

Call to Order

Council met in a **REGULAR MEETING**. The President of Council called the meeting to order at 7:00 p.m.

Opening Ceremony (Prayer/Pledge/Moment of Silence)

The Ward 4 Councilor offered the opening prayer and Mr. Nelson Morrison led the Pledge of Allegiance.

Members Present: Mrs. Ann I. Stranman, (Ward 3)
Mr. August A. Pugliese, (Ward 2)
Mrs. Julie A. Lattimer, (Ward 4)
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: None

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

Officer(s) Absent: None

Excused Absence: N/A

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

Presentations: None

Executive Session: The Manager requested an Executive Session to discuss the sale/lease of property. Mr. Pugliese moved, Mr. Trisket seconded to grant the Manager's request. On the roll call to convene an Executive Session to discuss the sale/lease of property: Mrs. Stranman, Mr. Pugliese, Mrs. Lattimer, Mr. Balog, Mr. Trisket, Mr. McClure, Mr. Ducro voted yea; motion CARRIED. The entire dais attended the session.

Reconvene Open Meeting: At 7:15 p.m. the President announced reentrance into public portion of the meeting.

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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 - None

(End of Consent Agenda)

REGULAR AGENDA

READING AND DISPOSAL OF MEETING MINUTES - None

CITY MANAGER'S REPORT

U.S. Bancorp Government Lease – Lease Option

The City Manager requested an ordinance to enter into a lease agreement with U.S. Bancorp Government Lease & Finance, Inc., in the amount not to exceed \$530,000.00 for the purpose of a lease option to purchase a street sweeper and two trucks for the Public Works Department. Funding for this expenditure will be taken from the Permanent Improvement fund. Mr. Pugliese moved, Mr. Trisket seconded to grant the Manager's request. The Manager announced the interest rate will be 1.85%. The motion CARRIED.

Jack Doheny Companies – PW Street Sweeper Purchase

The City Manager requested an ordinance to enter into an agreement with Jack Doheny Companies, of 1860 Summit Commerce Park, Twinsburg, OH 44087 through the State Purchasing program for the acquisition of one Elgin Road Wizard/Eagle Street Sweeper in the amount not to exceed \$240,480.00. Funding for this expense will be taken from the Permanent Improvement Fund as part of the lease option purchase through U.S. Bancorp. Mr. Pugliese moved, Mrs. Stranman seconded to grant the Manager's request. The Manager announced the 2004 street sweeper trade will garner \$18,000; therefore the total purchase price will be \$222,480.

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The new one is a “freightliner truck, with street sweeper equipment mounted on the back. It may be operated with one person, and the material bed is larger than the 2004. The motion CARRIED.

Concord Road Equipment – Truck Purchases

The Manager requested an ordinance to enter into an agreement with Concord Road Equipment Mfg. Inc., of 348 Chester Street, Painesville, OH 44077 through the State Purchasing program, for the snow equipment for two trucks that will be purchased, in the amount not to exceed \$127,896.08. Funding for this expense will be taken from the Permanent Improvement Fund as part of the lease option purchase through U.S. Bancorp. Mr. Pugliese moved, Mrs. Lattimer seconded to grant the Manager’s request. The Manager reported that through State Purchasing, the engine part of the truck is purchased and the remainder is built, which Concord does. They will attach the plow, the hydraulics, the salt bed and spreader. The new equipment is stainless steel, is a rear spreader vs. the side spreaders on the trucks now being used, so the salt that was rotting away the chassis’ should be alleviated. The beds may also be unbolted and placed on future equipment. The age of our plows are 1992 and 1995 respectively. The Vice President commented on the attempt to streamline efficiency, take advantage of low interest rates, and not assess a tax or fee to citizens. He commended the Manager. The motion CARRIED.

Rush Truck Center – Truck Purchases

The Manager requested an ordinance to enter into an agreement with Rush Truck Center of 11775 Highway Drive, Cincinnati, OH 45241 through the Ohio Department of Transportation’s Cooperative Purchasing program, contract 023-13 for two truck chassis’ in the amount not to exceed \$173,988. Funding for this expense will be taken from the Permanent Improvement Fund as part of the lease option purchase through U.S. Bancorp. Mr. Pugliese moved, Mrs. Stranman seconded to grant the Manager’s request; motion CARRIED.

Brechbuhler Scales, Inc. – Sanitation Truck Scales

The Manager requested an ordinance to enter into an agreement with Brechbuhler Scales, Inc., of 1424 Scale Street S.W., Canton, OH 44706 as the lowest/most responsible bid in the amount not to exceed \$47,785.00. Funding for this expenditure will be taken from Account Number 412-200-5531, entitled Sanitation Equipment. Mr. Pugliese moved, Mrs. Lattimer seconded to grant the Manager’s request. The Ward 4 Councilor reported the City Auditor/Acting Treasurer mentioned how that she is pleased that our City Charter requires PI funds to be set aside for equipment purchases. The Manager reported our scale is over 60 years old, the decking has cracked, the new scale will be placed in a different location to reroute traffic ensuring the scales are being used, it will have a receipt printer, and a scoreboard (on and off weight, and traffic light) are being considered. October is the target completion date. The motion CARRIED.

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2013 Liability Insurance Policy

The Manager requested an ordinance to enter into an agreement with Huntington Insurance Inc., of 4250 Lake Avenue, Post Office Box 400, Ashtabula, OH 44004 as most responsible proposal in the amount not to exceed \$249,714 for the City's 2013-2014 Liability Insurance coverage. Funding will be paid out as follows: \$124,857 due this August and \$124,857 due February 2014. The expense for the initial 2013 payment will be taken from the following Accounts: 225-145-5620 (\$49,857) and 503-150-5620 (\$75,000). Mrs. Lattimer moved, Mr. Pugliese seconded to grant the Manager's request. The Manager reported this to be the insurance for City cars, building, accidents, etc. Last year's quote was \$264,000; therefore the rate for 2013-2014 is a reduction. The President noted this insurance is for all employees and public officer's liability coverage as well. The Auditor/Acting Treasurer reported this year's initial payment will be taken from Sanitation and Waste Water Treatment Plant (WWTP). This year's insurance was budgeted using General Fund, Sanitation and WWTP. The first payment was made last year (which would have been the 2nd half of last year's insurance) out of the General Fund, so it has paid its portion. The motion CARRIED.

Appropriation Legislation

The Manager requested an ordinance to appropriate from unappropriated funding, the amount of \$47,785 into the Permanent Improvement Fund, to be paid out of Account 412-200-5531, entitled Sanitation Equipment. This cost is associated with the purchase of the Sanitation truck scales. Mr. Pugliese moved, Mrs. Stranman seconded to grant the Manager's request; motion CARRIED.

The Manager requested an ordinance to appropriate from unappropriated funding, the amount of \$110,000 into the Permanent Improvement Fund, to be paid out of Account 412-200-5860, entitled Principle. This cost is associated with the first loan payment due to U.S. Bancorp for the lease option of the Public Works equipment. Mr. Pugliese moved, Mrs. Stranman seconded to grant the Manager's request; motion CARRIED.

2013 Paving Project Change Order

The Manager requested an ordinance to execute Change Order No. 1 for the 2013 Paving Project in the amount not to exceed \$5,000 for Koski Construction of Post Office Box 1038 Ashtabula, OH 44004. Additional funding is necessary to provide repairs to damaged inlet basins. Funding for this expenditure will be taken from Account Number 412-200-5554, entitled Street Improvements. Mr. Pugliese moved, Mrs. Stranman seconded to grant the Manager's request. The Manger reported paving began today, the parking lines will be repainted, reverse parking was suggested as a way of lessening accidents when backing, however the crash data does not warrant doing so. The motion CARRIED.

Questions/Comments for the Manager

Railroad Property: The Ward 2 Councilor reported the railroad property at Lake Avenue and West 32nd Street is like a forest, is the worse he has seen it, and said it looks bad on a road used by motorists to get to Ashtabula County Medical Center. He reported the trestle was hit three or four years ago and should have been repaired by now. The Manager commented that our engineers were asked to check out the safety of this overpass during the City's bridge inspection process. It resulted in a report which said no imminent danger was found. However the report was "obviously not favorable to it". He contacted the railroad's Chicago office and they said there is no problem with the bridge; that it is structurally sound. He then commented on the overpasses deplorable façade, letting them know it needed to be replaced, and that our major employer is on the same road. He did not get a response. He believes the Planning & Community Development Department (PCD) has been after them about the grass, and said the railroad is very difficult to work with. If the City has to cut it we will, however it will be difficult given it is on a bank.

Landscaping Nightmares: The Ward 5 Councilor reported 6003 and 6017 West Avenue need attention. He sees it each time he leaves his property, otherwise does not see it. It is located where much traffic traverses. He has had people who do not live in the City ask him what is going on. 6003 has not been mowed inside the fence line yet this year. It looks like a jungle. A big dead tree is in the yard, and all kinds of "stuff" growing through the fence, a hay field that is falling over inside, and the treelawn was mowed once by the City and once by him. 6017 has been mowed once by the City. The letter has been received by the property owner/tenant, so the City can mow every couple of weeks if need be. Eventually the taxes will have to be paid on the property, so the City will get compensated somehow. Regardless the property needs attention.

City Lot: The Ward 5 Councilor reported the City lot north of Hamlin is overgrown again too. The Manager said high grass calls come in daily. Someone was hired to mow vacant properties, about thirty a week are being mowed, and there are many lots we have not cut once this year. He said it is a struggle. There are over 150 properties on the list right now. Five to seven lots on average are mowed per day. The City is divided up into sections in remain in the same area to get the most work done. This week we are in the West Avenue/Bunker Hill area. We are still trying to catch up from the two or three weeks of not being able to mow due to rain; and it will be tough to get them all by the end of the week. Taxpayer funds are being used to address these properties, (e.g. mowing, boarding up, removing tires and paying the disposal fee). Therefore we are spending quite a bit of money we do not have maintaining these properties; also known as are Zombie properties. They are not owned by the bank and the owners are gone. On the flip side many owners are maintaining the lots next door to them that are not being maintained, which has been a huge help. But, there are some that are just so overgrown that big equipment is needed.

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YO (Youth Opportunities) Program: The President asked the Manager if the YO Program called him today. The Manager responded no. The President said he has several young men working through the YO Program at his business. It is a state funded program. You give a youth a job and teach them a skill for which the state pays the wage. The President said a YO program director called to report he has six or seven people to work place but did not have locations to inquire with, which is why he referred them to the Manager's office. He suggested that perhaps an organization or establishment might donate the needed equipment if asked in order to put some of the young people to work.

Ashtabula Iron & Metal (AIM) Property: The Ward 3 Councilor reported the AIM property weeds were discussed in tonight's Pre-Council meeting.

Legislation Requests: The City Manager requested that land leased properties be included in the City's Rental Inspection Program. Mrs. Lattimer moved, Mrs. Stranman seconded to grant the Manager's request.

The Solicitor reported a land contract, also known as land lease, lease for purchase option, referred to in the Ohio Revised Code (ORC) as a land contract, is an installment sale of real estate between the seller and the buyer. The buyer usually pays a certain amount up front and then pays so much per month, and over a period of time acquires ownership of the property. The buyer gets immediate possession and control of the property. It has been an Ohio law for many years. When it comes to enforcing the City's rental inspection code, the Manager and Planning & Community Development Director Ratermann have reported to him that there have been instances where landlords who want to escape the inspection program (because their houses were substandard or even dangerous) would dress up their leases with the name "land contract", and put in a few clauses about the buyer acquiring the property over a period of time, and then say this is essentially owner-occupied property, I am just the lender, you cannot talk to me about inspecting the property, and it is not a rental, so you cannot inspect it. Both tenants and landlords have "played this game". It is a bad situation in a City such as ours where we are suffering from an excess of substandard housing. We are trying to improve our housing stock. The solution is to request an ordinance to include, in the inspection program, land contracts that are early in their life. The ORC says once an owner or a buyer under land contract pays 20% down, or if the land contract has been in existence for five (5) years, the seller can no longer remove the buyer if there is a non-payment; the property actually has to be foreclosed on, like the bank. He has to have the property advertised and sold at a public sale. When it reaches that point the City would concede it is not owner-occupied. But, until that time we seek Council's permission to continue routinely inspect those properties to make sure the housing conditions are safe and sanitary and that our housing code is not being violated by means of some crafty draftsmanship on a lease.

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The President said he is aware of two situations where citizens have experienced a tremendous amount of frustration. He, along with other members of Council, and elected and appointed officials have been contacted about neighbors that have land contracts that were causing a tremendous amount of distress to the neighborhood, particularly to the neighbors who are good citizens, taking care of their properties, maintaining them well and not being a disruption to the neighborhood. He is very frustrated at having to tell those citizens there is nothing the City is able to do because we are not permitted to go into houses under land contract in order to stop the madness of the houses being stripped and left in disarray, and then abandoned, for others to have to deal with. Therefore he is very much in favor of the request of additional language.

The motion CARRIED.

Railroad Property Concerns: The Ward 4 Councilor asked if the railroad has been told about citizen concerns with pieces of the railroad overpasses falling off. The Manager said they were made aware of this and were sent a report from the City's engineering consultant.

CITY SOLICITOR'S REPORT – No Report

Questions/Comments for the Solicitor – None

CITY AUDITOR/ACTING TREASURER'S REPORT

Financials: Month end is not closed; financials will be presented at Friday's Finance & Personnel Committee meeting.

Property Taxes: The second half property tax revenue was received today. It should increase our yearend cash projection by \$40,000 in the General Fund.

Street Lighting Assessment (SLA): August 15 is the last day to apply for the 2014 SLA reduction. They are being readied to send to the County. Reduction forms may be secured from the Auditor's Department or by calling 992-7107, or may be emailed upon request. Once the reduction has been applied for and approved, reapplying is not required.

CITY COUNCIL COMMITTEE REPORTS and COMMUNICATIONS

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

The Chair reported:

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Meeting: The Committee's Wednesday's meeting is cancelled due to the unavailability of some members.

Land Contract Language for Rental Inspections: This matter was discussed in this evening's Pre-Council meeting.

Legislation Requests

Mrs. Stranman moved, Mr. Balog seconded to remove Ordinance No. 2013-112 versions 1 and 2 from this evening's agenda (renaming West 58th Street Park to Presidential Park); motion CARRIED. In this evening's Pre-Council meeting, Council was told that West 58th Street Park had previously been named after Mr. Clifford Kadon, a former member of Council and Council President. It was suggested the park be renamed Clifford Kadon Presidential Park, to which every agreed. Mrs. Stranman moved, Mr. Trislet seconded to have an ordinance drafted renaming West 58th Street Park to Clifford Kadon Presidential Park; motion CARRIED.

West 38th Street Park Equipment: The Chair reported the Parks & Recreation Board still plans to paint this park's playground equipment, weather permitting.

Questions/Comments for the PW/U/Schools Committee

Facebook (fb) Page: The President announced Parks & Recreation Board member, Christopher Raab, set up a fb page for the Ashtabula City Parks, with the inclusion of photos. The Committee Chair announced it was a joint effort of Mr. Raab and Board Chair Earl Tucker.

East 48th Street Park: The President reported if there were any decisions made regarding the ownership of the park land (City or railroad). The Chair said it was referred back to Committee.

Nappi Field: The Manager reported the rubber mulch should be installed this week. The President said today he saw children from ABC Child Care walking to the park. He said the vegetation in the playground area had been killed, therefore knew something was going on. He said the children were begging him to be able to play at the field. The staff who accompanied the children expressed their excitement that the children will be able to, again, do so.

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

The Chair announced the Committee will meet on Friday, at 8:00 a.m. The financials will be discussed. He reminded the public committee meetings are open to the public, and encouraged attendance.

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

The Chair reported:

Meeting: The Committee will not meet until September 10. Aqua OH water company will be present.

School Beginning: School will begin in a couple of weeks. Please be cautious and watch for students on the roadways.

West Avenue: This road is a speedway, even with the overpass construction in progress. It was noted that traffic cameras slowed traffic, but were removed at the electorate's request.

Questions/Comments for Committee Public Works/Utilities/Schools Committee

Station Avenue & Route 20 Traffic Signal: The President said he was asked if the signal could be adjusted or changed because of the long wait. The Manager told him there is no need to bring it to committee for discussion because it is included in the 2015 Traffic Signalization Program grant. In the meantime the signal is unable to be reprogrammed because of its age.

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

The Chair reported:

July 19 Committee Meeting

Police Levy: Committee discussed placing a Police Levy on the November 3 General Election Ballot, in order to give citizens a chance to help with police protection. Mr. Balog moved, Mr. Trisket seconded to bring to the full Council RESOLUTION NO. 2013-122 A RESOLUTION TO PROCEED WITH THE SUBMISSION TO THE ELECTORS OF THE CITY OF ASHTABULA AT THE GENERAL ELECTION TO BE HELD ON NOVEMBER 5, 2013, THE QUESTION OF AN ADDITIONAL TAX LEVY AT A RATE OF TWO AND ONE-HALF (2.5) MILLS PER YEAR FOR THE PURPOSE OF PROVIDING AND MAINTAINING MOTOR VEHICLES, COMMUNICATIONS, OTHER EQUIPMENT, BUILDINGS, AND SITES FOR SUCH BUILDINGS USED DIRECTLY IN THE OPERATION OF THE ASHTABULA CITY POLICE DEPARTMENT, OR THE PAYMENT OF SALARIES OF PERMANENT OR PART-TIME POLICE, COMMUNICATIONS, OR ADMINISTRATIVE PERSONNEL TO OPERATE THE SAME, INCLUDING THE PAYMENT OF ANY EMPLOYER CONTRIBUTIONS REQUIRED FOR SUCH PERSONNEL UNDER SECTION 145.48 OR 742.33 OF THE REVISED CODE, FOR A PERIOD OF FIVE (5) YEARS, EFFECTIVE IN TAX YEARS 2013, 2014, 2015, 2016 AND 2017, INCLUSIVE.

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The Ward 4 Councilor said someone thought this was an income increase, which it is not. Another asked if these funds would supplement or replace current funds the Police Department receives. The Councilor asked that it be made clear to the electorate the funds are intended to supplement current funds.

The Chair said the Committee is not trying to rush this issue through, and that he wished there was more time to propose the levy. He said it is in no way a tax to citizens, but a way for citizens to have a say in whether they want more law enforcement protection.

The President said the revenue is estimated to be a little over \$500,000 per year. To the Ward 4 Councilor's point, we have no control over what funding state and federal programs will provide because funds that we are currently receiving may be cut at any time. Therefore the City has no guarantee it will have funds to maintain any department at the current level. The commitment he makes, and believes it is echoed by all of Council and the Manager is that, "If there were future cuts to make, they're certainly not going to be to the Police Department (if we were fortunate to have the levy pass), and then replace them with levy funds. But rather the cuts would have to equally be distributed amongst all City departments, to the best of the Council and Administration's ability, if the budget had to be cut. We are not trying to make a promise we may have to break in the future. We want to be upfront about that. But our hope is we don't want to do anything that lessens the Police protection we have. The goal of the levy is to significantly improve and increase it (protection). And, a lot of things are covered in this resolution, as far as the things the funds can be used for. There is certainly a very strong commitment that the vast majority of these funds, should they be approved by the citizens, are going to be used to put more officers on the street. That is what we need most, and first and foremost within or Police Department".

The Chair said, as told by the Solicitor, the wording of the legislation is not of our choice, but legally it has to be worded in this way. We have to cover every possible way we can spend every penny of the levy. He said he would like the language to simply say it is for additional Police protection, but this is not possible.

The motion CARRIED.

August Meeting: The Chair will notify the Clerk of Council if the meeting will take place after making some contacts regarding licensing of non-emergency ambulance service.

NIMS Training Status: To get all members of Council certified is still a work in process.

Police Department Radios: The Committee was told the radios purchased within the last year are installed, reprogrammed, and everything is working great – there are no problems.

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Work Session - No Report

FORMAL LEGISLATION REQUESTS – None

PUBLIC COMMENT (Regular Agenda Legislation Only)

Ms. Mila Plats, 244 West 50th Street: asked that the land contract legislation be researched a bit more. She is purchasing her home on land contract through a finance company. It is an actual land contract that was submitted to the Ashtabula County Courthouse. It would be unfair to her to be inspected because the home was purchase as a gutted property. She has installed all new electrical, and plumbing. New windows and roof work are still needed so the home may not pass inspection. She suggested land contracts through finance companies (legitimate contracts) could be exempted. She said she left government housing to become a homeowner, and the only way to do so was through land contract.

The President complimented Ms. Plat on being a good public speaker (she suggested she was not when she first approached the podium). He told her the legislation had not yet passed, but was requested to be drafted and reviewed, and then would be placed on two readings. He said he did not know if the inspection fee would be the responsibility of the current owner or the purchaser in a land contract.

Ms. Plats said she does not believe people who enter legitimate land contracts would have a problem submitting proof of such.

The Manager applauded Ms. Plat for purchasing and remodeling. He said he would like to see more do so. He said the intent of the proposed legislation is not to target good tenants and landlords. The fee would be the responsibility of the “owner on record in Jefferson”. He said it is not uncommon for persons out of town to purchase properties, sight-unseen, put tenants in these properties via land contracts to circumvent the system. Sometimes they are purchased for as little as \$2,000 to \$5,000. Once they have collected their investment they do not care what happens at the home. The proposed legislation, the City believes, will provide some protection for tenants and landlords. It may be something that needs to be structured into those agreements in the future, such that it will say who is responsible for the home repairs. A certain timeframe is given to make repairs cited by the Housing Inspector. Where tenants are showing improvements over time, something can be worked out with the Planning & Community Development (PCD) Department, which will ultimately be the PCD Department director’s call. We are happy with and encourage ones when we see something being done to a home.

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Time Banking: Ms. Plats said time-banking is something that will be seen a lot in the community in the future through the efforts of My Neighborhood Group and St. Peter's Church. It is a system whereby ones can provide a service, bank the time they put into providing the service, and obtain service from someone in the program comparable to the time they put in.

The Vice President encouraged Ms. Plats to obtain an inspection form from the PCD Department to familiar herself with what the inspection entails. He said the inspection focuses on safety. If an inspection cannot be passed the property should not be occupied.

Ms. Plats said she does not qualify for CHIP funding to assist with the repairs because it is a land contract property. She said everyone on her street and around the corner has applied but for some reason or another do not qualify. They are trying to get the bad element out and good in, but are not getting any help. She said she has contacted the PCD Department three times, asked for a denial or pending letter, and said it does not seem like the application has been routed to anyone – not even to get a denial letter. She said such a letter can be presented to someone who is able to provide financial assistance. The Manager said he, "I believe those funds are still working in the system. So, that is probably why you have not gotten a denial letter. As repairs are made to homes we have accounting procedures we have to do to follow this money. And, we spend every dime of it that is received. So, it is quite possible, (I would have to check with PCD). We actually have an outside firm handle all those applications for us". If there are any funds remaining, they review the remaining applications, and try to fund what we can to ensure no funds are returned to the federal government. The President suggested Ms. Plat schedules a meeting with the Manager and PCD to ask some general questions and get all the information and answers she can. He said when Ms. Plats becomes informed, she can then share the information with others in the community. The Manager said if land contract properties were inspected much of what Ms. Plats walked into would not have been the case. Ms. Plat responded that once a house is empty it does not take long for it to be stripped.

LEGISLATION READING

RESOLUTION NO. 2013-122 A RESOLUTION TO PROCEED WITH THE SUBMISSION TO THE ELECTORS OF THE CITY OF ASHTABULA AT THE GENERAL ELECTION TO BE HELD ON NOVEMBER 5, 2013, THE QUESTION OF AN ADDITIONAL TAX LEVY AT A RATE OF TWO AND ONE-HALF (2.5) MILLS PER YEAR FOR THE PURPOSE OF PROVIDING AND MAINTAINING MOTOR VEHICLES, COMMUNICATIONS, OTHER EQUIPMENT, BUILDINGS, AND SITES FOR SUCH BUILDINGS USED DIRECTLY IN THE OPERATION OF THE ASHTABULA CITY POLICE DEPARTMENT, OR THE PAYMENT OF SALARIES OF PERMANENT OR PART-TIME POLICE, COMMUNICATIONS, OR ADMINISTRATIVE PERSONNEL TO OPERATE THE SAME, INCLUDING THE PAYMENT OF ANY EMPLOYER CONTRIBUTIONS REQUIRED FOR SUCH PERSONNEL UNDER

SECTION 145.48 OR 742.33 OF THE REVISED CODE, FOR A PERIOD OF FIVE (5) YEARS, EFFECTIVE IN TAX YEARS 2013, 2014, 2015, 2016 AND 2017, INCLUSIVE, 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: Mrs. Stranman, Mr. Pugliese, Mrs. Lattimer, Mr. Balog, Mr. Trisket, Mr. McClure, Mr. Ducro voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mrs. Stranman, Mr. Pugliese, Mrs. Lattimer, Mr. Balog, Mr. Trisket, Mr. McClure, Mr. Ducro voted yea; motion CARRIED.

ORDINANCE NO. 2013-123 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH BRECHBUHLER SCALES, INC. FOR THE PURCHASE OF A DIGITAL MOTOR TRUCK SCALE FOR THE ASHTABULA CITY TRANSFER STATION, 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: Mrs. Stranman, Mr. Pugliese, Mrs. Lattimer, Mr. Balog, Mr. Trisket, Mr. McClure, Mr. Ducro voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mrs. Stranman, Mr. Pugliese, Mrs. Lattimer, Mr. Balog, Mr. Trisket, Mr. McClure, Mr. Ducro voted yea; motion CARRIED.

ORDINANCE NO. 2013-124 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR THE ACQUISITION OF SNOW & ICE CONTROL TRUCK EQUIPMENT PACKAGES FROM CONCORD ROAD EQUIPMENT MFG., INC. THROUGH A LEASE-PURCHASE AGREEMENT, 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: Mrs. Stranman, Mr. Pugliese, Mrs. Lattimer, Mr. Balog, Mr. Trisket, Mr. McClure, Mr. Ducro voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mrs. Stranman, Mr. Pugliese, Mrs. Lattimer, Mr. Balog, Mr. Trisket, Mr. McClure, Mr. Ducro voted yea; motion CARRIED.

ORDINANCE NO. 2013-125 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR THE ACQUISITION OF A STREET SWEEPER FROM JACK DOHENY COMPANIES THROUGH A LEASE-PURCHASE AGREEMENT, 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: Mrs. Stranman, Mr. Pugliese, Mrs. Lattimer, Mr. Balog, Mr. Trisket, Mr. McClure, Mr. Ducro voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mrs. Stranman, Mr. Pugliese, Mrs. Lattimer, Mr. Balog, Mr. Trisket, Mr. McClure, Mr. Ducro voted yea; motion CARRIED.

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ORDINANCE NO. 2013-126 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR THE ACQUISITION OF TWO (2) 2014 INTERNATIONAL DUMP TRUCKS FROM RUSH TRUCK CENTER THROUGH A LEASE-PURCHASE AGREEMENT, 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: Mrs. Stranman, Mr. Pugliese, Mrs. Lattimer, Mr. Balog, Mr. Trisket, Mr. McClure, Mr. Ducro voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mrs. Stranman, Mr. Pugliese, Mrs. Lattimer, Mr. Balog, Mr. Trisket, Mr. McClure, Mr. Ducro voted yea; motion CARRIED.

ORDINANCE NO. 2013-127 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH U.S. BANCORP GOVERNMENT LEASING & FINANCE, INC., TO FINANCE THE LEASE-PURCHASE OF A STREET SWEEPER AND TWO TRUCKS EQUIPPED WITH SNOW PLOWING ATTACHMENTS, 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. It was noted that this equipment is sorely needed, and that Permanent Improvement funds cannot be used for salaries and personnel. On the roll call to waive the Charter requirement of two readings: Mrs. Stranman, Mr. Pugliese, Mrs. Lattimer, Mr. Balog, Mr. Trisket, Mr. McClure, Mr. Ducro voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mrs. Stranman, Mr. Pugliese, Mrs. Lattimer, Mr. Balog, Mr. Trisket, Mr. McClure, Mr. Ducro voted yea; motion CARRIED.

LIQUOR PERMIT STOCK TRANSFER TO: T D Nest Inc., dba Crow's Nest, 1257 Harmon Road, Ashtabula, OH 44004; Permit Classes: D5 - Spirituous liquor for on premises consumption only, beer and wine for on premises, and off premises in original sealed containers, until 2:30 a.m., and D6 - Sale of intoxicating liquor on Sunday between the hours of 1:00 p.m. and Midnight. Mr. Pugliese moved, Mrs. Lattimer seconded, to not object to the request; motion CARRIED.

UNFINISHED BUSINESS

June 27, 2013 Flood Damage Assessment Update: The Manager reported last Friday Fire Chief Pristera submitted all paperwork to the State Emergency Management Agency (EMA). He spoke directly with Governor Kasich and the State EMA Director. There is \$140,000 (if not more) infrastructure damage and debris removal from home basements. It has not been determined if we will be granted the funds.

NEW BUSINESS – None

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MISCELLANEOUS BUSINESS

Railroad Properties: The Ward 2 Councilor suggested the Manager contact State Representative John Patterson or Congresswoman Capri Cafaro and have them contact the railroads. He said some muscle needs to be put behind our need for the railroad to take care of their properties located in our City. He said it is not right for the railroad to have access through our City, and not maintain their properties. The Manager said he will.

Legislation Request: The President entertained a motion for a resolution to be drafted recognizing the Ashtabula Arts Center 60 Anniversary. Mrs. Lattimer moved, Mrs. Stranman seconded to grant the President's request. The President said they are a gem/jewel in our community, and hopes they have another 60 or 160 years in the City. The motion CARRIED.

Festivals: The President thanked everyone who attended, made possible, and participated, last week, in the TABS Arts Festival on Bridge Street, The Multi-Cultural Festival in LCpl Kevin M. Cornelius Memorial Park, and Bands-on-the-Beach at Walnut Beach.

Signs Prohibited: The President read a citizen statement about the plethora of garage/yard sale signs on treelawns and poles that are creating visual clutter in our community. The Solicitor said the garage/yard sale ordinance includes the prohibition of any sign placed on treelawns or public right-of-way, and no signs on utility poles.

Pink Clothing Boxes: The President voiced another citizen concern with the number of pink clothing boxes that have appeared on Bridge Street and Lake Avenue. It is unclear if they are associated with Susan Koman Cancer Foundation or are belong to a commercial recycling company. Either way they do not look good sitting on Bridge Street and are competing for donations with the Harbor Goodwill. The citizen asked if the bins were approved by the City, and likened them to the recycling bins erected throughout the City some years past which "attract clutter". The Manager said the bins are on personal property. He said the person making the inquiry has repeatedly been told the City is looking into these things and addressing it; therefore does not know what information may be provided this evening that has not already been provided to the inquirer.

Collection Box: The Ward 2 Councilor reported there was a collection box on West 11th Street and Lake Avenue in the plaza. For over two years he called the company because the area around it always looked like a dump site. They finally removed it.

Walnut Beach

Concession Stand/Restroom Renovations: The Ward 2 Councilor asked for a renovation status. The Manager reported railings were installed last week. The issue with the electronics on the bathroom door locks is being addressed. The locks then have to be recorded and then the bathrooms can be opened – possibly by the end of the week.

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Bands-on-the-Beach: The Manager announced one more performance remains for the season; that being the ever popular Esposito Band.

Police Levy: Police Chief Stell reported the passage of the levy will put more officers on the road; would not be used to provide raises; and that staffing has been drastically reduced while crime has not. An attempt to keep overtime at a minimum has been exercised, productivity remains high and the jail is full. He asked for the public's support.

GENERAL PUBLIC DISCUSSION

Ms. Patricia Blum, 1540 West 17th Street: asked what the public health nuisance abatement is. The Vice President said it represents delinquent trash bills for services rendered. In order to collect the delinquents a public nuisance has to be declared. The Auditor/Acting Treasurer said if there is a delinquent trash bill there is a delinquent sewer bill.

Equalization Basin (EQ) Weeds/High Grass: Ms. Blum said she is tired of looking out her window at the overgrown weeds and grass; and that it needs to be brush hogged. She said citizens are still paying for the construction of the basin and wants the property it sits on cleaned up.

Drainage Ditch: Ms. Blum reported there is a drainage ditch in the gully which she believes was created when the EQ was constructed. She said she does not know its purpose but that it fills up when it rains, however does dissipate. She said it is getting torn up and needs to be looked at.

Woods: Ms. Blum said there are people in the City who want to have woods on their land but their neighbors have to clean it up.

The President promised Ms. Blum the City will give attention to cleaning up the EQ area.

Mr. Nelson Morrison, 325 West 48th Street, Apartment 915: asked why the traffic light at Center Street and Route 20 takes 5 to 10 minutes to turn, and asked if it can be fixed. The President said it is street censored activated, and perhaps motorists are pulling beyond or not up to the censors. The Ward 5 Councilor said the censor should detect motorcycles, but may not have the conductivity to be censored. The Clerk of Council reported she noticed the same thing when the new light was first installed. Former Traffic Foreman Gale Urbano said if a motorist reach the intersection right after it has looped they will have to wait for the next loop cycle. She reported the loop process is long, and that motorists are rushing to the intersection when they see the light turn green because they do not want to have to wait for the long light. She said once the light turns green only about 2 vehicles are able to turn before the light turns red. The President said the City will look into this.

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Sidewalks: Mr. Morrison asked if the newspaper article is true regarding no sidewalks being placed in the area of the new elementary school campus located on Wade Avenue. The President told him the sidewalks will be paid for by the Safe Routes to School (SRTS) grant, which funds will not be available to the City until 2015.

West Avenue Bridge: Mr. Morrison asked why the Route 20 overpass between Station Avenue and Center Street is not being worked on given its condition. The Manager responded that the Ohio Department of Transportation (ODOT) decides when overpasses will be done, and that the City has to provide a financial match. The overpass is scheduled for repair albeit further out than the City would like, and he is trying to get the work moved up. He said he would also like that same strength of Route 20 to be paved.

West 44th Street Light: Mr. Morrison thanked the Ward 4 Councilor for the full traffic signalization being removed from West 44th Street at Park Avenue, and replaced with a 2 way stop.

Sidewalk Repair/Replacement Program: The Ward 2 Councilor asked if funds remain in the program account. The Manager said yes, about \$10,000, and that he would like to look at expanding the program. The Ward 4 Councilor announced residents must get permission to participate before the work is performed. The Manager said interested persons may call Planning & Community Development at 992-7118, for more information.

Street Cuts

West 9th Street (from Lake Avenue to the Elks Club): The Ward 2 Councilor reported he is getting a lot of calls regarding the large number of bad street cuts, and asked if they are being addressed. The Manager said the last one that has to be done is the most recent one where the storm drain collapsed, but all the others have been permanently repaired.

Ohio Avenue & Union Avenue: The Ward 2 Councilor reported there is a bump in the road.

Ms. Karen Flack, 1827 West 6th Street: asked what can be done about the deplorable condition of the plaza on Lake Avenue south of Smith Field. She said the former manager was previously contacted after which time some painting was done and windows repaired. She asked if the County has to make contact about the current condition or is the City able to. The Solicitor reported the owner has been criminally charged in the Ashtabula Municipal Court, with a violation of our Vacant Building ordinance. Presumably the owner has been mailed a summons, a court date has or will be set, and the owner will have to explain why his building has numerous windows and doors missing. The owner is from out of town.

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Alice Cook, 1742 West 14th Street: said she might be able to hear what is being said at Council meetings if she watched from home. She said she is totally deaf in her left ear, and hears extremely well out of her right ear. She said most on the dais do not speak into their microphone. She said the President, Manager, and Solicitor lean forward into their microphone; the others do not. She said have the system changed or lean into the microphone so the public is able to hear. The President said he believe the microphones sometimes give a false sense of security, and that he makes it a point to try and project when speaking. He asked that no one on the dais take offense to the request; that he is sensitive to such requests, and believes people want to hear and be involved.

Ms. Karen Flack (address above): said she always is able to hear the Clerk of Council; commenting that most on the dais speak towards the President. She asked if chairs may be placed right in front of the dais in order to hear better.

The Manager said he believes the problem might be the placement of the sound system; said there has to be a better system, and that he would check into it.

Ms. Mila Plats, 244 West 50th Street: reported she distributed 75 copies of the attached document titled, titled, "My Dream for my Community", throughout the community. She said they are her thoughts for her community, read the document out loud, and provided everyone on the dais with a copy. She commented further on Time Banking and asked that Council be supportive of the idea. The dais liked the idea.

Mr. Chris Hamrick, 5831 Washington Avenue/President of Saving the History of Ashtabula (SHA)/President My Neighborhood Group (MNG): personally invited the dais to help finish the work that has been taking place on Main Avenue (painting, sidewalk weeding, etc.), on Saturday, August 17, at 9:00 a.m., (initially gathering at Chamber of Commerce). He said it would be a show of good faith to citizens, and said the President has helped in the past.

H20 Missions: Mr. Hamrick reported MNG is working with this group who is looking for a City project, such as lawn mowing, boarding up homes in Ward 5, which is where MNG is, and will expand from there.

West Avenue Garage: Mr. Hamrick reported the City's West Avenue garage facility needs mowing. It is almost covered in vines, looks horrible, and is on one of the main thoroughfares.

Vacant Houses: Mr. Hamrick asked if a list of the City's vacant house activity may be placed on the City's website to let citizens know what has/is being done and see progress is being made, (e.g., how many mowed; how many boarded up). The Manager reported this information is provided at Council meetings.

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He does not want staff creating reports, but will instruct them to if need be. Much of the information discussed on facebook (fb) the Planning & Community Development Department already knows about. He said making fb postings does not constitute a problem being reported; one must make a phone call.

Mr. Nelson Morrison (address above): asked that motorist be careful of bike riders; and suggested bike riders wear light clothing. He then quoted Bible verse John 3:16: For God so loved the world that he gave his only begotten son that whosoever believes in him shall have everlasting life. He said, "Put God first".

CLOSING REMARKS

The President thanked those new to the audience for coming; said we want people's involvement, and that government officials are trying to rebuild the community.

The President asked that we, "Remember to Keep Believing in Ashtabula"

EXECUTIVE SESSION – None

ADJOURNMENT

Mr. Trisket moved, Mrs. Lattimer seconded to adjourn the meeting at 9:36 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

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My Dream for My Community

Someday I wish that the community I live in will strive to become a better place to live. Not only so that each individual wants better for themselves but to want better for their family and neighbors and their city. To become a unity that works as a group for the betterment of everyone. That we involve ourselves into city, state and federal gov't to make needed changes to help all citizens in our area be able to live their best life possible. To do this in a peaceful and calm manner by using words that heal and light a persons imagination to possibilities they never knew existed. To help our elderly, our children, people with disabilities including those with mental ,medical and financial disabilities •••That we learn that we all equal no matter what our employment or economical status is. For every person not to feel ashamed of their past and look forward to a new future. For those of us that have skills to teach those that don't. For each person that lives here to become a member of a pro-active group and attend that groups meetings and participate in the decisions made at meetings and to follow through with projects that the group decides it can do to better its community. To hold our local gov't and protective services to a standard that helps ALL citizens. To keep records of wrongs and also records of above the call of duty actions and make sure those that do beyond expectations are rewarded and known they are appreciated. To enforce local businesses to hire on workers that do good work and have great attendance instead of letting people go after 90 days and bringing in new people that will be let go in 90 days no matter how great of a worker they are. To bring change to the human services division. To demand better programs and enforceable checks and balances. To out reach to those with dependent issues and offer them hope .••If they don't want to change .•.find a way to have them move on. Deal with drug dealers and animal abusers and non child support paying parents. Offer FREErides to anyone going to work. Some people here in our county need help and everyone here has some skill that is teachable. Some people don't need any help but have the knowledge and/or resources to implement change. If only they wanted to. I'm not saying it will be an easy road or that we will even see a dramatic short term change. But if EVERYSINGLE citizen here does a small part this county could be a shining example of what a community can do it puts its minds to it. We don't need to depend on just changing laws •••We need to depend what we all know is right in our hearts. I am only one person with a wild idea that Ashtabula County can be a grassroots community to change how Americans can live if we put our minds to it •••It starts with me.••Then spreads to you .••then to your family and neighbors. Someday I hope other gov't officials will come to Ashtabula seeking the knowledge of how a struggling small town decided enough was enough and did what needed to be done •••It's a novel idea. But it's an idea that is very doable if we really want a better place to live and raise our children and our future generations. We are strong .We need to unite and exact change. ",Thank you for taking your time to read this article. Mila Plats July 19, 2013 1\1 Ashtabula Ohio