

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 and the Pledge of Allegiance was cited. A moment of silence was observed to acknowledge the passing, last week, of Mr. Thomas Hassett, former Council Member and President.

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

Member(s) Absent: Mrs. Julie A. Lattimer, (Ward 4)
Mr. Richard F. Balog, (Ward 1)

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: Mr. Trisket moved, Mr. Pugliese seconded to excuse the Wards 4 and 1 Councilors from this meeting; motion CARRIED.

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

Presentations

The President presented the following resolution, to the following persons, for the electrical work voluntarily performed in LCpl Kevin M. Cornelius Memorial Park: Mr. John Metzler, Ms. Amber Wintz, Ms. Lori Anservitz, and Mr. Chris Milano.

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RESOLUTION NO. 2013-111

**A RESOLUTION OF COMMENDATION TO THE
OWNERS AND PERSONNEL OF
ASHTA CHEMICALS, INC.**

WHEREAS, it is the responsibility of this City Council and these Public Officials of the City of Ashtabula, Ohio, to protect public safety and to seek to improve the quality of life of our residential, business, and visiting communities; and

WHEREAS, it is the pleasure of this City Council and these Public Officials to give honor where honor is due; and

WHEREAS, Ashta Chemicals, Inc., located at 3509 Middle Road, Ashtabula Township, Ohio, and their personnel reached out to Ashtabula City Officials with a desire to perform public service; and

WHEREAS, Ashta Chemicals' community outreach aided in helping to protect public safety and improve the quality of life in our community by donating materials, labor, and supervisory services to improve and rehabilitate electrical service in Lance Cpl. Kevin M. Cornelius Memorial Park, located on the northwest corner of West 44th Street/Main Avenue/Park Avenue/and Park Place.

NOW THEREFORE, BE IT RESOLVED by this Council and these Public Officials of the City of Ashtabula, Ohio, that we do with all sincerity, acknowledge, commend, and give thanks and praise to Ashta Chemicals, Inc., and all their personnel who initiated, worked on, and completed the project in Lance Cpl. Kevin M. Cornelius Memorial Park, for being fine examples of how government and the business community are able to work together for the common good of, **WE THE PEOPLE!**

Mr. Ken Baker and Mr. Devin Hopson were scheduled to attend. The President thanked Mr. Metzler, the driving force behind the project, for approaching the City with the project, for being patient while navigating through the governmental processes, and for seeing the project through to completion. Mr. Metzler thanked the City Manager for helping him navigate through the process, having no success trying to do so for one year, on his own.

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He said he was taken aback by how everyone got on board once the momentum began, including Mr. Rick Coblitz the owner of A. Louis Supply, City Council, Mr. John Getce Maintenance Foreman for the City, and Ashta Chemicals' owners. He said the park is now safe which will benefit the City of Ashtabula and its citizens.

The President presented to Mr. Michael Habowski, President and CEO, and Ms. Tina Stasiewski, Vice President of Business Development

RESOLUTION NO. 2013-119

**A RESOLUTION CONGRATULATING AND COMMENDING
ASHTABULA COUNTY MEDICAL CENTER
(ACMC) HEALTHCARE SYSTEM**

WHEREAS, it has come to the attention of this City Council and these Public Officials of the City of Ashtabula, Ohio, that a very special recognition is in order; and

WHEREAS, 50,891 employees representing 253 companies participated in a 22-question survey pertaining to their workplace environment; and

WHEREAS, it is with much enthusiasm this City Council and these Public Officials congratulate and commend our very own Ashtabula County Medical Center (ACMC) Healthcare System, which encompasses Ashtabula Regional Home Health and Glenbeigh, for three years in a row ranking in the "Top Workplace in Northeast Ohio", in the category of for-profit and non-profit businesses with 500 or more employees; moving up 11 spots over 2012 to 14th place ranking in 2013; and

WHEREAS, out of ACMC's 1092 employees, 740 (or 68%) responded with 880 comments and improvement ideas. ACMC was benchmarked against 27 companies, placing 14% higher than benchmarked hospitals for the question, "New ideas are encouraged at ACMC Healthcare System" and "I believe ACMC Healthcare System is going in the right direction".

NOW THEREFORE, BE IT RESOLVED by this Council and these Public Officials of the City of Ashtabula, Ohio, that ACMC Healthcare System, located at 2420 Lake Avenue, Ashtabula, OH, is hereby CONGRATULATED for and COMMENDED on their accomplishment! ACMC, thank you for your commitment to innovation and excellence in providing exemplary external and internal customer service and product; and for your dedication and unwavering commitment to the City of Ashtabula, the County of Ashtabula, and to the health and well-being of mankind!

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We join in the sentiments of your employees and want you to know that YOU ARE TRULY APPRECIATED and an ASSET to our community!

Mr. Michael Habowski, President and CEO thanked Council for the award. He said this award really belongs to the employees, board, and medical staff because they are the ones that create an environment that allows people to speak out and have their voices heard. Not all problems are solved, but a sincere effort is put forth to act upon all comments. He was most proud to see APMC Ashtabula in the Plain Dealer, for it signified that great things are happening in this county and city. He said, "Our goal is to be number one next year, so we're going to work on it."

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

Executive Session: None

Reconvene Open Meeting: None

Action resulting from Executive Session: None

CONSENT AGENDA

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

MEETING MINUTES DISPOSAL - None

FORMAL LEGISLATION REQUESTS - None

PUBLIC DISCUSSION (Consent Agenda Legislation Only) - None

LEGISLATION READING

ORDINANCE

2013-104 AN ORDINANCE REPEALING IN ITS ENTIRETY CODIFIED ORDINANCE SECTION 937.02,
2nd READING ENTITLED LEVY OF CHARGES (Sewer Rates). (Public Works/Utilities and Schools Committee)

ORDINANCE

2013-105 AN ORDINANCE ENACTING NEW CODIFIED ORDINANCE SECTION 937.02, ENTITLED
2nd READING LEVY OF CHARGES (Sewer Rates). (Public Works/Utilities and Schools Committee)

ORDINANCE

2013-108 AN ORDINANCE APPROPRIATING FROM UNAPPROPRIATED PARKS & RECREATION FUND
233 THE SUM OF \$8,000, FOR THE PURCHASE OF RUBBERIZED MULCH FOR THE NAPPI
FIELD PLAYGROUND. (Parks & Recreation Board)

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ORDINANCE

2013-109 AN ORDINANCE ADOPTING THE CITY OF ASHTABULA, OHIO PARKS & RECREATION BOARD FUNDRAISING POLICY. (Parks & Recreation Board)

ORDINANCE

2013-110 AN ORDINANCE AMENDING THE TRAFFIC CONTROL FILE FOR THE PURPOSE OF
1st READING REMOVING ALL "NO PARKING" SIGNS ON MURRAY AVENUE, EDWARDS AVENUE AND HIRAM AVENUE LOCATED WITHIN ONE (1) BLOCK OF BUNKER HILL ROAD. (City Manager)

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 Ordinance Nos. 2013-108 and 2013-109, and place Ordinance No. 2013-110 on its first reading. On the roll call to waive the Charter requirements of two readings of Ordinance Nos. 2013-108 and 2013-109, and place Ordinance No. 2013-110 on its first reading: Mr. Trisket, Mrs. Stranman, Mr. Pugliese, Mr. McClure, Mr. Ducro voted yea; motion CARRIED. On the roll call to adopt the Consent Agenda Legislation as presented: Mr. Trisket, Mrs. Stranman, Mr. Pugliese, Mr. McClure, Mr. Ducro voted yea; motion CARRIED.
(End of Consent Agenda)

The President said he was asked if he would request that the dais speak up so the audience may hear their comments.

REGULAR AGENDA

READING AND DISPOSAL OF MEETING MINUTES - None

CITY MANAGER'S REPORT

Conneaut Telephone

The City Manager requested an ordinance to enter into a Memorandum of Understanding with Conneaut Telephone of 224 State Street, Conneaut OH 44030 for technical services in the amount not to exceed \$67,200 for a period of two (2) years. Funding for this expenditure will be taken from Account Number 101-224-5420, entitled Professional Services. Mrs. Stranman moved, Mr. Trisket seconded to grant the Manager's request. The Manager reported the Memorandum of Understanding (MOU) extends the current contract at the 2012-1013 contract rate. They were the only bidder and have done an excellent job for the City. The motion CARRIED.

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West Harbor Sewer Improvements – Phase I

The City Manager requested an ordinance to enter into an agreement with the Ohio Public Works Commission to secure funding for the West Harbor Sewer Improvements – Phase I project, in the amount not to exceed \$247,850. This portion of the project is being funded through the Ohio Public Works Commission. Funding for this project will be taken from Account Number 503-150-5500, entitled Capital Projects. Mrs. Stranman moved, Mr. Pugliese seconded to grant the Manager’s request; motion CARRIED.

Saybrook Township JEDD Board Appointments

The City Manager announced the appointments of the following persons to the Saybrook Township JEDD Board, effective immediately: Dana Pinkert (City of Ashtabula representative), Sister Maureen Burke (Employer’s [St. John School] representative – agreed upon by Saybrook Township), and Roland J. Valentic (Employee’s representative [St. John School] – agreed upon by Saybrook township).

QUESTIONS/COMMENTS FOR THE MANAGER

Pothole: The Ward 2 Councilor reported there is a pothole on West 4th Street and Lake Avenue.

Lake Avenue/Carpenter Avenue/West Avenue Bridge Rehabilitation: The Ward 2 Councilor asked if the City’s refund has been received. The Manager reported a little over \$300,000 was returned to the City; that the project is completed, the refund was placed in the Permanent Improvement Fund, and has not yet been expended.

Benefit Avenue/Route 20 Intersection Traffic Light: The Vice President asked for the status of this light which has been on blinking mode for some time. The Manager said the entire light system needs to be replaced. A new Dollar General will be constructed at the same intersection on the former Shirley Print Shoppe property. Given the amount of traffic at their new Lake Avenue location, he anticipates a lot of traffic at the new location. If not planned properly it will be difficult to get in and out of the parking lot. LJB, the company working on the City’s Traffic Signalization Grant Project (TSGP), is reviewing the site and we are communicating with Dollar General to see if they will assist with the cost of a new traffic light. The Vice President said the concern is that there is no traffic control signalization from West Avenue to Woodman Avenue on Route 20. The Manager reported the car count conducted at the intersection did not meet the volume to warrant a traffic light, therefore is not a part of the TSGP. He said traffic lights cannot be used to control the speed of traffic, but agrees they help. He and Council believe there should be full signalization at the intersection, which is expensive. His hope is that by the new store will be completed by the end of the year.

The Cleveland Electric Illuminating Company (CEI): The Manager reported CEI would like all equipment that is not theirs to be removed from their poles, including the City’s street lights.

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Lake Avenue Plaza (next to Smith Field): The Ward 3 Councilor asked what the status of this defunct structure is. The Manager said Fire Chief Ron Pristera and Planning & Community Development Director Luciana Ratermann have been in touch with the owner who was given a specific number of days to secure his property. It is coming to the point where the owner has been told the structure needs to be razed.

Trash Pickup: The schedule is back to normal, however today three people were off work (1 injury; two sick call-ins), and Sanitation is one staff member short. A new employee should be on board shortly.

Multi-Cultural Festival: The President asked if crews are assisting to get LCpl Kevin M. Cornelius Memorial Park readied for the festival. The Manager responded yes.

CITY SOLICITOR'S REPORT – No report

QUESTIONS/COMMENTS FOR THE SOLICITOR

Motorized Wheelchair Traffic (MWT): The President asked the Solicitor to comment on MWT in roadways. The Solicitor reported they are treated the same as pedestrians under Ohio law, are bound by the same rules, and are supposed to use the same sidewalks (where available), and pedestrian crossings, etc. The discussion has been what should be done where sidewalks are broken or up heaved, thus a perceived danger or inconvenience exists. These would have to be approached on a case-by-case basis. The Solicitor said he shares the concerns; that a lot of grant dollars have been spent on improving sidewalks, relieving curbs to allow wheelchair access, and in many cases entire blocks of broken sidewalks have been replaced. He has observed people riding their MWT in the street in those very areas, thus disrupting traffic and very much endangering themselves and others.

The Police Chief said he is not aware of anyone being cited, but knows people have been asked to proceed to the sidewalk and told why. He will ask his patrolmen to keep an eye out.

Ashtabula Iron and Metal (AIM) Property Update: The Vice President asked the Solicitor for an update. The Solicitor commented that there is activity at the closed facility, but not the type one would like to see. A receiver was hired, people are being watched, and thief reports are being made. He has heard nothing from the Environmental Protection Agency (EPA). Fire Chief Pristera has been on top of the issue. When he and the Chief last spoke two months ago the general feeling was that the primary focus was on the large pile of tires. Scrap yards may store tires as long as it is done properly; therefore the goal is to get them reorganized or moved out. The last indication he received from the court is that there would be cooperation; that they would attempt to sell assets, raise money, and put some of the funds into the cleanup effort.

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The Vice President asked what the City is able to do to get an update on the process – understanding it is going to take a while to clean up a large private parcel of land in the center of the City.

The Manager said every time there is an opportunity to speak with a state or federal representative, or their delegates, we discuss this property. The unfortunate reality of the situation is that the USEPA and OEPA, both of whom are involved, “see no pockets to go after”, and realize a federal or state grant will be used to clean up the property if a new company does not acquire it.

The Ward 3 Councilor, in which the property is located, said she complained about the aesthetics of the property before they closed. She was told that they are a business and that we did not want to deter business. Now they are out of business. She said if a letter writing campaign to our state and federal representatives and the USEPA and OEPA is what is needed, then we should. She said the EPA is the “Environmental Protection Agency”, not the environmental payout agency – they are suppose to protect the environment – and the site is an environmental hazard. They should be handing the City money to get it cleaned up. She said, “In 20 years are all the citizens in the area going to begin coming down with cancer – seriously – it’s a hazard”.

Cars Parking on Lawns Prohibited: The Vice President asked the Solicitor to restate the law. The Solicitor reported that “yard” parking is not permitted. There is a required front, side, and/or back yard in a residentially zoned area, and parking in a required yard is not permitted. People are cited. If the vehicle is inoperable (which includes by definition not having a current registration), then it really needs to be under cover. It should not be parked on the street and should not be left in the driveway. Inoperable/unlicensed vehicles parked for more than one month will most likely get a notice that a visit will be paid shortly with a tow truck if they are not moved. If it is a vehicle that is going to be restored or fixed up it needs to be relocated to the proper facility. Further, vehicles may not be parked in driveways in a way that obstructs sidewalks. The Solicitor said this is the biggest violation he sees while driving around the City.

Garage/Yard Sales: The President announced a permit is required to have such a sale, but that there is no charge for the permit. There is a limited time a sale sign may be erected and has to be removed in the prescribed timeframe. The Manager said there is a limited number of times a sale may take place at one location during the year. Signs are PROHIBITED from being placed on poles at all times. It was noted that sale signs are on poles everywhere. The Manager said, “As we see then we just pull them down”. The President asked if the sign is taken to the sale address (if time permits), and the resident cited for the violation. The Manager responded yes.

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CITY AUDITOR'S REPORT

Financials: We are half way through the year. We are operating within our current budget, (over 50% in revenues; less than 50% in expenditures). The current budget has a low projected General Fund carryover, and is being watched. Budget cuts will not be made until September in order to get a better handle on incoming revenues. More will be discussed at the next Finance & Personnel Committee meeting.

Comprehensive Annual Financial Report (CAFR)

The CAFR is complete. The Auditor thanked former Deputy City Auditor Karen Jury who did a lot of work on the CAFR before retiring, City Treasurer Lori Mackey for her significant contribution, and her staff for their contributions. It will be posted on the City's website by the end of the week, limited copies will be printed in order to save funds, and requests for hardcopies may be made.

CITY COUNCIL COMMITTEE REPORTS and COMMUNICATIONS

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

Meeting: The Chair announced the Committee will meet on Wednesday, August 7, at 6:00 p.m. She awaits a few items from Planning & Community Development Director Ratermann for the Committee's review. If nothing is pressing, the meeting will be cancelled.

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

The Chair reported on the Committee's Friday, July 12, meeting:

Year-to-Date Financials: The Auditor provided the details earlier in this meeting.

Legislation Requests

Tax Budget: This evening Council met in a public hearing where the City Auditor presented the City's 2014 Tax Budget. The Chair entertained a motion for legislation adopting said budget. Mrs. Stranman moved, Mr. Pugliese seconded to grant the President's request; motion CARRIED.

Appropriation: The Committee approved supplemental appropriations for the 2013 budget, as requested by the Auditor. Mr. Pugliese moved, Mrs. Stranman seconded to grant the Committee's approval. The Auditor explained this is needed as part of the audit conducted by an outside firm.

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They found that the Police Department MDT and vests were paid for directly to the company who provided the equipment, and that the City's books must reflect the grant activity, which will net zero. This appropriation will address the audit finding. The motion CARRIED.

Acting City Treasurer: Mr. Pugliese moved, Mrs. Stranman seconded to approve the Committee's request for legislation that would formally appoint the City Auditor as the Acting Treasurer, in light of Treasurer Mackey's sudden retirement. In May the electorate voted to consolidate the Offices of the City Treasurer and City Auditor, into one Finance Division. The change will take effect on January 1, 2014. While consolidation has begun the City Charter requires there be a City Treasurer until the new format takes effect. The motion CARRIED.

2013 Street Paving: Mr. Pugliese moved, Mrs. Stranman seconded the Committee's request for an ordinance authorizing the City Manager to enter into an agreement with Koski Construction Company for the purpose of paving Main Avenue between West 45th and 48th Streets, and the alley between Main Avenue and Collins Boulevard. This will be the only paving this year. The motion CARRIED.

BMV Audit: The audit that was conducted to determine if some of our licensing revenues were going to other municipalities was completed by Ms. Dalene Pride. She recovered \$2,350 of our 2012 revenues.

Storm Damage Funding: The Manager told the Committee the City did not qualify to receive funding to assist residents in recovering from property damage sustained during the June 27 rain storm. A request to fund the City government for damage to their structures is pending.

Equipment: The Manager spoke with the Committee about the purchase of two trucks and a street sweeper for Public Works.

Curbside Recycling Grant: The City will, again, apply for these grant dollars next year.

Conforming Boundaries: Ashtabula Township Trustee Bambi Paulchel was present for and contributed to the discussion. The Chair reported receiving a couple email thoughts about conforming City boundaries and welcomes others to do so. He believes the issue should be revisited, and continues to formulate his opinion.

QUESTIONS/COMMENTS FOR FINANCE & PERSONNEL COMMITTEE

Paving: The Ward 5 Councilor asked the Manager if Main Avenue will be engineered so we lose the rapid change in elevation before paving is performed. The Manager said he has not had a chance to look at it or discuss it with the contractor.

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“We will try to make the transition as smooth as possible in the places.” The road will be milled before two layers of paving are laid.

Public Works/Utilities/Schools – (Mr. August Pugliese/Mrs. Lattimer): The Chair announced there is no report, and that the Committee will meet on Tuesday, August 13, at 8:00 a.m.

Safety Forces – (Mr. Balog/Mr. Trisket): The President announced the Committee is scheduled to meet on Friday, July 19, at 8:00 a.m., to discuss a possible Police levy, licensing of emergency ambulance service, and a possible gun buyback program.

Work Session - No Report

FORMAL LEGISLATION REQUESTS – None

PUBLIC COMMENT (Legislation Only) - None

LEGISLATION READING

Mr. Trisket moved, Mr. Pugliese seconded to remove **RESOLUTION 2013-112, versions 1 and 2, titled, A RESOLUTION RE-DEDICATING AND RE-NAMING THE PUBLIC PARK KNOWN AS WEST 58TH STREET AS “PRESIDENTIAL PARK”**. It was schedule for discussion at the Monday, August 5 Pre-Council meeting, and then will be brought back to the floor. The motion CARRIED.

ORDINANCE NO. 2013-113 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE CONNEAUT TELEPHONE COMPANY FOR ON-SITE TECHNICAL SERVICES FOR A PERIOD OF TWO (2) YEARS COMMENCING JULY 1, 2013, 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: Mr. Trisket, Mrs. Stranman, Mr. Pugliese, Mr. McClure, Mr. Ducro voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mr. Trisket, Mrs. Stranman, Mr. Pugliese, Mr. McClure, Mr. Ducro voted yea; motion CARRIED.

RESOLUTION NO. 2013-114 A RESOLUTION ADOPTING THE TAX BUDGET OF THE CITY OF ASHTABULA FOR THE FISCAL YEAR BEGINNING ON JANUARY 1, 2014 AND SUBMITTING THE SAME TO THE ASHTABULA COUNTY, OHIO BUDGET COMMISSION, was presented. Mrs. Stranman moved, Mr. Pugliese seconded to waive the reading of the resolution; motion CARRIED. Mrs. Stranman moved, Mr. Pugliese 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. Trisket, Mrs. Stranman, Mr. Pugliese, Mr. McClure, Mr. Ducro voted yea; motion CARRIED. On the roll call to adopt the resolution: Mr. Trisket, Mrs. Stranman, Mr. Pugliese, Mr. McClure, Mr. Ducro voted yea; motion CARRIED.

ORDINANCE NO. 2013-115 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, 2013 THROUGH DECEMBER 31, 2013, 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: Mr. Trisket, Mrs. Stranman, Mr. Pugliese, Mr. McClure, Mr. Ducro voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mr. Trisket, Mrs. Stranman, Mr. Pugliese, Mr. McClure, Mr. Ducro voted yea; motion CARRIED.

ORDINANCE NO. 2013-116 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROJECT/FINANCIAL ASSISTANCE AGREEMENT WITH THE OHIO PUBLIC WORKS COMMISSION (OPWC) FOR THE WEST HARBOR SEWER IMPROVEMENTS – PHASE I, was presented. Mrs. Stranman moved, Mr. Pugliese seconded to waive the reading of the ordinance; motion CARRIED. This is Phase I of the West 9th Street Tributary project. 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: Mr. Trisket, Mrs. Stranman, Mr. Pugliese, Mr. McClure, Mr. Ducro voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mr. Trisket, Mrs. Stranman, Mr. Pugliese, Mr. McClure, Mr. Ducro voted yea; motion CARRIED.

ORDINANCE NO. 2013-117 AN ORDINANCE APPOINTING DANA PINKERT AS ACTING ASHTABULA CITY TREASURER UNTIL DECEMBER 31, 2013, 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: Mr. Trisket, Mrs. Stranman, Mr. Pugliese, Mr. McClure, MR. Ducro voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mr. Trisket, Mrs. Stranman, Mr. Pugliese, Mr. McClure, Mr. Ducro voted yea; motion CARRIED.

ORDINANCE NO. 2013-118 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH KOSKI CONSTRUCTION COMPANY FOR THE PURPOSE OF PAVING MAIN AVENUE BETWEEN WEST 45TH AND WEST 48TH STREETS AND AN ALLEY BETWEEN MAIN AVENUE AND COLLINS BOULEVARD, 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. The Vice President said by only paving these areas this year is by no means an admission that these are the only roads in need of paving. It is a question of funding. The City Manager is looking at alternatives to fund paving (e.g., grants, loans, potential levy). The Manager reported he meets with GPD, the City's engineers, next week to talk about how to hopefully go after a very large scaled 2014 paving project. On the roll call to waive the Charter requirement of two readings: Mr. Trisket, Mrs. Stranman, Mr. Pugliese, Mr. McClure, Mr. Ducro voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mr. Trisket, Mrs. Stranman, Mr. Pugliese, Mr. McClure, Mr. Ducro voted yea; motion CARRIED.

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Liquor Permit Transfer

From: Kork N Kettle Inc., dba Kork & Kettle, 1st Floor & Basement & Patio, 4618 Main Avenue, Ashtabula, OH 44004; **To:** Stakeout Inc., same address. Mr. Trisket moved, Mr. Pugliese seconded not to request a hearing; motion CARRIED.

UNFINISHED BUSINESS

West 24th Street: The Ward 2 Councilor noticed work is being performed at the West 24th Street township park and asked when it will be completed. The Manager reported he is speaking with Mr. Michael Wayman, Chairman of the Ashtabula Township Park Commission regarding what happens in the winter when the dam ices, but does not know the completion date. Working diligently to get the northern side of the bridge dredged for the marinas has lead to the discussion regarding the high amount of sediment in the area, which causes ice to backup, endangering the bridge and most likely wipe out all the work, if we get a bad season of ice. The Federal Navigational Channel (FNC) is where Brockway and ARU Marinas meet. The dredging project is located at the end of the FNC to the west. The Clerk said she is not familiar with the project; the Manager said the City is not involved; the Ward 2 Councilor reported the project funding is from the Fields Brook cleanup; and the Manager said it was just acquired by the Ashtabula Township Park Commission.

NEW BUSINESS

Liquor Permit Renewals: The Ward 3 Councilor announced it is that time of the year again when all liquor permits are due for renewal. Anyone having an objection to a renewal may let Council know. She noted the City objected to a Bridge Street establishment, after which some of the City's concerns were addressed by the owner, and the City withdrew its objection. The Solicitor was asked for an update on said establishment. The Solicitor responded he would give them a C+, or at about 75 to 80% compliant. They still have some miscellaneous structures on City property immediately behind their location. They have not done everything with the fencing they said they were going to do. But, they have made their security video available to the Police department upon request. He said the number and severity of incidents he has seen reports on has drastically diminished in two years.

Saybrook Township Tap-In Fee Waiver Request: The President reported the request for a tap-in fee waiver for the proposed new housing/lodging construction for the potential reopening of the Saybrook Fire Station was discussed this in Pre-Council. The Manager reported the Trustees notified his office that at the corner of Carpenter Road and Route 45, next to Phil's Catering, there is a two bay garage. They would like to reopen the fire station and have it staffed, for which housing would be needed, which would require a sewer tap-in. The cost of running the lateral will be expensive because they have to go a distance to connect to our sewers.

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He does not believe they will have more than a 2 inch line, for which the tap-in fee is \$1,500. The Manager said his recommendation is to honor the request. The reopening of the station will benefit the City's mutual aid agreement with the Township. He said it also shows the Township and City working together. The Solicitor suggested Council request the ordinance this evening, if that be their pleasure, for they are the only body that may waive a tap-in fee. The Vice President asked the Manager to provide Council with more information on the project, such as revenue projections, manpower stats, does Council's decision weigh heavy on whether they proceed or is it going to happen no matter what. The Manager said the Trustees are extremely serious about the reopening. The Ward 3 Councilor asked if they have to enter into a JEDD. The Manager said he tried pursuing it; however written into the agreement is the inability to JEDD a township or municipality. The President said he has mixed feelings, and gets very uneasy waiving said fees given persons are able to provide a number of justifications for doing so, and does not want to set precedence. He would like to be supportive of the Township, and would like to continue the discussion at the next Pre-Council meeting. Mrs. Stranman moved, Mr. Trisket seconded to draft legislation authorizing Council to waive the tap-in fee for Saybrook Township, in order to discuss it at the next meeting; motion CARRIED.

MISCELLANEOUS BUSINESS

Tires: The Ward 5 Councilor was reminded of a citizen's letter to Council about tires placed on the back portion of her property, and asked if anything had been done. The Manager said the citizen took her complaint about tires left at her Jefferson Avenue property, to the Star Beacon. He has spoken with her and instructed Public Services Superintendent Domonic Iarocci to send a crew there to see how they can be removed. The Manager said some of the tires are on a steep hill. The resident has collected "a bunch of them and piled them". She gave permission to access her property to remove them, but they also might be assessable from West 60th Street, where it dead ends.

Lighthouse Restoration Society: The President announced the Society will host a fundraiser on Saturday, July 20, from 1:00 a.m. to 8:00 p.m., at Lakeshore Park pavilion.

GENERAL PUBLIC DISCUSSION

Ms. Karen Flack, 1827 West 6th Street: asked the name of the Bridge Street establishment spoken of during the liquor renewal report. The President recapped the conversation. Ms. Flack asked if it was L.A. Café. The Solicitor said he believes it goes under a different name now.

Ms. Flack asked if treelawns are City property. The Solicitor responded, "Your property line probably ends, or the furthest extent of your front yard probably stops one foot inside the sidewalk. The sidewalk and treelawn are part of the dedicated right-of-way of the street.

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But, while you may not have title to it because it is made available to you and because it is a required green space, the ordinances of the City do give you some maintenance duties or responsibilities with respect to your sidewalk and your treelawn”.

Ms. Flack said because leaf bags have been out for two to three weeks the wet weather has created the need for rebagging. She puts hers in new bags so they will be picked up. She reported that at 1642 West 6th Street there are four to five bags laying on the treelawn and have been for a month, and does not believe the occupant will place them in a dry bag; therefore assumes the City will not pick them up. Also at 1806 Walnut Boulevard (and Ohio), there are about five bags under a tree. She said she knows for a fact the occupant will not rebag them. And lastly at 824 Ohio, a vacant property, the same situation exists.

The Clerk reported the former Chapman store property was cleaned up and bags have been in their parking lot for some time. The Manager said he was told about it and they will be removed.

CLOSING REMARKS

The President asked to “Remember to Keep Believing in Ashtabula”

EXECUTIVE SESSION – None

ADJOURNMENT

Mrs. Stranman moved, Mr. Pugliese seconded to adjourn the meeting at 9:00 p.m.; motion CARRIED.

DATE APPROVED: **September 16, 2013**

ATTESTED BY: _____
JP Ducro IV
President of Council

ATTESTED BY: _____
LaVette E. Hennigan, MMC
Clerk of Council