

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, the Pledge of Allegiance was cited, and a moment of silence was observed for the fatal bombing at today's Boston Marathon.

Members Present: Mr. Richard F. Balog, (Ward 1)
Mr. August A. Pugliese, (Ward 2)
Mr. James M. Trisket, (Ward 5)
Mrs. Ann I. Stranman, (Ward 3)
Mrs. Julie A. Lattimer, (Ward 4)
Mr. J.P. 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 Treasurer Lori G. Mackey, Clerk of Council LaVette E. Hennigan

Officer(s) Absent: City Auditor Dana D. Pinkert

Excused Absence: Mrs. Lattimer moved, Mr. Trisket seconded to excuse the Vice President from this 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 Council is able to more efficiently conduct business.

**Ashtabula City Regular Council Meeting
Monday, April 15, 2013**

MEETING MINUTES DISPOSAL

March 18, 2013 Regular Meeting

April 1, 2013 Regular Meeting

April 8, 2013 Special Meeting

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

FORMAL LEGISLATION REQUESTS

ORDINANCE NO. 2013-63 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 THROUGH DECEMBER 31, 2013.

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

PUBLIC DISCUSSION (Consent Agenda Legislation Only) – None

LEGISLATION READING

ORDINANCE NO. 2013-59 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH KINDER MORGAN-PINNEY DOCK & TRANSPORT COMPANY, FOR THE PURCHASE OF STREET MATERIALS.

ORDINANCE NO. 2013-60 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH KOSKI CONSTRUCTION COMPANY, FOR THE PURCHASE OF STREET MATERIALS.

ORDINANCE NO. 2013-61 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH ASHTABULA CONCRETE, INC., FOR THE PURCHASE OF STREET MATERIALS.

ORDINANCE NO. 2013-63 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 THROUGH DECEMBER 31, 2013.

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.

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On the roll call to waive the Charter requirement of two readings: Mr. Balog, Mr. Trisket, Mrs. Stranman, Mr. Pugliese, Mrs. Lattimer, Mr. Ducro voted yea; motion CARRIED. On the roll call to adopt the Consent Agenda Legislation: Mr. Balog, Mr. Trisket, Mrs. Stranman, Mr. Pugliese, Mrs. Lattimer, Mr. Ducro voted yea; motion CARRIED.
(End of Consent Agenda)

REGULAR AGENDA

READING AND DISPOSAL OF MEETING MINUTES - None

CITY MANAGER'S REPORT

Leaf Bag Pickup: Pickup will begin this week in the Harbor, and next week in the wards on regularly scheduled garbage pickup days. April is free; therefore the orange 25 cents sticker is not required.

No Free Dump Day: The City is unable to financially provide a free Transfer Station dump day due to the cost of disposing of the dumpings. However on Saturday, June 1, from 8:00 a.m. until 2:00 p.m., the City will host another Tire Amnesty Day (more details will be announced in May), at which time residents will be able to dispose of their items at the Transfer Station, for a fee.

QUESTIONS AND/OR COMMENTS FOR THE CITY MANAGER – None

CITY SOLICITOR'S REPORT – None

QUESTIONS AND/OR COMMENTS FOR THE CITY SOLICITOR - None

CITY AUDITOR'S REPORT (provided by the City Treasurer)

Income Tax: The City Treasurer asked citizens to support Issue 1, the renewal of our Municipal Income Tax, scheduled to appear on the May 7 primary election ballot. She said it is a renewal and the City Charter requires putting it up for renewal every three years. She said tax dollars are important in that they pay for Police and Fire protection, Fire Ambulance emergency services and subsidizes departments such as the Health Department and Municipal Court.

Charter Changes: The City Treasurer also asked citizens to support Issue 2, scheduled to appear on the May 7 primary election ballot, which proposes to combine the City Treasurer and City Auditor Departments into one Department of Finance.

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She said it only makes sense to combine the departments in order to pool resources; streamline operations, and improve efficiency.

QUESTIONS AND/OR COMMENTS FOR CITY AUDITOR

The Ward 4 Councilor thanked the Treasurer for filling in for the Auditor; the President concurred. The Treasurer noted it had been a long due given it was the tax day deadline.

CITY COUNCIL COMMITTEE REPORTS

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

The Chair reported on the Committee's April 3 meeting, as follows:

Deep Green Homes: Melinda Pillsbury-Foster, affiliated with McPherson Investing, presented a PowerPoint presentation about the homes. The materials the homes are constructed from causes there to be no need for heat or cooling devices. She hopes to work with the City (and possibly the county) to acquire some vacant properties. Most of the properties she is interested are vacant because the City of Ashtabula, through use of Neighborhood Stabilization Project funds, razed the houses due to their blighted condition. The City is unable to sell the vacant land until they have ownership and a land bank is created. She is working closely with the City Manager. She provided information about the homes, via email, which may be shared with anyone who makes a request. Something substantial on this project is a ways off. McPherson Investing would like to open a factory in the City for the production of the materials needed to construct the homes. This project is also a ways away.

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

The Chair reported the Committee discussed the following on Friday, April 12:

*Year-to-date financials;

*Auditor Department staffing changes since this Auditor was appointed;

*Payroll & Human Resources Specialist and Income Tax work space changes (actual and proposed);

*City Income Tax Renewal;

*Early Retirement Incentive Program (will have additional projections and predictions on the financial impact at the May meeting);

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*Iron Bridge Project being turned over to the City (Manager to check with his Executive Assistant, Brenda Sanders, to know for sure if it has happened, but believes it has); \$88,000 in project will be returned to the City and placed in the Permanent Improvement Fund;

*Law Enforcement Trust Fund Internal Control Policy: Mr. Ducro moved, Mrs. Lattimer seconded to bring the legislation to Council this evening; motion CARRIED.

*Walnut Beach Lifeguards: Mr. Ducro moved, Mrs. Lattimer seconded for an ordinance to fund the lifeguards at a cost of \$21,600. It is a \$1,600 increase over 2012, but makes us competitive with what other areas are paying. The Solicitor asked for an addendum to the motion to allow the Manager to enter into a contract with the YMCA to provide lifeguard services. Mr. Ducro moved, Mrs. Lattimer seconded the addendum. The motion CARRIED.

*Potential plans for paving (the Manager will provide options at a later time); and

*Recycling Grant status; hope to discuss grant with Governor Kusick's representative to see if they are able assist us in getting it.

QUESTIONS AND/OR COMMENTS FOR THE CITY AUDITOR

The Ward 4 Councilor asked the City Treasurer to comment on the checks and balances if the Treasurer and Auditor Departments are combined. The Treasurer responded they will be maintained by a strict segregation of duties (e.g., the person taking the cash in will not write up the deposits; the person writing up the deposits will not take the money to the bank; and someone else will actually balance the bank reconciliation). The Councilor also noted that in this evening's Pre-Council meeting the Treasurer reported outside auditors yearly perform an audit the City's books. The President said there is also a purchase order system which requires two signatures before anything is purchased; that checks are signed by the Manager, Auditor, and Treasurer; and various other internal controls are already in place. He said the consolidation will eliminate duplication of tasks.

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

The Chair reported on the Committee's April 9 meeting, as follows:

Route 84/Austinburg Road Intersection Traffic: In February, a concerned citizen asked the Committee to look into traffic signalization that would assist Austinburg Road motorists turn right and left onto Route 84 safely and without having to wait so long to do so. The problem is that when McKinsey Elementary School, formerly located due east of Austinburg Road, was razed, the 20 mile per hour signs and restriction did too, and now motorists are travelling at very high rates of speed.

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The Police Chief reported signalization at this intersection has previously been looked at. It was determined that nothing should be done then or now, but if the problem persists the matter will be revisited. He asked that motorists slow down.

Remove All Traffic Light Signalization at West 44th Street and Park Avenue: Traffic Foreman Gale Urbano suggested traffic lights at this intersection be replaced with two or four-way stop signs, since the high school was razed and traffic has decreased. The Police Department agreed and suggested two-way stop signs. Mr. Pugliese moved, Mr. Trisket seconded to remove all traffic light signalization at the intersection of West 44th Street and Park Avenue, and replace it with two-way stop signs, making Park Avenue through traffic and having West 44th Street traffic stop; motion CARRIED. The Manager will place the traffic lights on flashing for three weeks to help motorists get used to the change.

Fire Lane in Front of Former Hotel Ashtabula: JCIContractors, Inc., representing 4726 Main Avenue LLC, is renovating the former Hotel Ashtabula for Signature Health. They asked for a fire lane in front of the building on Main Avenue because there is no real access to the side frame fire suppression instruments that go into the building. This is the first fire lane request because it is not common for such requests to be made for public property. The Committee voted in favor of the owner's request. Mr. Pugliese moved, Mr. Trisket seconded to recommend to the full Council the approval of the request to turn the three existing parking spaces from the property line of the former Lou's Tire Mart southward to the new concrete apron, into a restriction fire lane; motion CARRIED.

Road Vacates: Planning & Community Development Director Luciana Ratermann realized the City had no written procedure to vacate roads. After receiving comment from the Ashtabula City Planning Commission and City Solicitor, proposed legislation was drafted for the Committee's review. Mr. Pugliese moved, Mr. Trisket seconded to bring out of Committee the proposed legislation to enact a procedure to vacate roads; motion CARRIED.

Benefit Avenue & Route 20 Traffic Light: The Manager reported the light is inoperable because a new control box is needed. The car count study performed at this intersection did not qualify for the signalization to be replaced when the Traffic Signalization replacement project commences. He asked the consultant to revisit the request to include this intersection in the project because Dollar General is going to build south of the intersection on property formally known as former Shirley's Print Shoppe, which will increase the intersection's traffic. He believes it has always been Council's intention for the light to remain fully operating. So, if it still does not qualify for the project he, too, suggests the lights remain, and an intersection redesign bid be let. The lights will remain on flashing until new equipment is installed. Intersection traffic signals run \$10,000 to \$14,000.

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The Ward 4 Councilor asked if the traffic pattern at West Avenue/Lake Avenue/Carpenter Road intersection is going to be reworked (including the removal of some of the lights which are new and modern), can those extras lights be used at the Benefit Avenue/Route 20 intersection. The Manager responded yes, however, the Traffic Signalization Project does not commence until 2015; therefore the lights would not be available now, but, once available, will be used elsewhere.

Remove No Parking Signs on West 13th Street in Front of Former Thomas Jefferson School (which is now the Ashtabula Area City Schools Board Offices and pre-school center): Mr. Pugliese moved, Mr. Trisket seconded, to remove all no parking signs on the north and south sides of West 13th Street, except for directly in front of the building; motion CARRIED.

Children @ Play Signs on West 9th Street near hill by Goodwill: The Ward 3 Councilor, at the request of a West 9th Street/Morton Drive resident, presented this request to this Committee. The Committee asked the Police Department to conduct a study and make a recommendation. The Chair drove the area and saw that a sign already exists. He then asked the Ward 3 Councilor to have the resident call him so they may visit the area together, but, to date has not received a call. The Ward 3 Councilor said she told the resident what the Chair reported. The Councilor then drove West 9th and said, "There is a sign on the other side of the street at the other end in that block, as well. So there's one in both directions." She said given the condition of the road she cannot understand why motorists would speed. She said at this point the resident has reached her level of frustration because parents are letting their children play in the street, and the existing speed limit and Children @ Play signs should suffice. Other than patrolmen touring the area from time-to-time and issuing tickets, nothing more can be done.

Consolidation of Public Works and Sanitation Departments: This has been placed on hold pending talks with the ASFMCE 1197 union representatives.

TimeWarner Cable Services: On June 11, a cable company representative will be at the Committee meeting to discuss why their prices have increased so much. He said there have also been a lot of resident complaints about cable reception, and hopes some of them attend.

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

The Chair announced the Committee's Friday, April 19, at 8:00 a.m., will be cancelled, because he has not receive information from a local business owner needed in order to discuss said business owner's concern. Nor has the Chair been contacted by our ambulance carrier who would like to speak with the Committee about non-emergency ambulance service.

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He said the Committee was going to discuss the Ward 2 Councilor's suggested gun buyback program; however it has been determined that the City does not have the financial wherewithal to enact such a program. The Chair said a gun give back program has been suggested and will be discussed when the Committee meets on May 17.

Work Session – No Report – No Report

FORMAL LEGISLATION REQUESTS – None

PUBLIC COMMENT (Legislation Only) - None

LEGISLATION READING

ORDINANCE NO. 2013-62 AN ORDINANCE ADOPTING AN INTERNAL CONTROL POLICY FOR THE CITY OF ASHTABULA LAW ENFORCEMENT TRUST FUND, 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, Mr. Pugliese, Mrs. Lattimer, Mr. Ducro voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mr. Balog, Mr. Trisket, Mrs. Stranman, Mr. Pugliese, Mrs. Lattimer, Mr. Ducro voted yea; motion CARRIED.

UNFINISHED BUSINESS - None

NEW BUSINESS - None

MISCELLANEOUS BUSINESS

Public Hearings

May 20: The President announced Council will meet in a Public Hearing on Monday, May 20, at 5:30 p.m., in Council Chambers, to hear public comments regarding a request to rezone Thistlewood Apartments, on Carpenter Road, from R-3/Two Family Residence District to R-4/Multiple Dwelling District. The Ashtabula City Planning Commission has heard the request and voted 3-2 to approve it. The Ward 3 Councilor said she has never seen a Planning Commission split vote like this one.

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The Ward 1 Councilor said he has received several calls, and commented on the importance of residents being at the hearing; the Manager concurred. The President said public comment is taken into account when Council votes public hearing requests.

April 16: The Manager announced the Ashtabula City Planning Commission will hold a Public Hearing tomorrow at 5:30 p.m., in Council Chambers, regarding the proposed Hotel/Motel project north of the Crows Nest, on property off East 5th Street and Minnesota Avenue. He said the project owner is local.

Town Hall Meetings: The President asked the Manager for an update on scheduling upcoming meetings. The Manager sincerely apologized and promised he would get potential dates to Ward Councilors for their consideration.

Park-to-Park (South Park to Lance Corporal Kevin M. Cornelius Park) Clean Up: The President announced this event will take place on Saturday and Sunday, May 25 and 26; and that volunteers are needed.

Medication Take-Back: The President announced Ashtabula County Medical Center (A.C.M.C.) will hold a medication take-back on Saturday, April 27, from 10:00 a.m. until 2:00 p.m. The drive through area will be set up where the former Main entrance to the Center was located (by the garden sitting area).

The Ward 3 Councilor reported the DEA (Drug Enforcement Administration) is paying close attention to Northeast Ohio because of our pain pill epidemic, which is very serious. She strongly urged residents to remove all old medicine from their residence, so it is not stolen therefrom, and properly disposed of it. She said it is not good for medication to be flushed down the commode because it could end up in our sewer system and ultimately our water supply.

The Ward 4 Councilor said caution should be exercised when speaking of what potentially is going into our water supply.

The Manager reported the Waste Water Treatment plant discharges into Lake Erie in a downward motion from where Aqua Ohio takes it in; therefore the travelling paths do not cross. He said if huge amounts of antibiotics enter the WWTP system it could potentially create a problem.

The medications may be disposed of in the original or unoriginal containers. Sharpie markers will be provided at the drop off site so personal information may be blotted out. However, doing so prior to arrival will speed up the process.

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GENERAL PUBLIC PORTION

Ms. Karen Flack, 1827 West 6th Street: asked how many houses have been razed in the City. The Manager responded 84 during the Neighborhood Stabilization Program (NSP), at a cost of just over \$740,000. In the meantime owners have taken initiative to raze their structures on their own. He said the City will receive another \$200,000 from the Moving Ohio Forward project, which is the mortgage settlement by large banks through the Attorney General's office. We are hoping to raze 10 to 15 more with these funds, and have to be completed by the end of the year.

CLOSING REMARKS

The President reminded everyone to "Keep Believing in Ashtabula".

The Ward 5 Councilor reiterated Ms. Tina Stasiewski, Director of Marketing for A.C.M.C., instructions regarding the upcoming medicine drop off.

The President reminded everyone that as we come into springtime to remember that we really do have a beautiful community, that the beauty will be revealed more once winter is cleaned up and flowers bloom, and asked that everyone pick up their own litter and keep their private spaces clean.

The Ward 2 Councilor asked residents not to place grass clippings in the street because they plug up the storm drains and cause serious problems.

The Ward 4 Councilor asked motorists to slow down because children are coming out to play.

ADJOURNMENT

Mrs. Lattimer moved, Mr. Trisket seconded to adjourn the meeting at 7:53 p.m.

DATE APPROVED: **May 6, 2013**

ATTESTED BY: _____

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

ATTESTED BY: _____

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