drug activity, a possible theft ring), something that gives them tips in order to keep a better watch on it. No names have to be provided when calling the tip line; the matter being reported will still be looked into. He said reports of high grass or trash will be forwarded to the appropriate department/agency within the City. He said calls may be placed on the tip line for just about anything that is considered criminal activity or nuisances.

The Vice President echoed the President and City Manager comments. He said City officials would be remiss if they did not point out that given what Pastors David Howard, Jr. and Steve Sargent of Hiawatha Church, and the congregation have done for the community, this is their darkest hour. He believes their faith and love for their community will be stronger through this. They are a "shining example, in that area [*of Station Avenue*], given what they have done through their ministry. It breaks all of our hearts when a tragedy like this happens. But, for their perseverance, so they know beyond our moments of silence, their moments of actions are what we need to continue."

The Ward 3 Councilor commented, "When people are looking at something like this, this is another situation where sometimes people might be quick to say, oh, only in Ashtabula, which obviously is not something that would only happen in Ashtabula. It's sad that we're getting national attention for it. We do need to remember this, just like the incident that occurred on my street several months ago, this is another domestic situation. This was a familial relationship. I don't know how much law enforcement could have done. But, to let people know, even in your own family, if there's something concerning you - yes, we don't want to get our family members in trouble - but if you're getting threatened by a family member, make that phone call.

Ashtabula City Council Regular Meeting
Monday, April 1, 2013

It's better to get them the help that they need, if there's something that's going on that's stressing them out or pushing them over the edge, then for that to happen. And, you think that it won't happen, but it can."

Broken Windows Program

The Ward 4 Councilor said she believes the program exists to shed light on problems, which would in turn bring someone to the site because of a violation(s). She said people doing wrong do not like to be "out in the light; they like to keep things quiet. So, just be there."

Korean War Memorial

The President asked the Manager if he desired to comment on the proposed memorial. The Manager reported the City was approached by Dr. Woo (Route 84) and Mr. Sam Kim, after contacting our local veteran's affairs office. They desire to erect a memorial in the City limits. The monument would be made in Korea and would recognize residents from Ashtabula, Lake, and Cuyahoga counties killed in action while serving in the Korean War. Kevin M. Cornelius Memorial Park has been suggested as the "obvious" place to erect the memorial due to the existing Veteran's Park across the street and Cornelius Park being a "memorial" park due to a resident killed in war. The fountain located in the middle of the park is getting in extremely poor condition, and will have to be completely redone, or could become the centerpiece of the proposed memorial. Dr. Woo and Mr. Kim were put in touch with Brobst Landscaping and other contractors. The Manager said he believes what would be in the City's best interest (if Council would agree) would be to allow them to erect the memorial in Cornelius Park where the fountain is, and then allow "the group" to take on the responsibility of construction, at their cost, as they proposed. Once the renderings are received and as the project progresses, he will come to Council for permission, noting that a final decision on if the memorial will be erected has not yet been made. He said these memorials have been erected in Cincinnati, Iowa, and Hawaii; some of which cost upwards of \$100,000 including the landscaping. The Manager said this is a good opportunity to pay tribute to the Korean War Veterans, and to have improvements made to Cornelius Park.

CITY SOLICITOR'S REPORT

Fatal Shooting: The Solicitor commented on the fatal Easter Sunday shooting, as follows, "A good part of my typical morning at the Solicitor's office is spent reviewing police and sheriff department reports from the areas that are prosecuted in the Ashtabula Municipal Court, from the previous 24 hours, for the purpose of making decisions about charging people, whether there's sufficient evidence to charge them, confirming that the person arrested should be charged, or simply reviewing the citations that the officers have already issued for correctness and form. So I get to see an awful lot of what is going on in the larger community, in a bad way.

Ashtabula City Council Regular Meeting
Monday, April 1, 2013

And, I'm not going to try to minimize the tragedy of Easter or the other recent incidents of shootings, and so on. But, I can assure the people of this community and people outside this community of this... in terms of violence, in many more than 95% of the cases, the person being attacked, the person being struck, shot, stabbed, is very closely acquainted with, and often related to the attacker, as Mrs. Stranman pointed out very accurately. The incidence of stranger-on-stranger violence, (as I'll put it that way), to completely unassociated persons coming together and one of them acting violently toward the other are extremely rare in this community. Statistically there is no significant danger if you're approached by a stranger on the street in Ashtabula. The unfortunate part of that, in addition to the tragedy that is inherent in the death of any person, is there is so little that the law enforcement community can do in a proactive way. The disputes between closely related or associated people are by their very nature, private until they reach a boiling point and they become public. And, then all the law enforcement or the criminal justice system can really do is react. And, I wish it weren't so, but that is the way human relationships fall out so many times. In terms of the Broken Windows program, it can have an impact on these sorts of incidents, but not dramatically. Again, because of the very private nature of the relationships that lead up to these sorts of confrontations. But, certainly the Broken Windows program, which is essentially a heightened enforcement of basic building, safety, traffic, and similar codes, sends a message that the City officials or the City agents are there, they're available, they're actively enforcing the rules of conduct that we all need to follow. It creates a greater sense of safety for law abiding persons, and a greater sense of lack of safety or threat to non-law abiding persons. And, that is the effect that we hope for in both the short and the long run. You will see some very lured headlines and some very extreme media reports about the shooting that occurred over the weekend. That's because it was in a church and it was on Easter. It, in no sense, is a reflection of the safety of this community. It is in no sense a reflection of the way things are going in Ashtabula. It is saddening and it is discouraging, but it is not a reason to lose hope in Ashtabula. Thank you!"

The Ward 4 Councilor and the President said thank you; the Clerk said Amen.

The President said today he saw a copy of a press release that will be issued shortly from the Ashtabula 100 group that recently came together to talk about some of the challenges facing the minority community of Ashtabula. Their Steering Committee will begin to take action to begin mentoring processes for community youth, a proactive approach to help some of them get on a more positive path, to discourage violence, to try and get them job training so they may become productive citizens instead of a position where they may turn to drugs or violence, etc. Millennium/Cristal Global training center will be made available to the Steering Committee for the stated purpose. The President encouraged other organizations and entities to assist the Ashtabula 100 group or formulate their own to try and do some more proactive things to take back our community and our City Streets.

Ashtabula City Council Regular Meeting
Monday, April 1, 2013

He encouraged the community not to lose sight of what happened, and forget in a couple of weeks or days by returning to “business as usual”, and to always remember this could happen at any time.

QUESTIONS AND/OR COMMENTS FOR THE CITY SOLICITOR - None

CITY AUDITOR’S REPORT

March Financials: The City Auditor reported due to today being the 1st, March books are not closed.

Income Tax: The City Auditor reported they are making ground with income tax, but are still \$60,000 behind 2012. April is a pivotal month, so hopefully better news may be reported at the end of the month. If not, decisions on how to handle the budget will have to be made.

May 7, 2013 Primary Ballot Issues

City Income Tax: The City Auditor reported the City’s local income tax is 60% of our General and Permanent Improvement Funds revenues; the bulk of which is used by the Police & Fire Department because they are the largest budgets. She said the income tax is very important, and that there is no way to calculate what decisions will have to be made if the levy fails.

QUESTIONS AND/OR COMMENTS FOR THE CITY AUDITOR

The President announced the income tax is a renewal, has been in place for 40 years, and is vital to the City’s operations and to maintain services at the existing level, especially in the area of Safety Forces.

Consolidation of City Treasurer and City Auditor Departments (to Finance Department)

The City Auditor reported she and City Treasurer Lori Mackey made the recommendation to the Finance (& Personnel Committee) to combine the departments in an effort to “pool our resources because we have had some staff leave that we didn’t replace, and there’s things that the Treasurer can do for the Finance Department that currently she can’t by our Charter. So, we just wanted to streamline some of that. In that process we’ve talk about some of the issues that came up – the internal controls, and we’re working on that currently, and should have something for the Finance (& Personnel Committee), a broad internal control manual, that then we would set the rules & regulations and go over the accounting procedures for a Finance Department based on that. So, we’re moving forward should the issue pass. I just think it’s a way to make us more efficient and pool our resources.”

The President announced the consolidation would not take away voter rights because neither positions are voted on by the people; they are Council appointments.

Ashtabula City Council Regular Meeting
Monday, April 1, 2013

The Ward 4 Councilor asked the City Auditor to address checks and balances in the consolidated department. The Auditor responded, "We would have certain procedures we have to put in place. Many of them would still be the same. We have to look at our checks and balances now with the Treasurer and the Auditor Departments, and we would probably take that out a level. There may be some things that we would ask the City Manager's Department to review as part of that process. There's a lot of ways we could address it. We just have to take each one individually when we know if the departments are going to combine, and probably formulate it like some other cities with the City Manager type of government. The President reported an annual independent audit takes place and is mandated by law. Therefore an outside entity is always reviewing the procedures and finances.

CITY COUNCIL COMMITTEE REPORTS

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

The Chair announced the Committee will meet on Wednesday, April 3, at 6:00 p.m. The main agenda item will be a presentation about green, efficient, energy housing. The President and the Ward 2 Councilor announced they would not be present.

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

The Chair announced the Committee will meet on Friday, April 12, at 8:00 a.m., in the municipal building 2nd floor conference room.

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

The Chair announced the Committee will meet on Tuesday, April 9, at 8:00 a.m.

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

The Chair announced the Committee will meet on Friday, April 19, at 8:00 a.m., that the agenda is being discerned in order to determine if a meeting is needed.

Work Session – No Report – No Report

FORMAL LEGISLATION REQUESTS - None

PUBLIC COMMENT (Legislation Only) - None

LEGISLATION READING

ORDINANCE NO. 2013-50 AN ORDINANCE REPEALING CODIFIED ORDINANCE SECTION 509.08, ENTITLED MINORS' CURFEW; DAYTIME CURFEW, 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. The President announced that Miss Olivia Cutlip and her father were in the audience this evening. Miss Cutlip is one of the students who wrote the President about the need to amend the Minors' Curfew legislation, and meet with the Safety Forces Committee in March, along with 3 other 7th grade students, to discuss ideas. She chose not to speak; and the President thank her and the other students, and their teacher, Mrs. Susan Marple. On the roll call to waive the Charter requirement of two readings: Mrs. Lattimer, Mr. Balog, Mr. Trisket, Mrs. Stranman, Mr. Pugliese, Mr. McClure, Mr. Ducro voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mrs. Lattimer, Mr. Balog, Mr. Trisket, Mrs. Stranman, Mr. Pugliese, Mr. McClure, Mr. Ducro voted yea; motion CARRIED.

ORDINANCE NO. 2013-51 AN ORDINANCE ENACTING NEW CODIFIED ORDINANCE SECTION 509.08, ENTITLED MINORS' CURFEW; DAYTIME CURFEW, 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. The President gave a brief explanation of the changes. On the roll call to waive the Charter requirement of two readings: Mrs. Lattimer, Mr. Balog, Mr. Trisket, Mrs. Stranman, Mr. Pugliese, Mr. McClure, Mr. Ducro voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mrs. Lattimer, Mr. Balog, Mr. Trisket, Mrs. Stranman, Mr. Pugliese, Mr. McClure, Mr. Ducro voted yea; motion CARRIED.

Form and Correctness: The Clerk of Council secured the Solicitor's required approval as to the form and correctness of the above legislation.

UNFINISHED BUSINESS - None

NEW BUSINESS

West Avenue Railroad Overpass: The Ward 5 Councilor said he continues try and see how lighting on the overpass may be installed. The Manager said he will reach out to Mr. Dave Dillon, FirstEnergy representative, to see how much it will cost and will report back to Council. The Ward 5 Councilor said even if one or two lights with a long arm could be installed would be sufficient. The Manager said this might be a good time to try LED technology.

Ashtabula City Council Regular Meeting
Monday, April 1, 2013

The Ward 3 Councilor reported the overpass is regularly traversed by those whose only mode of transportation is walking.

Garbage on West 41st Street Treelawn: The Ward 4 Councilor reported someone sent an email regarding garbage on a West 41st Street treelawn, and asked if there is an ordinance against such. The Manager reported trash anywhere around a property is a violation of the Housing Code. He believes the property in question was addressed today by the Housing and Sanitation Departments, and the owners will be charged for the City's attention to it. He then said one of the difficulties with our housing stock, and the fact that we have so many rentals, is that someone is moving out on any given day, it might not be their garbage day, but they still leave the trash on the treelawn. The procedure is for arrangements to be made, which would save them money, and asked that residents take advantage of the City's special pick up service.

MISCELLANEOUS BUSINESS

Leaf Bags: The Manager announced that beginning April, Public Works will start picking up leaf bags in the Harbor. The bags will be available in a week or two at Sanitation, at a cost of 5 for \$2.00 or \$0.40 cents each. April is a free pick up month; thereafter a \$0.25 cents sticker will be required to be placed on all bags for pick up.

Street Sweeping: The Vice President asked when the sweeper will be out and if it will be on the same schedule as leaf bag pick up. The Manager reported crews are waiting for the weather to break. There has not been a traditional schedule, but rather it operated where needed, with the main roads having priority. The President asked if the goal is for every road to get sweep, noting that residents have said the sweeper has never been on their road. The Manager said having a schedule to ensure every road is done is something to look at. He said crews try to remain in one ward at a time. He said during the snow plow season, at the suggestion of the Ohio Department of Transportation, crews tried to remain in scheduled areas and tried to keep track of which were done, how much salt was used, and that the schedule has to be reviewed by he and Public Services Superintendent Dominic Iarocci.

Leaf Bags: The Clerk of Council asked if the bags may only be purchased at Sanitation. The Manager responded Sanitation and Public Works. She noted that at the last regular council meeting it was reported that bags may be purchased at his office and the Auditor's office. The Manager stated stickers may be purchased at those locations. The Ward 4 Councilor noted that branches and limbs need to be reduced to three feet long, bundled, and a \$0.25 cents sticker attached.

1st Time Grandmother: The President congratulated Auditor Pinkert on becoming a grandmother. She appreciated it and said she is thrilled to have Kylie because she has three boys.

Ashtabula City Council Regular Meeting
Monday, April 1, 2013

Special Meeting: The President announced Council will meet in a special meeting on Monday, April 8, at 4:00 p.m., in the Municipal Building 2nd floor conference room, to vote on legislation pertaining to Walnut Beach renovation project and a payroll ordinance.

GENERAL PUBLIC PORTION

Mr. Nelson Morrison, 325 West 48th Street, Apartment #915: asked why Council did not enact legislation to prohibit cell phone use while driving, including law enforcement, Fire Department, Public Works. The Solicitor responded they are exempt from the prohibition while on duty, and have been trained to safely operate a vehicle while using cell phones.

Mr. Morrison asked if the Route 20 overpass, between Center Street and Station Avenue, can be paved to eliminate rough spots and pot holes, which are all over the City. The Ward 4 Councilor responded the State of Ohio is responsible for bridges; the Ward 2 Councilor concurred. The President noted that at the end of winter the roads are customarily bad due to freezing, thawing, and snowplowing, and that products used to repair roads are not yet available. He said he is sure Public Works will be diligent about making road repairs. He also said that while most of the streets need attention, there are only so many dollars to spend on road repairs, therefore those that are the absolute worse will receive priority.

Mr. Morrison reported he retired from Perkins after 19 years of service. After he retired he went church, saw an angel beside the pastor as the pastor passed by the pews, which caused him to go to the front of the church, and confess he is a sinner, before the congregation. He said 30 minutes later the angel knocked him on the floor and disappeared. He also reported the good news that he no longer needs a hearing aid because he has been healed.

Ms. Alice Cook, 1742 West 14th Street: asked why meetings are held upstairs, when it causes visitors to have to walk up and down the steps, and said it is hard to hear and to understand what is being discussed. The Clerk of Council responded that there is elevator access at the north side of the building; that it is a more intimate setting (*meaning not as much room is needed for most of the meetings*), and that she is certain Council will address the concern of the inability for visitors to hear and understand.

Welcome of Karen Flack's Grandson: The Clerk of Council welcomed Michael, Karen Flack's grandson, who is visiting, and who always looks forward to attending council meetings when he is in town.

Ashtabula City Council Regular Meeting
Monday, April 1, 2013

Meetings in the 2nd Floor Conference Room: The Clerk of Council further commented on Ms. Cook’s inquiry above, noting that many of the meetings are very quick; therefore having them in the 2nd floor conference room is more efficient. Ms. Cook did not believe the reasoning provided was adequate.

Eggstravaganza: Mr. Morrison thanked the Ashtabula Downtown Development Association (ADDA), and volunteers for putting on a nice 6th Annual Eggstravaganza last Saturday in Kevin M. Cornelius Memorial Park. The President said his girls enjoyed it and brought home way too much candy.

CLOSING REMARKS

The President reminded the viewing audience to “Keep Believing in Ashtabula”.

ADJOURNMENT

Mr. Pugliese moved, Mrs. Lattimer seconded to adjourn the meeting at 8:07 p.m.

DATE APPROVED: **April 15, 2013**

ATTESTED BY: _____

J.P. Ducro, IV
President of Council

ATTESTED BY: _____

LaVette E. Hennigan, MMC
Clerk of Council