

**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 Clerk of Council offered the opening prayer, the Pledge of Allegiance was cited, and a moment of silence was observed for the passing of Mr. Paul Demshar who drowned last week while swimming with his grandson on vacation; and for Mr. James Maderitz, the 14 year companion of Ms. Betty Kist who faithfully served as Ward 3 Councilor and Council Vice President over 10 years, who passed away last week from medical complications.

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

**Member(s) Absent:** Mrs. Julie A. Lattimer, (Ward 4)

**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. Stranman moved, Mr. Trisket seconded to excuse the Ward 4 Councilor from this meeting; motion CARRIED.

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

**Thank You:** The President thanked the electorate of the City of Ashtabula for voting YES, on May 7, to renew the 1.8% City income tax, and also to consolidate the departments of City Treasurer and City Auditor into one Department of Finance.

**Presentations:**

The Ward 5 Councilor, while accompanied by the President, presented the following resolution to Rising Sun Lodge No. 22 members Mr. Paul Andrews, Historian and WORSHIPFUL MASTER Joseph Styblo:

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**RESOLUTION NO. 2013-81**

**A RESOLUTION CONGRATULATING  
RISING SUN LODGE NO. 22, GRAND LODGE OF OHIO,  
FREE & ACCEPTED MASONS ON THEIR 200<sup>TH</sup> YEAR ANNIVERSARY**

**WHEREAS**, it is with much pleasure this City Council and these Public Officials of the City of Ashtabula, Ohio, issue this recognition to acknowledge the 200<sup>th</sup> year anniversary of Rising Sun Lodge No. 22, Grand Lodge of Ohio, Free & Accepted Masons (F & A M); and

**WHEREAS**, in February 1813, Rising Sun Lodge No. 22, Grand Lodge of Ohio, F & A M was granted dispensation, in other words the “authority to work”; and

**WHEREAS**, Rising Sun Lodge No. 22, Grand Lodge of Ohio, has been a part of the Ashtabula City community since its inception in 1813; and has been located in Downtown Ashtabula for at least 100 years; and

**WHEREAS**, Rising Sun Lodge No. 22, Grand Lodge of Ohio, is a service and philanthropy organization. They are the world’s oldest service fraternity, the biggest underwriter of the Ohio Summer Special Olympics, and are known for their dedication to and work with Shrine Hospitals.

**NOW THEREFORE, BE IT RESOLVED** by this Council and these Public Officials of the City of Ashtabula, Ohio, that it is our HONOR to CONGRATULATE Rising Sun Lodge No. 22, Grand Lodge of Ohio, Free & Accepted Masons, under the leadership of WORSHIPFUL MASTER Mr. Joseph Styblo, on their 200<sup>th</sup> year anniversary. THANK YOU for the service you so generously provide. It is a help to so many people in our great state of Ohio and in the United States of America.

WORSHIPFUL MASTER Styblo thanked Council for recognizing their anniversary. He reported they will be celebrating their anniversary on Saturday, July 13, when the GRAND MASTER of Ohio will be in town to reconsecrate the Lodge. He hopes they will be around for another 200 years, doing good work in Ashtabula.

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The President presented the following resolution to Mr. Todd Nassief:

**RESOLUTION NO. 2013-82**

**A RESOLUTION CONGRATULATING TODD NASSIEF AND THE  
NASSIEF AUTOMOTIVE, INC. TEAM**

**WHEREAS**, it has come to the attention of this City Council and these Public Officials of the City of Ashtabula, Ohio, that public recognition is, most assuredly, in order; and

**WHEREAS**, In March, Todd Nassief of Nassief Automotive Inc., was presented with the 'Best Year Ever in 2012' award by Honda Zone Manager Gary Russo, in Columbus, OH, on behalf of the Nassief automotive, Inc. Team; and

**WHEREAS**, Nassief Automotive opened in Ashtabula City in 1955. In the early 1970's the dealership moved to 5456 Main Avenue and has been there every since providing service on and sales of Hondas, Chevys Pontiacs and Cadillacs; and

**WHEREAS**, Nassief Automotive employs seventeen (17) persons. Todd Nassief said, "Thanks to all the hard work of the employees at Nassief Honda, we sold more new Hondas in the history of the store last year"; and

**WHEREAS**, Nassief Automotive is an excellent corporate citizen, and is very community minded as an active member of the Ashtabula Downtown Development Association (ADDA), and by providing vehicle donations to Goodwill, Animal Protective League, and Beatitude House – A House of Blessing, to mention a few.

**NOW THEREFORE, BE IT RESOLVED** by this Council and these Public Officials of the City of Ashtabula, Ohio, that it is our pleasure to CONGRATULATE Todd Nassief and the Nassief Automotive Team on a very worthy accomplishment; and we THANK YOU for your unwavering service and dedication to the community of the City of Ashtabula!

Mr. Nassief thanked his employees; said it is really an employee award. He thanked his customers; said there appears to be a bit of a renaissance in Ashtabula; and that the local business community appreciates more people are trying to keep their business local. He said "hopefully my dad's real proud of us and looking down". Thank you.

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

**EXECUTIVE SESSION:** At 7:08 p.m., the President entertained a motion to convene an Executive Session to discuss Personnel (Employment/Compensation). Mr. Trisket moved, Mrs. Stranman seconded to convene the Executive Session for the stated purpose. On the roll call to convene the Executive Session: Mrs. Stranman, Mr. Pugliese, Mr. Balog, Mr. Trisket, Mr. McClure, Mr. Ducro voted yea; motion CARRIED. The President announced all members of Council and the Solicitor were needed in the session. Part way through the session the President asked the City Auditor and Clerk of Council to attend.

**RECONVENE PUBLIC MEETING**

At 7:25 p.m., the President announced the public portion of the meeting reconvened, and requested ORDINANCE NO. 2013-94 AN ORDINANCE AUTHORIZING THE EXTENSION OF THE APPOINTMENT OF THE CITY AUDITOR UNTIL DECEMBER 31, 2013; Mr. Trisket seconded; motion CARRIED.

**CONSENT AGENDA**

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

**MEETING MINUTES DISPOSAL** - None

**FORMAL LEGISLATION REQUESTS**

- 2013-83** AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH VISION SERVICE PLAN (VSP) FOR THE PURPOSE OF PROVIDING ALTERNATIVE VISION INSURANCE COVERAGE. (Manager Timonere)
  
- 2013-84** AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ANTHEM BLUE CROSS, BLUE SHIELD, FOR THE PURPOSE OF PROVIDING VISION INSURANCE COVERAGE. (Manager Timonere)
  
- 2013-85** AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ANTHEM BLUE CROSS, BLUE SHIELD, FOR THE PURPOSE OF PROVIDING HEALTH SAVINGS ACCOUNT (HSA) INSURANCE COVERAGE. (Manager Timonere)
  
- 2013-86** AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ANTHEM BLUE CROSS, BLUE SHIELD, FOR THE PURPOSE OF PROVIDING DENTAL INSURANCE COVERAGE. (Manager Timonere)

- 2013-87 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ANTHEM BLUE CROSS, BLUE SHIELD, FOR THE PURPOSE OF PROVIDING PREFERRED PROVIDER ORGANIZATION INSURANCE COVERAGE. (Manager Timonere)**
- 2013-90 AN ORDINANCE APPROPRIATING FROM THE EARLY RETIREMENT INCENTIVE PLAN (ERIP) FUND 301, THE SUM OF \$400,000 IN ORDER TO FUND REQUIREMENTS OF THE EARLY RETIREMENT INCENTIVE PROGRAM. (City Auditor/Finance & Personnel Committee)**

Mrs. Stranman moved, Mr. Pugliese seconded to accept the Consent Agenda Formal Legislation requests; motion CARRIED.

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

**LEGISLATION READING**

- 2013-83 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH VISION SERVICE PLAN (VSP) FOR THE PURPOSE OF PROVIDING ALTERNATIVE VISION INSURANCE COVERAGE. (Manager Timonere)
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- 2013-88 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO FILE APPLICATIONS WITH THE OHIO DEVELOPMENT SERVICES AGENCY FOR THREE (3) GRANTS. (Downtown Revitalization Grants to be used in the Harbor Area)  
(Manager Timonere)
- 2013-89 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO CHANGE ORDER NO. 1 WITH FEGHALI BROTHERS CONSTRUCTION AND ENGINEERING FOR THE PURPOSE OF ADDING AN ALTERNATE ITEM TO THE SCOPE OF WORK OF THE WALNUT BEACH CONCESSION STAND PROJECT. (Concession Stand painting)  
(Manager Timonere)
- 2013-90 AN ORDINANCE APPROPRIATING FROM THE EARLY RETIREMENT INCENTIVE PLAN (ERIP) FUND 301, THE SUM OF \$400,000 IN ORDER TO FUND REQUIREMENTS OF THE EARLY RETIREMENT INCENTIVE PROGRAM.  
(City Auditor/Finance & Personnel Committee)

Mrs. Stranman moved, Mr. Pugliese seconded to waive the reading of the Consent Agenda Legislation; motion CARRIED. Mrs. Stranman moved, Mr. Pugliese seconded to waive the Charter requirement of two readings of the Consent Agenda Legislation. On the roll call to waive the Charter requirement of two readings: Mrs. Stranman, Mr. Pugliese, Mr. Balog, Mr. Trisket, Mr. McClure, Mr. Ducro voted yea; motion CARRIED. On the roll call to adopt the Consent Agenda Legislation: Mrs. Stranman, Mr. Pugliese, Mr. Balog, Mr. Trisket, 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**

#### **West Harbor Sanitary Sewer Improvements – Engineering**

The City Manager requested an ordinance to enter into an agreement GPD Group of 100 Federal Plaza East, Suite 200, Youngstown, OH 44503 for the purpose of providing design and construction engineering services for the West Harbor Sanitary Sewer Improvement project in the amount not to exceed \$59,500.

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Funding for this expenditure will be taken from Account Number 503-150-5500, titled Capital Improvements. Mrs. Stranman moved, Mr. Pugliese seconded to grant the Manager's request; motion CARRIED.

#### **Ashtabula Metropolitan Housing Authority**

The City Manager requested the reappointment of Mr. Dominic Volpone as a member of the Ashtabula Metropolitan Housing Authority effective immediately for a term to expire on January 31, 2018. Mrs. Stranman moved, Mr. Pugliese seconded to grant the Manager's request; motion CARRIED.

#### **Ashtabula Metropolitan Housing Authority**

The City Manager requested the reappointment of Ms. Betty Jackson as a member of the Ashtabula Metropolitan Housing Authority effective immediately for a term to expire on January 31, 2017. Mrs. Stranman moved, Mr. Pugliese seconded to grant the Manager's request; motion CARRIED.

#### **Housing Appeals Board**

The City Manager requested the reappointment of Ms. Arlene Kernekilian as a member of the Housing Appeals Board effective immediately for a term to expire on October 3, 2015. Mrs. Stranman moved, Mr. Pugliese seconded to grant the Manager's request; motion CARRIED.

#### **Parks & Recreation Board**

The City Manager requested the appointment of Mr. Trevor Sprague to the Ashtabula City Parks & Recreation Board. Mr. Sprague is the new CEO of the Ashtabula County YMCA, located at the intersection of Route 20 and Park Avenue. His term was not known at the time of the meeting. Mrs. Stranman moved, Mr. Pugliese seconded to approve the Manager's request; motion CARRIED.

#### **Tire Amnesty Day**

The City Manager announced that on Saturday, June 1, from 8:00 a.m. until 2:00 p.m., the City will host a Tire Amnesty Day, at the Ashtabula City Sanitation Department located at 501 West 24<sup>th</sup> Street. Up to ten (10) tires per address will be taken from City residents only. A utility bill shall be provided as proof of residency. The Transfer Station will be open; normal dumping fees will apply.

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

**CITY SOLICITOR'S REPORT**

**Grass Clippings:** The Solicitor issued a friendly caution to citizens that, "The street passing in front of your yard is designed to carry vehicular and pedestrian traffic, and the gutters are designed to carry storm water away from the street. The street is not designed to accept grass clippings, leaves, twigs, branches, or other rubbish. In fact those things are very injurious to our storm water management system. For quite a few years the City of Ashtabula has had criminal ordinances in place, making it a crime, punishable by significant fines, for you to blow your grass clippings into the street, for you to rake your leaves into the street, for you to use the gutters as a compost pile; you can't do that. If you do it, it is a minor misdemeanor, at the very least. A minor misdemeanor is punishable by a fine of up to \$150, and each time you do it it's a separate offense. And if you should happen to obstruct or deposit your yard waste close to a catch basin, upon repeat offenses it can become a 4<sup>th</sup> degree misdemeanor. Now the anti is up a little bit. It's a \$250 fine; there's a possibility of a jail sentence of up to 30 days in an egregious case. But you're also opening the door for me, on behalf of the City, to seek a civil judgment against you in the amount \$1,000. So, if you wish to make a contribution to the General Fund of \$1,000, by all means throw or rake your yard waste onto a catch basin. I would recommend, though, that you take reasonable steps to bag the waste, to mulch it, to otherwise dispose of it either on your property or safely. And, remember, the street is not there for that purpose."

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

**CITY AUDITOR'S REPORT**

Finances: The Auditor reported that through the end of April our ending cash balance is \$3.7 million, with \$859,000 of that in the General Fund. As of April we are meeting our revenue projections for income tax and exceeding last year's actual numbers. We budgeted conservatively, and should meet projections through year-end. Year-to-date we are at 29% of our budgeted expenditures, and therefore under projections – which is good.

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

The President said, "This is still not a safe place to be in and we still need to be prepared for an emergency. So that doesn't mean we have a lot of extra money to spend in the City on anything." The Auditor firmly concurred, especially because our budget is very slim, and said budget adjustments are inevitable.

The Auditor "echoed" the President's comments about the income tax renewal and the consolidation of the Auditor and Treasurer Departments, which transition is already in motion.



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The President thanked the Auditor and City Treasurer Lori Mackey for the work they did on organizing the renewal/consolidation efforts.

### **CITY COUNCIL COMMITTEE REPORTS and COMMUNICATIONS**

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

The Chair announced the Committee will meet on June 5, at 6:00 p.m. (right now). A member of the Architectural Restoration and Review Board asked the Committee to consider sidewalks, tables, signs, etc. pertaining to the historic district, and might want to look at it in relationship to all City business districts. The Ward 5 Councilor would like to bring a matter to the Committee, if his schedule permits. If there is a conflict with the Councilor's schedule the meeting particulars may change.

#### **QUESTIONS/COMMENTS FOR THE COMMITTEE**

The Vice President reported he has been contacted by a citizen regarding smoking in City parks. He would like the Committee to review the City's policy on the issue. He does not believe there is anything on the books regarding the prohibition of smoking in City parks, but knows City buildings are tobacco-free. He would like the review to encompass all City land/property, etc. He asked the Manager and Auditor if there is an insurance benefit to having City facilities/properties tobacco-free, much like a drug-free work place policy. The Manager said he could not say for sure, but knows that in other organizations if there was cessation planning, and the like, where the City would give incentive to stop smoking, the insurance companies may look at lowering their rates. He said Ashtabula County Medical Center (A.C.M.C.) has instituted such policy, and is a smoke-free campus. He also believes anyone seeking to work for them as a new hire will not be hired if they smoke. He said it is something the City could discuss. The Vice President asked if since the Manager is over lands and buildings he has the authority to say City facilities/properties will be smoke-free, and will leave it for the Committee's discussion. The President said he received an inquiry about the same pertaining to Smith Field. He said he respects a person's right to smoke, but also respects a person's right to breathe clean air, and that Smith Field walkers should not have to traverse a cloud of smoke. The question of properties where smoking is allowed which about City properties was broached, as is the case at Smith Field.

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

The Chair reported on the Committee's May 16 report, as follows:

**Year-to-Date Financials:** The Auditor told the Committee that this is the first month she has been encouraged that the City will make its revenue projections. The Treasurer told the Committee that income tax revenue is up about \$100,000 over 2012. She thought it would be up more, but that the numbers are still encouraging.

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**Treasurer/Auditor Department Consolidation:** The departments are working toward consolidation.

**Iron Bridge Renovation Project Refund:** The Manager told the Committee the City received a \$330,000 refund from this project, and that he hopes to use it on paving. The Ward 2 Councilor suggested some of the refund be put in the City's Sidewalk Repair/Replacement Fund. It was noted that several citizens have inquired about participating in this program this year.

**City's New Website:** The Manager told the Committee the project is coming alone. This evening he reported the current website was hit with a malware virus. When the information was restored it was done so with very old/outdated information, but that the virus is gone. He hopes to launch the new site by the end of the month.

The Committee Chair referred to the Solicitor's comment regarding gutters and streets. He said Mr. Todd Nassief's presence this evening reminds him of the meticulous manner in which the curbs are maintained at his place of business – and thanked him.

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

The Chair announced the Committee will not meet in May, but will on June 11, at 8:00 a.m. A representative from Time Warner Cable will be present to answer questions. He encouraged resident's attendance.

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

The Chair reported on the Committee's May 17 meeting, as follows:

**Agenda Item Removal:** The following items were removed from the agenda due to lack of response from the requestors, and will be revisited if asked: licensing of security alarm companies and licensing of non-emergency ambulances.

**Fire Department**

**Ashtabula County Hazardous Mitigation Plan:** The County has adopted the Plan, and needs this Council's approval. The Fire Chief noticed glaring errors in the Plan which are being addressed before presentation to this Council for a vote. This will be revisited at the Committee's June 21, 8:00 a.m. meeting.

**National Incident Management System (N.I.M.S.):** This is a federal government mandate. The System addresses responses to a natural disaster, terrorism, etc.

All City departments require training. The Police Chief believes his department has met all training requirements and has documented proof. The Fire Department is trained. The Fire Chief said "Council, he's not so worried about". The Chair reported many members of Council have completed the training. The Manager is working on getting Public Works and Water Pollution Control areas trained. It is unknown what consequences will be faced if the requirements are not met. The federal government has not said they will "take money away from us, but there's the possibility that we wouldn't be able to received some federal grants if we don't comply."

**Ambulance Billing Legislation:** The Chief told the Committee the current legislation needs to be amended to allow for old, noncollectible debts to be written-off. The Chair said he is not clear why the debts have to be written-off. The Manager responded it is more of a house/bookkeeping issue. Without Council's authority to write-off or waive the fees, outstanding debt "could" be on the books in "2057". It is also possible someone may be billed for the incorrect reason, or something happens that a waiver or forgiveness of the billing should be considered. Because the mechanism was never a part of the ordinance Council initially passed, an amendment is necessary to allow for said activity. The Chair reported the Solicitor is preparing an amendment to be presented to the full Council rather than taking it back to Committee.

#### **Police Department**

**Dispatchers:** Police Chief Stell told the Committee four (4) part-time dispatchers were hired to be used mostly in the townships and villages we are dispatching for.

**Radio:** The new system is running, almost without problems. There are a few small bugs but the vendor has said it will not be a problem getting the system to function at 100% capacity soon.

**Vehicles:** Seven (7) new vehicles are on the road; eight (8) by today. They are nice.

#### **Miscellaneous Discussion**

- a. **Housing Rental Units:** Some landlords might be avoiding becoming a part of the inspection process. The Ward 5 Councilor had some ideas about how to change the square footage of multi unit dwellings to give the City more tools to work with. The Ward 3 Councilor reported this to be the issue the Ward 5 Councilor is going to present at the Community/Economic Development/Parks & Recreation Committee at their upcoming committee meeting.

**QUESTIONS/COMMENTS FOR THE COMMITTEE**

The Ward 3 Councilor reported seeing that someone had suggested the topic of parking construction equipment in residential areas should be referred to her committee. The Ward 1 Councilor reported this issue began with complaints from some residents in his ward about construction equipment being parked on a residential property. He reported the Clerk of Council, in an email, reported she has set it for the Public Works/Utilities/Schools Committee agenda. The Ward 3 Councilor recalled the conversation regarding parking recreational and commercial vehicles in residential areas going through the Public Works Committee because it has to do with “parking”. The Clerk reported today she responded to the request noting that that it was being placed in the Public Works/Utilities/Schools Committee unless otherwise instructed – and that she had not been otherwise instructed.

The Manager remembered there being a Finance and “Ordinance” Committee, which is now Finance and Personnel. The Clerk of Council reported the “Ordinance” responsibility of that committee was to hear requests for ordinances pertaining to finances only.

**Work Session – No Report**

**Crime Free Multi-Housing Program:** The President kindly reminded the City Manager this item still needs to be addressed, realizing time is a factor. He said “that’s something we definitely want to keep on the agenda and make sure that we try and address that in the near future”.

**Ward Meetings:** The President kindly reminded the City Manager he looks forward to these meetings being scheduled. It will give citizens an opportunity to address local government officials somewhere other than a Council meeting.

**Excused:** The President announced he was leaving the meeting to attend to a personal matter, and was turning the meeting over to the Vice President.

**FORMAL LEGISLATION REQUESTS:**

The Clerk of Council presented the following request:

**ORDINANCE NO. 2013-92 AN ORDINANCE CHANGING THE ZONING OF REAL PROPERTY LOCATED AT 1936 CARPENTER ROAD (THISTLEWOOD APARTMENTS), AND KNOWN AS ASHTABULA COUNTY AUDITOR’S PERMANENT PARCEL NO. 50-076-10-039-00, FROM R3/TWO FAMILY RESIDENCE DISTRICT TO R4/MULTIPLE DWELLING DISTRICT AND AMENDING THE ZONING DISTRICT MAP ESTABLISHED BY CODIFIED ORDINANCE SECTION 1115.02.**

**(City Council) Mr. Trisket moved, Mr. Balog seconded, to approve this request; motion CARRIED.**

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**The City Manager requested ORDINANCE NO. 2013-93 AN ORDINANCE ENACTING NEW CODIFIED ORDINANCE SECTION 1305.03, ENTITLED SECRETARY OF THE INTERIOR'S STANDARDS TO BE APPLICABLE IN ALL HISTORIC DISTRICTS. Mrs. Stranman moved, Mr. Pugliese seconded to grant the Manager's request; motion CARRIED.**

**Council Rule 21:** The Clerk of Council certified conformity to Council Rule 21 had been met.

**Legislation Reading Overview:** The Vice President, with some assistance, outlined the Legislation Reading agenda.

**PUBLIC COMMENT (Legislation Only)**

**Mr. Earl Tucker, Walnut Boulevard:** asked for an explanation of the changes in Ordinance No. 2013-93. The Manager responded that the Interior Standards are standards related to building codes. In order to apply for the three (3) Downtown Revitalization grants, the Developmental Services Agency (DSA) requires said standards be in place in order to be awarded the grants.

**LEGISLATION READING**

**ORDINANCE NO. 2013-91 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A SUBMERGED LANDS LEASE WITH BROCKWAY NORTH COAST MARINE INC. AND GRANT G. BROCKWAY TO FACILITATE A GRANT FOR DREDGING THE ASHTABULA RIVER IMMEDIATELY NORTH OF THE WEST 24<sup>TH</sup> STREET BRIDGE,** was presented. Mrs. Stranman moved, Mr. Pugliese seconded, to waive the reading of the ordinance; motion CARRIED. Mrs. Stranman moved, Mr. Pugliese seconded, to waive the Charter requirement of two readings. On the roll call to waive the Charter requirement of two readings: Mrs. Stranman, Mr. Pugliese, Mr. Balog, Mr. Trisket, Mr. McClure voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mrs. Stranman, Mr. Pugliese, Mr. Balog, Mr. Trisket, Mr. McClure voted yea; motion CARRIED.

**ORDINANCE NO. 2013-92 AN ORDINANCE CHANGING THE ZONING OF REAL PROPERTY LOCATED AT 1936 CARPENTER ROAD (THISTLEWOOD APARTMENTS), AND KNOWN AS ASHTABULA COUNTY AUDITOR'S PERMANENT PARCEL NO. 50-076-10-039-00, FROM R3/TWO FAMILY RESIDENCE DISTRICT TO R4/MULTIPLE DWELLING DISTRICT AND AMENDING THE ZONING DISTRICT MAP ESTABLISHED BY CODIFIED ORDINANCE SECTION 1115.02,** was presented. Mrs. Stranman moved, Mr. Pugliese seconded, to waive the reading of the ordinance; motion CARRIED. Mrs. Stranman moved, Mr. Pugliese seconded, to waive the Charter requirement of two readings. On the roll call to waive the Charter requirement of two readings: Mrs. Stranman, Mr. Pugliese, Mr. Balog, Mr. Trisket, Mr. McClure voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mrs. Stranman, Mr. Pugliese, Mr. Balog, Mr. Trisket, Mr. McClure voted nay; motion **FAILED** by a 0 to 5 vote.

**ORDINANCE NO. 2013-93 AN ORDINANCE ENACTING NEW CODIFIED ORDINANCE SECTION 1305.03, ENTITLED SECRETARY OF THE INTERIOR'S STANDARDS TO BE APPLICABLE IN ALL HISTORIC DISTRICTS**, was presented. Mrs. Stranman moved, Mr. Pugliese seconded, to waive the reading of the ordinance; motion CARRIED. Mrs. Stranman moved, Mr. Pugliese seconded, to waive the Charter requirement of two readings. On the roll call to waive the Charter requirement of two readings: Mrs. Stranman, Mr. Pugliese, Mr. Balog, Mr. Trisket, Mr. McClure voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mrs. Stranman, Mr. Pugliese, Mr. Balog, Mr. Trisket, Mr. McClure voted yea; motion CARRIED.

**ORDINANCE NO. 2013-94 AN ORDINANCE AUTHORIZING THE EXTENSION OF THE APPOINTMENT OF THE CITY AUDITOR UNTIL DECEMBER 31, 2013**, was presented. Mrs. Stranman moved, Mr. Pugliese seconded, to waive the reading ordinance; motion CARRIED. Mrs. Stranman moved, Mr. Pugliese seconded, to waive the Charter requirement of two readings. On the roll call to waive the Charter requirement of two readings: Mrs. Stranman, Mr. Pugliese, Mr. Balog, Mr. Trisket, Mr. McClure voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mrs. Stranman, Mr. Pugliese, Mr. Balog, Mr. Trisket, Mr. McClure voted yea; motion CARRIED.

The Vice President reported the reason for Council's no vote on the request to rezone Thistlewood Apartment property was not provided, but that much discussion took place in this evening's public hearing on the matter. He echoed the City Manager's sentiments, that being, "We are not against investment in the City of Ashtabula. We applaud investment in the City of Ashtabula. My sentiment, as it is the City Manager's sentiment, and I believe the remainder of Council that from a rental property issue in the City, while we appreciate the investment we would like to see a flourishing single family property owned/property owner occupied in the City. And, that's what our constituency echoed tonight in the public hearing." He reported there were several citizens at the hearing. He said, "in no way is this an anti doing business in the City of Ashtabula, but we would like to see our housing stock improved".

**UNFINISHED BUSINESS** - None

**NEW BUSINESS** - None

**MISCELLANEOUS BUSINESS**

**Mowing Private Lots:** The Ward 2 Councilor asked if City personnel have begun mowing private lots. The Manager replied yes, and said there are many on the list.

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The Ward 2 Councilor reminded citizens that if the City has to mow private property it is very expensive, and said he noticed that things are looking really bad because of all the high grass and weeds.

The Vice President added that mowing is required whether the lot is vacant or has a structure on it. He suggested the City might be behind on mowing its properties, so to have to mow private lots also will compound the problem.

The Ward 2 Councilor asked how many are on a mowing crew. The Manager said it depends on the day, and the assignments are the responsibility of the Director of Public Services (aka Public Services Superintendent). He reported a crew was assigned to North Park to clean up in preparation of Memorial Day, and that there are crews on the ball fields, and different areas. He said an employee checks in every morning with Planning & Community Development, and is given a list of vacant properties to be mowed. The Ward 2 Councilor asked that citizens be patient; the Manager asked that citizens report violations.

**Walnut Beach:** The Vice President reported lifeguard stands are out, the beach has been readied, and will be open this weekend.

**Concession Stand:** The Manager reported the renovation project is moving along. They have been painting, working on the plumbing in the restrooms, and still hope to have the restrooms open by the beginning or middle of June. In the meantime, there will be portable facilities which are scheduled to be delivered tomorrow. Crews were sent to the beach this weekend specifically to clean it up.

**Buoys:** The buoys that were purchased with a grant, and will define the swim area, have not been delivered.

**High Grass:** The Ward 5 Councilor asked if the high grass and weed violation also pertains to backyards. The Manager responded yes, and outlined the following process:

1. The owner of record with the County Auditor's Department will be sent a notice;
2. They have five days to comply; and
3. If it is determined at reinspection that there has not been compliance we put them on the list for mowing.

Only one notice per year has to be sent to the same property.

**Littering:** The Ward 5 Councilor asked what the penalty and fine is for littering. The Solicitor said without looking at the ordinance, he believes a first offense is a minor misdemeanor, and subsequent offenses are (he believes) fourth degree misdemeanors.

He said littering is depositing of anything that qualifies as litter (and said there is a specific definition), that generally goes to smaller unwanted items that generally should be part of the solid waste/refuse stream. "Tossing them onto private property that you don't have control over, or have permission to deposit it on, or on public property, is prohibited." The Ward 5 Councilor said there are rental units across the street from his home, and that windstorms bring their trash to his property, trees included. He said he took his lead in keeping the curbs around his property clean from the way Nassief Automotive dealership keeps its curbs. He also waits to see if a street sweeper runs before pulling debris from the storm drain grate. He reported while spring cleaning his yard he removed debris from the curbing and two days later he and his wife were picking up trash from drive by litterers. He said "others running around picking up others trash" appears to be an on-going problem in the City. He would like to get people to understand "everybody else isn't their trash can". The Solicitor personally sympathized with the Councilor. He said he lives in an area that is still a little more owner occupied than rental. However when placing his trash can at curbside each week, he finds himself walking the treelawn picking up bottles, cans, and other debris which passing motorists have tossed out of their vehicles. He then said if an officer witnesses this activity, the violator is cited. He said he also sees a fair amount of littering violations in connection with other enforcement activities.

**GENERAL PUBLIC DISCUSSION – None**

**CLOSING REMARKS**

"Remember to Keep Believing in Ashtabula"

**EXECUTIVE SESSION - None**

**ADJOURNMENT**

Mr. Trisket moved, Mr. Pugliese seconded to adjourn the meeting at 8:23 p.m.

DATE APPROVED: July 1, 2013

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

**JP Ducro IV**  
**President of Council**

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

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