

**Ashtabula City Municipal Building)
City of Ashtabula, Ohio)**

Monday, September 16, 2013

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.

Members Present: Mr. Richard F. Balog, (Ward 1)
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)

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

Officer(s) Absent: None

Excused Absence: Mr. Trisket moved, Mrs. Stranman seconded to excuse the Ward 4 Councilor from this meeting; motion CARRIED.

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

Presentations: None

Executive Session: (see Manager's Report below)

Reconvene Open Meeting: N/A

Action resulting from Executive Session: N/A

CONSENT AGENDA

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

MEETING MINUTES DISPOSAL

July 15, 2013 Regular Meeting
July 24, 2013 Special Meeting
August 5, 2013 Regular Meeting
August 19, 2013 Regular Meeting
August 29 Special Meeting

Mrs. Stranman moved, Mr. Pugliese seconded to waive the reading of the Consent Agenda Minutes; motion CARRIED. The Clerk of Council reported the Ward 1 Councilor notified her that Ward 2 Councilor needed to be changed to Ward 1 Councilor on the first page of the August 29 Special Meeting minutes. She reported the original copy of the minutes are correct, however copies were distributed prior to the change being made. Hearing no corrections the minutes stood approved as presented.

The President asked when these minutes will appear on the City's website. The Clerk responded that once they are approved and forwarded to the City Manager he puts them there right away; and that they should appear sometime tomorrow.

FORMAL LEGISLATION REQUESTS

The Clerk of Council presented ORDINANCE NO. 2013-143 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AMENDMENT TO THE JOINT ECONOMIC DEVELOPMENT DISTRICT (J.E.D.D.) CONTRACT WITH ASHTABULA TOWNSHIP, OHIO. (City Manager) Mr. Trisket moved, Mr. Pugliese seconded to approve this formal legislation request; motion CARRIED.

PUBLIC DISCUSSION (Consent Agenda Legislation Only) - None

LEGISLATION READING

ORDINANCE

2013-143 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AMENDMENT TO THE JOINT ECONOMIC DEVELOPMENT DISTRICT (J.E.D.D.) CONTRACT WITH ASHTABULA TOWNSHIP, OHIO. (City Manager)

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ORDINANCE

2013-144 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH INSIGHT PIPE CONTRACTING, LP, TO PROVIDE SERVICES AND MATERIALS FOR THE WEST HARBOR SANITARY SEWER IMPROVEMENT, PHASE I.
(City Manager)

ORDINANCE

2013-145 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO CHANGE ORDER NO. 1 WITH BRECHBUHLER SCALES, INC. (for Sanitation) (City Manager)

ORDINANCE

2013-146 AN ORDINANCE APPROPRIATING THE SUM OF \$8,120 FROM UNAPPROPRIATED PERMANENT IMPROVEMENT FUND 412 INTO ACCOUNT NO 412-200-5551, ENTITLED POLICE EQUIPMENT. (City Manager)

ORDINANCE

2013-147 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION (OPWC) LOCAL TRANSPORTATION IMPROVEMENTS PROGRAM (LTIP), ROUND 28 AND TO EXECUTE CONTRACTS AS REQUIRED. (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. On the roll call to waive the Charter requirement of two readings of the Consent Agenda Legislation: Mr. Balog, Mr. Trisket, Mrs. Stranman, Mr. Pugliese, Mr. McClure, Mr. Ducro voted yea; motion CARRIED. On the roll call to adopt the Consent Agenda Legislation: Mr. Balog, Mr. Trisket, Mrs. Stranman, Mr. Pugliese, Mr. McClure, Mr. Ducro voted yea; motion CARRIED.

REGULAR AGENDA

READING AND DISPOSAL OF MEETING MINUTES - None

CITY MANAGER'S REPORT

Ohio Department of Transportation (ODOT) – Traffic Signal Upgrade Agreement - PID 92243
The City Manager requested an ordinance for authorization to enter into an agreement with ODOT for funding the ATB-Ashtabula Signal Upgrade project in an amount estimated to be \$963,626.00. This project will be paid in part by ODOT at 80% of eligible costs for up to a maximum of \$770,900.00.

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This is a local let ODOT project and once bid, the project costs will be taken from the Permanent Improvement Fund. The project is scheduled to sell in spring of 2014. Mr. Pugliese moved, Mr. Trisket seconded to grant the Manager's request. The President asked the Manager to provide a list of project traffic signals. The Manager said not having the list with him he would not want to speculate, and will provide the list to Council. The motion CARRIED.

Halloween Trick or Treat

The Manager announced Halloween Trick or Treat for the City of Ashtabula will take place on Saturday, November 2, from 5:00 p.m. to 7:00 p.m.

Executive Session

The City Manager requested Council convene an Executive Session at the end of this meeting to discuss property. Mrs. Stranman moved, Mr. Pugliese seconded, to grant the Manager's request. On the roll call to convene an Executive Session to discuss property: Mr. Balog, Mr. Trisket, Mrs. Stranman, Mr. Pugliese, Mr. McClure, Mr. Ducro voted yea; motion CARRIED.

Questions/Comments for the Manager

Trick or Treat: The Manager announced Saybrook is following our lead; and other communities are observing it the Saturday before or after Tuesday, October 31. (Note: The change is due to Thursday, October 31 being a work and school day, and that concerns with parents not being able to get home in time enough to ready their children for the event and then get then settled down for bed has been voiced.)

Former West Avenue Elementary School Fire Update: The Manager reported the Fire Department gathered brick, roofing, and plaster for asbestos testing. The preliminary results were negative for asbestos. The EPA requires a certified professional asbestos tester remove debris from the site for testing. Therefore access to the site to allow this to happen is in the works. The Manager said if the material in the center of the structure has to be asbestos treated "that's okay". The brick will account for a substantial amount of the tonnage and cost. If everything has to be treated as asbestos material, it will cost \$300,000 to \$500,000 to remediate. If testing results are good the cost to raze the structure could be well under \$100,000. The Manager said there are still legal matters to address with the property, that Fire Chief Pristera and the City Solicitor have diligently worked on getting the site remediated, that the property is nowhere near being acquired, nor is the City in the position to remove the structure by the end of the month.

Ashtabula Iron & Metal (AIM) Property Update: The Ward 1 Councilor reported it appears work is being performed at the site and asked the Manager for an update. The Manager reported the receiver appointed to the property has been clearing it out and moving debris.

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While the EPA was in town for the former West Avenue Elementary fire, they told the City that the OhioEPA, the USEPA, or both will remove the tires. He said he read a newspaper article two Sunday's ago that there will be material from the site auctioned off in Geneva.

Former West Avenue Elementary: The Vice President asked the Manager if he could wager a guess as to when this fire damaged structure will be razed. The Manager said he could not because of the legal and financially aspects involved.

Ward Meetings: The President announced he would like to continue working on scheduling ward meetings before we get too far into the fall season.

CITY SOLICITOR'S REPORT – No Report

Questions/Comments for the Solicitor

Legislation Form and Correctness: The Clerk of Council asked the Solicitor if she has his approval as to form and correctness for tonight's Consent Agenda Legislation. He responded yes.

CITY AUDITOR/ACTING CITY TREASURER'S (A/ACT) REPORT

The A/ACT reported the following:

Finances: In this evening's Pre-Council meeting an overview of our major and/or most active funds was distributed. Year-to-date our overall cash balance is \$5.3 million, our overall revenues exceeded expenditures, and our property tax revenue for the year has been received. So, as we move forward, expenditures will catch up with revenues. The General Fund is still being watched. The projected end of year cash balance is just over \$100,000. We know additional Police and Fire overtime appropriations will be needed; therefore she recommended no increased appropriations be made to the General Fund until we know what those numbers are.

Appropriation Request: The A/ACT requested a supplemental appropriation from various unappropriated funds to Parks & Recreation Utilities (\$600), Treasurer Fees (\$100), Sanitation Landfill Fees (\$70,000), Waste Water Treatment Treasurer Fees (\$2,000), Overtime (\$50,000), OPERS (\$3,000), Capital/West Harbor Sewer (\$247,850), and Public Works Overtime (\$6,000). Mrs. Stranman moved, Mr. Pugliese seconded to grant the A/ACT's request; motion CARRIED.

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Update on Consolidation of City Auditor/City Treasurer Departments: It has been reported that we will have an Assistant Finance Director as of the first of the year. It has also been intended for this to be an internal appointment. “Traci Welch has been our accountant, has the qualifications, and has the City history; so she will serve in that capacity at the beginning of the year. We also advertised for the Human Resources/Payroll Administrator, after we shored everything up with the union, and taking some of the union duties (into) that position, and we haven’t appointed yet - we haven’t made that announcement yet.” The President asked the A/ACT if she meant to say “taking some of the union duties (away from) that position. The A/ACT responded, “The Human Resources Specialist position to the Human Resources Administrator position. That’s a non-union job”. The Clerk asked will the position be formally titled Human Resources/Payroll Administrator, as noted earlier. The A/ACT responded yes.

Questions/Comments for Auditor/Acting City Treasurer – None

CITY COUNCIL COMMITTEE REPORTS and COMMUNICATIONS

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

The Chair announced the Committee will meet on Wednesday, October 2, at 6:00 p.m. Planning & Community Development will have a progress report on a couple of the items referred to them. Mr. Michael Habowski, President & Chief Executive Officer for Ashtabula County Medical Center (ACMC) will be present for general discussion and to provide updates on hospital initiatives, and the flurry of activity taking place.

Questions/Comments for CD/ED/P&R Committee - None

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

The Chair reported the Committee did not meet; however the Auditor/Acting Treasurer gave a summary of the financials earlier in this meeting.

The Committee is scheduled to meet on Friday, October 11, at 8:00 a.m.

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

The Chair reported on the Committee’s Tuesday, September 10 meeting, as follows:

Aqua OH

Street Opening Repairs: The Committee met with various Aqua representatives to discuss street cut complaints received since they acquired Ohio American Water Company.

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They hired a contractor who in ten days will begin performing permanent repairs on the numerous street openings they have made. Aqua met with the City Inspector Bill Jepson, who provided the City's street opening repair specifications. The temporary fixes to the openings on Lake Avenue have been the worse and will be addressed.

Billing Conversion from Bi-monthly to Monthly: Beginning in November, Aqua will invoice their water customers on a monthly basis vs. bi-monthly. They have notified their customers and will continue to do so. The City will continue to bill sewer and trash on a bi-monthly base. The Chair suggested Aqua also announce the change in the newspaper; they agreed.

Projects: Aqua is completing their Chemical Feed Building project located near the City's Waste Water Treatment Plant (WWTP). They are switching from chlorine gas to liquor chlorine concentrated bleach. This process will remove them from the Chlorine Risk Management and Process Safety Management Programs associated with Chlorine gases which is a very hazardous chemical. The project meets all EPA requirements for secondary containment. Aqua offered to arrange an elected official's visit to their water facility. Aqua reported they are performing capital improvement projects that are totally separate from their day-to-day projects such as valve and hydrant replacements.

2012

- * \$850,000 of the \$1 million that will be spent on pipes in Aqua's service area will be spent in City;
- * Walnut Boulevard & 1st Street: \$650,000 new 24 inch transmission lines will be layed and will be tied into distribution system at the top of the hill; and
- * Highland, 8th Street, & 5th Street: existing distribution pipes were replaced.

2013

- * \$200,000 slated for pipe work in Aqua's service area - \$80,000 targeted inside City limits for 20 inch transmission line replacement on Walnut Boulevard between Coast Guard Station and Ashtabula Museum (in Point Park area);
- * Aqua has been speaking with Ashtabula City about project logistics so their projects do not conflict with ODOT's new stairway project scheduled for 2015, (which is ODOT's fiscal year July 2014 to June 2015);
- * Have flexibility to do project in early 2014 based on discussion with City; and
- * Asked Aqua was asked to complete this project before the City begins paving.

2014

- * Water hydrants have been and will continue to be painted red and yellow.

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Sewer Rent Credit on First Pool Fill of Year: This was briefly discussed. Aqua does not provide credit. The Chair believes the City should, and said this Committee will continue the discussion.

Park Avenue & West 44th Street Intersection: A resident voiced strong objection to the traffic control change at this intersection from full traffic signalization to a 2-way stop going east and west. The resident believes the intersection is dangerous. During the initial discussion about the change, a 4-way stop was suggested. It was decided that a 2-way stop would be erected first, and if necessary it would be changed to a 4-way stop. The Manager will have the Police Chief review the intersection and make a recommendation.

Remove Stop Sign at Walnut Boulevard and Union Avenue: This was discussed a couple years ago. The Police Chief, at that time, said “definitely not”.

Garbage Truck Spills: A resident complained about liquid (*and debris*) spilling from a garbage truck. Public Services Superintendent Dominic Iarocci told the Committee the truck had some holes in it, and that they have been repaired.

Water Line Breaks: Aqua OH was asked to notify the City as soon as possible of water breaks which occur after hours. The City’s Inspector would be notified and make an assessment.

Questions/Comments for CD/ED/P&R Committee

Street Opening Repairs: The President announced Koski Construction, a local contractor, was the successful bidder to perform permanent street opening repairs. He believes they will do a good job because they believe in our community.

Ashtabula City’s Bi-Monthly Sewer/Trash Billing: The Ward 3 Councilor asked how Aqua’s change to monthly billing will affect our bi-monthly sewer and trash billing. The Auditor/Acting City Treasurer reported there are no plans to change until something more electronic can be done. She said we pay for meter readings, and will have to pay for more of them with Aqua’s monthly billing. She said it is also going to double our postage and billing cost.

Meeting: The Committee will meet next Tuesday, October 8, at 8:00 a.m. Waste Management representatives will be present to discuss recycling. The Manager said it will be a “fact finding” discussion regarding curbside recycling.

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

The Chair announced the Committee is tentatively scheduled to meet on Friday, September 20, at 8:00 a.m. The agenda will consist of a proposed gun buyback program, Fire Department overtime, and a merchant concern.

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Questions/Comments for Safety Forces Committee - None

Work Session - No Report

FORMAL LEGISLATION REQUESTS – None

PUBLIC COMMENT (Regular Agenda Legislation Only) - None

LEGISLATION READING - None

UNFINISHED BUSINESS - None

NEW BUSINESS - None

MISCELLANEOUS BUSINESS

4-H Foundation Pig Roast & Auction Fundraiser: The Ward 5 Councilor announced this is the 16th year of the event. The Foundation began in 1997. They provide five or six \$1,500 scholarships per year, to Ashtabula County youth, to be used on the education of their choosing. Individuals and merchants donate auction goods, all of which are new. Tickets are \$10 per person. Doors open at 5:00 p.m., dinner at 6:00 p.m., and auction at 7:00 p.m. He said a few years ago the County's budget was struck hard causing the County Commissioners to cut the Extension Office funding, an office which assists a large territory in the County. The Foundation reviewed the Extension Office and informed the Office's director that the 4-H office could apply for a 4-H Foundation grant. They did, resulting in covering a \$45,000 expense to keep the Extension Office open that year. Tickets may be purchased by calling the Extension Office at 576-9008. The Clerk announced that this Councilor was the founder of the Foundation; that she and her husband have attended the function a few times; and that it is a fun, family night.

Main Avenue Ashtabula Streetscape: The Ward 3 Councilor announced that the Ashtabula Downtown Development Association (ADDA) and Ashtabula City are hosting a streetscape discussion on Monday, September 23, at Casa Capelli Restaurant. A social is scheduled for 5:00 p.m., the discussion at 6:00 p.m., and the event is open to the public. Submit RSVPs to Casa Capelli at 992-3700.

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The Manager said the City is involved because when ADDA decided to do the streetscape the City thought it only fair they fund the \$4,800 consultant fee, such as they did for the Harbor Master Plan for \$10,000 through the City's Revolving Loan Fund (RLF). He said after returning from the meeting where the decision to move forward with the streetscape was announced, he asked Planning and Community Development Department Project Administrator Mary Church to contact the Department of Development to see if RLF's could be used to help fund this project. We learned that a waiver request is not required for anything under \$10,000, if it meets the guidelines. The guidelines were reviewed, the streetscape project meets then, and the City decided to fund.

The President said it is good that ADDA's Reader's Digest contest reward may be used for something else. The Manager concurred. The President said this is the time for citizens to get involved and have a say in what the future of our Downtown will look like, and encouraged their attendance at the streetscape meeting.

Yard Sale Sign Removed: The Ward 2 Councilor thanked the City Manager for having the sign removed from the pole at West 19th Street and West Avenue. He said the sign was there two days ago, but was not there when he passed by today.

Tall Grass: The President announced he asked the Manager to discuss with the Planning & Community Development Department, the tall grass and other violations at 1624 West 12th Street.

GENERAL PUBLIC DISCUSSION

Mr. Earl Tucker, Walnut Boulevard: shared a few thank you letters from the children at ABC Child Care for the **new mulch at Nappi Field.**

The President said the mulch is a great improvement to the Field. He said he is pleased with the work being done at Clifford Kadon Presidential Park (CKPP), and said children are using it. He said Jeff Scribber, a Community Action employee and non-resident who has been very involved with My Neighborhood group, and some others, is very active in the CKPP renovation project. They are working on the roof, clearing debris, weeds, grass, and cleaning it up.

The Manager jokingly commented that complaints letters from the children at ABC Childcare were addressed to him; the thank yous to Council.

Executive Session: Council convened an Executive Session at 7:50 p.m. in accordance with the Manager's request during his report earlier this evening. The Manager, Solicitor, Auditor/Acting City Treasurer, and Clerk joined them.

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Reconvene Open Meeting: At 8:05 p.m., the President announced the public portion of the meeting reconvened.

Action resulting from Executive Session: The President announced there was no action to take.

CLOSING REMARKS

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

ADJOURNMENT

Mr. Pugliese moved, Mr. Trisket seconded to adjourn the meeting at 8:05 p.m.; motion CARRIED.

DATE APPROVED: **October 7, 2013**

ATTESTED BY: _____

**JP Ducro IV
President of Council**

ATTESTED BY: _____

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