

**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 the Pledge of Allegiance was cited.

**Members Present:** Mr. August A. Pugliese, (Ward 2)  
Mrs. Julie A. Lattimer, (Ward 4)  
Mr. Richard F. Balog, (Ward 1)  
Mr. James M. Trisket, (Ward 5)  
Mrs. Ann I. Stranman, (Ward 3)  
Mr. JP Ducro IV, (President)

**Member(s) Absent:** Mr. Christopher J. McClure, (Vice President)

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

**Officer(s) Absent:** None

**Excused Absence:** Mr. Trisket moved, Mrs. Lattimer seconded to excuse the Vice President from this meeting; motion CARRIED.

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

**Presentations:** Police Lieutenant William Parkomaki presented Patrolmen Thomas Clemens, Jr. with a commendation in the presence of his family. The Lieutenant stated that, "On the morning of September 13, Patrolmen Clemens, while on patrol on Bunker Hill Road, was frantically flagged down by the parents of an unresponsive four year old child lying on the ground. He took immediate lifesaving action by clearing the child's airway and providing CPR, as well as directing other emergency services to the scene. His actions very likely saved the child's life, and therefore he is awarded commendation for meritorious service, from the Ashtabula Police Department, for quick actions and professionalism on this day". Police Chief Robert Stell said, "Patrolmen Clemens has been decorated on three other occasions for similar actions. He is a fine officer, his father is a long time veteran of the Police Department, and we are very proud to have him, and I'm sure everybody else is as well."

The President said the young boy is still having medical issues, that there is a fundraiser for him next weekend (specific dates were not available), and to keep he and his family in prayer.

**Executive Session:** None

**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.

### **APPROVAL OF MEETING MINUTES**

The Clerk of Council presented the following meeting minutes for disposal:

October 7, 2013 Regular Meeting

October 21, 2013 Regular Meeting

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

**FORMAL LEGISLATION REQUESTS** – None

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

### **LEGISLATION READING**

#### **ORDINANCE**

2013-165 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH POGGEMEYER DESIGN GROUP FOR ADMINISTRATIVE SERVICES TO IMPLEMENT THE FY 2013 DOWNTOWN REVITALIZATION TIER II GRANT.  
(City Manager)  
COMMENT: This will impact Bridge Street Merchants.

#### **ORDINANCE**

2013-166 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH GPD GROUP FOR THE PURPOSE OF PROVIDING ENGINEERING SERVICES FOR DESIGN AND CONSTRUCTION OF A PARKING LOT ON BRIDGE STREET.  
(City Manager)

#### **ORDINANCE**

2013-171 AN ORDINANCE REPEALING, IN ITS ENTIRETY, ORDINANCE NO. 2011-109, PASSED ON JULY 5, 2011, AND CODIFIED AT SECTION 951.10, ENTITLED TRANSFER STATION RATES. (Public Services Superintendent)

ORDINANCE

2013-172 AN ORDINANCE ENACTING NEW CODIFIED ORDINANCE SECTION 951.10 ENTITLED TRANSFER STATION RATES. (Public Services Superintendent)  
COMMENT: This ordinance will add a new tier to the transfer station rates, to make the rates more equitable.

The Ward 2 Councilor asked if Poggemeyer was for the Main Avenue Streetscape project. The Manager said Poggemeyer will be hired for the Downtown Revitalization grant activity. McKnight Associates LTD did the design for the Main Avenue Streetscape, and their costs were covered by the City's Revolving Loan Funds.

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

## REGULAR AGENDA

READING AND DISPOSAL OF MEETING MINUTES - None

### CITY MANAGER'S REPORT

#### **Voting Location Changed – Election Day**

Today the Board of Elections notified us those voters in Precincts 3A, 3B, and 4A who would normally vote at GO Ministries voting location will vote at Messiah Lutheran Church located at 615 West Prospect Road, between the hours of 6:30 a.m. and 7:30 p.m.

#### **Veteran's Day Garbage Pick-Up Schedule**

Garbage pick-up for the week of November 11, will remain as scheduled. The Transfer Station and Sanitation Office will be closed on November 11, to observe the Veteran's Day Holiday.

#### **Yard Waste Bag Fees**

During the month of November the twenty-five cents sticker fee for yard waste bags is waived for City residents.

Citizens are also reminded to keep leaves and yard debris out of City Streets, in accordance with Codified Ordinance 521.12 "Prohibition Against Depositing Yard Waste Upon Public Ways".

**Questions/Comments for the City Manager**

**Aqua OH Permanent Road Opening Repairs:** The Ward 2 Councilor reported Koski Construction was hired to make permanent repairs to all Aqua OH's road openings, but that not much work has been done in the last two weeks. He said Lake Avenue by the high rises are still bad, are getting worse, and that his concern is if the snow begins to fall the roads will not get repaired. He asked that the Lake Avenue repairs be given priority. The Manager reported Koski was contacted at the end of last week, and that Engineering Technician Bill Jepson spoke with them today about getting Lake Avenue moved up on the list.

**Leaf Pick-Up:** The Ward 4 Councilor asked if residents are still required to place their leaves in bags, and are prohibited from leaving them loose on the treelawn. The Manager responded yes.

**Street Sweeper:** The President asked the Manager to provide an update on the City's new sweeper. He noted the sweeper is not designed to, nor is it for picking up leaves out of the street.

The Manager said he was told it should arrive this month. He said it will pick-up the smaller debris and the leaves remaining at the entrance to the gutters and on the curb lines. He, too, asked that leaves NOT be raked into the streets. He said many of the City's catch basins are full of grass clippings and other type lawn debris which is harmful to our sewer system.

The Ward 5 Councilor asked if there will be an attempt to hit all the streets when the sweeper arrives, realizing the weather will be a factor. He said Route 84 was like a lake because the storm sewers are not able to handle the water; most likely because residents are not keeping the top of the storm grates free of debris. The Manager said he has been told that as long as the weather is five degrees over freezing the sweeper may be operated in the night. The new sweeper only requires one person to operate and has a much larger hopper therefore a larger area may be covered quicker. "My intentions are to have the machine out as often as possible."

**CITY SOLICITOR'S REPORT** – No Report

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

**Timekeeping:** The enactment of our new timekeeping system is moving forward. The hope is to have every department on board by the beginning of the year. Payroll & Human Resources Specialist Carolyn Sheldon will provide a detailed update on the transition at Friday's Finance & Personnel Committee meeting.

**Human Resources/Payroll Administrator Position:** This is a new position born out of collaboration between her, the City Manager, and AFSCME 1197 Union, due to the consolidation of the City Auditor and City Treasurer Departments into one Finance Department (effective January 1, 2014). The Auditor/Acting Treasurer said the position is not just a payroll processing/timekeeping position. This person will be responsible for the functions of all wages and benefits. For example, there are more than 100 full-time employees, (3) collective bargaining units, (2) public pensions, non-union employees, elected officials, the Municipal Court and Health Department are two separate organizations within the City's payroll system. These groups all have distinct guidelines and separate ordinances for their personnel that the HR/PA has to know. The City is self-insured for our medical insurance, and we actively manage our entire worker's comp claims, which keeps our rates down.

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

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

The Chair announced there to be no report and no scheduled meetings.

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

The Chair announced the Committee's next meeting was scheduled for Friday, November 8, at 8:00 a.m. He also announced Council will meet in a Budget Work Session on Thursday, November 14, at 9:00 a.m., in the Municipal Building second floor conference room.

#### **Formal Legislation Requests**

Mr. Ducro moved, Mrs. Lattimer seconded to grant the City Auditor/Acting City Treasurer's request for ORDINANCE NO. 2013-167 AN ORDINANCE REPEALING, IN ITS ENTIRETY, CODIFIED ORDINANCE SECTION 127.03 "EEO OFFICER" IN ORDER TO REASSIGN THE DUTIES OF EEO OFFICER DUE TO THE REORGANIZATION OF THE FISCAL DIVISION OF AUDITOR OF THE CITY OF ASHTABULA; motion CARRIED. (The Division of Auditor will become the Division of Finance on January 1, 2014.)

Mr. Ducro moved, Mrs. Lattimer seconded to grant the City Auditor/Acting City Treasurer's request for ORDINANCE NO. 2013-168 AN ORDINANCE ENACTING NEW CODIFIED ORDINANCE SECTION 127.03, ENTITLED EEO OFFICER; motion CARRIED.

Mr. Ducro moved, Mrs. Lattimer seconded to grant the City Auditor/Acting City Treasurer's request for ORDINANCE NO. 2013-169 AN ORDINANCE REPEALING, IN ITS ENTIRETY, PAYROLL ORDINANCE NO. 2013-136, PASSED ON AUGUST 19, 2013, FOR THE PURPOSE OF PERMITTING THE REORGANIZATION OF THE FISCAL DIVISION OF AUDITOR OF THE CITY AS OF JANUARY 1, 2014, BY CREATING, COMBINING AND REORGANIZING VARIOUS POSITIONS, AND ESTABLISHING RATES OF COMPENSATION THEREFOR.

(The Division of Auditor will become the Division of Finance on January 1, 2014. The President announced the duties of the EEO Officer are being consolidated with those of the Human Resources/Payroll Administrator. (Transcriber's note: The detailed purpose of this repeal ordinance is: TO ESTABLISH THE "THROUGH DATE OF DECEMBER 31, 2013" FOR THE POSITION OF E.E.O. OFFICER; TO ESTABLISH A NEW SALARY POSITION (EFFECTIVE JANUARY 1, 2014) TITLED HUMAN RESOURCES/PAYROLL ADMINISTRATOR (WHICH RESPONSIBILITIES WILL INCLUDE E.E.O. REPORTING), TO ESTABLISH THE ANNUAL SALARY OF SAID POSITION AT \$49,000; AND REMOVING THE PAY COLUMNS TITLED "HIRED BEFORE 06/01/12 W/4 OR MORE YRS. OF CONTINUOUS SERVICE", AND "HIRED BEFORE 06/01/12" FROM THE POSITIONS OF ASSISTANT FINANCE DIRECTOR AND HUMAN RESOURCES/PAYROLL ADMINISTRATOR, RESPECTIVELY.) The motion CARRIED.

Mr. Ducro moved, Mrs. Lattimer seconded to grant the City Auditor/Acting City Treasurer's request for ORDINANCE NO. 2013-170 AN ORDINANCE AUTHORIZING COMPENSATION, SALARIES AND WAGES TO ALL EMPLOYEES OF THE CITY OF ASHTABULA, OHIO; motion CARRIED.

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

The Chair reported on the Committee's October 25 meeting as follows:

**Curbside Recycling:** Mr. Scott Dellinger and Mr. Vince Crawford from Waste Management, and Ms. Janice Switzer from Ashtabula County Solid Waste District were in attendance. Points touched on were:

Mr. Crawford said he wanted to meet with the City to begin the curbside recycling dialogue to:

- a) See what the City's current recycling program is;
- b) Determine what the City's ultimate recycling goal is; and
- c) Determine how the City would like to manage the process.

**Waste Management (WM) reported:**

- \* Plastic bags are the old style of recycling;
- \* Recycling plants are no longer made to accept bags, but rather loose materials;
- \* The best programs are those where commodities are picked up curbside; it lends itself to the cleaner and more desirable recycling commodity, which runs through the plant much better;
- \* Ashtabula County was seeing a lot of "contaminated" products being placed in their roll off containers;
- \* Providing curbside pickup service on a bi-weekly basis reduces the "carbon footprint" (e.g., diesel fuel, tire, and truck costs);
- \* The suggested recycling "carts" keep materials contained inside the carts; and also makes it easier for residents to place containers at curbside;
- \* Recycling percentages increase 10% to 15% where curbside programs are in place, mostly due to the convenience of such programs;
- \* Convenience is the key to successful recycling programs;

- \* “Single stream” recycling is the industry standard;
- \* They are very environmentally conscience so much of what they do focuses on the next step in recycling;
- \* Their plants are highly efficient;
- \* Akron is the closet single stream processing plant to the City of Ashtabula; administration was encouraged to visit the operation;
- \* They prefer trucks with rear flippers more than the automation because when containers are being picked up crews have visible sight of the materials, and contaminated products are immediately spotted;
- \* They are willing to help the City transition the Transfer Station and make the necessary modifications to ensure a successful curbside recycling program;

**The City Manager reported:**

- \* The City previously applied for the Ohio Environmental Protection Agency (OEPA)/Ohio Department of Natural Resources (ODNR) Recycling \$250,000 grant and was not successful in getting awarded; but plan to apply again;

If grant awarded:

- \* We will begin in Wards 1 and 2 due to cost; (WM encouraged the City to start small and expand);
- \* We would like to give residents 2 – 64 gallon containers (one for trash; one for recyclables); if they want a second container for garbage the rate will be different (perhaps \$10 more);
- \* The goal is to maintain our current trash rates as long as possible;
- \* The City’s annual Transfer Station revenue is \$14,000 to \$15,000;
- \* The current truck fleet would be converted by placing flippers on the back of them for the purpose of picking carts up; and
- \* As new trucks are needed, they will come with arms.

The Manager reported that when the City of Akron rolled out their curbside program, they did so in the same manner in which we are. They purchased 21 trucks to provide curbside for their entire city. The trucks we have are in decent shape. Attachments are made to hook to the back of our trucks, that hook into the hydraulics, that have flipper, the cart is pulled up to it, it has a brace on it, it grabs it, flips it in the truck, and is easier for crews to manage. As the trucks need to be replaced, there are more automated trucks requiring one driver using the arm to pick up carts.

The President reported this program is pending receipt of the grant. The Manager said the grant has to be applied for in January 2014, and funding does not come until July 2014. We have been working with the OEPA and ODNR. They know the Ashtabula County Solid Waste Plan and the challenges Ashtabula County faces; therefore are helping to ensure we get the grant this time. If the grant is received it will then be a matter of how it is phased in.

The Manager said if successful, we would go from a three man crew on the trucks down to one, there would be more opportunity to maintain our parks, our commercial container business could increase, and more options would open up as we get more efficient.

**Ms. Switzer:**

- \* Thanked the City for working with the District to keep the City's Transfer Station open on Saturdays.

The Chair reported the City's recycling center is now the only one in the County; therefore townships and villages deposit their recyclables are our sight. In the future this will be very beneficial.

- \* In conjunction with the City, the District would like to convert the City's Recycling Center to a "Recycling Transfer Facility". We could then bring recyclables from the drop off locations to this facility;
- \* Realizes what the District would like the City to do, brings with it financial obligations. So, perhaps the City and the District could enter in to a Memorandum of Understanding (MOU), and the District would be willing to apply for grants for equipment purchases for the conversion; and
- \* Perhaps if the City performs the upgrades/conversion, the firm who successfully bids to operate the facility could be asked to pay a "host fee" for operating.

**Mr. Dellinger:** If the District applies for grants, WM would apply for match funding which expands the opportunity to upgrade the product, which, in turn, results in more revenue.

Chair: The City's challenge is funding;

Dellinger: WM has some containers they would give to the City at no cost; and

Switzer: There are lots of "Incentivized Grants" that are not being pursued. The government is looking for applicants; and

Chair: I'm sure the City will apply.

**Also discussed:**

- \* Recycling services for the City's senior population;
- \* Recycling service to high rise complexes and commercial entities;
- \* Cost vs. fees;
- \* Renting vs. providing carts;
- \* Size of and capacity at Transfer Station;
- \* Converting Transfer Station machinery and operations;
- \* Facility expansions; and
- \* The City Manager commits to reapplying for the \$250,000 OEPA/ODNR Recycling Grant (application deadline January 2014; funding received July 2014, if approved)

**Transfer Station Rate Changes:** The rates will not be increased; however the levels of rates will be expanded. The Chair read the current rates scale and that which is being proposed. Mr. Pugliese moved, Mr. Balog seconded to repeal Ordinance No. 2000-23, passed on July 5, 2011, for the purpose of restructuring the City's Transfer Station rates; motion CARRIED.

**Next Meeting:** The Chair announced if Public Services Superintendent Dominic Iarocci has nothing for the Committee, the November 12 meeting will be cancelled.

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

The Chair announced there are no plans for the Committee to meet until after the new Council is seated on December 1. He announced there to be no report. He reminded citizens of a very important issue on tomorrow's General Election ballot. It provides residents a chance to enhance our police protection and place more officers on the road. He asked that residents vote yes for Issue No 6, the Ashtabula City Police Levy.

**Work Session**

The President reiterated that Council will meet in a Budget Work Session on Thursday, November 14, at 9:00 a.m., in the Municipal Building 2<sup>nd</sup> Floor conference room. The City's current smoke alarm legislation will briefly be discussed, in order to address a current conflict with some of our Housing Code legislation to that of the Ohio Fire Code. The "housekeeping" aspect of the legislation will be addressed so that the City's Fire & Housing Inspectors may apply the law equally. The public is welcome.

**FORMAL LEGISLATION REQUESTS** - None

**PUBLIC COMMENT (Regular Agenda Legislation Only)** – None

**LEGISLATION READING**

**ORDINANCE NO. 2013-167 AN ORDINANCE REPEALING, IN ITS ENTIRETY, CODIFIED ORDINANCE SECTION 127.03 "EEO OFFICER" IN ORDER TO REASSIGN THE DUTIES OF EEO OFFICER DUE TO THE REORGANIZATION OF THE FISCAL DIVISION OF AUDITOR OF THE CITY OF ASHTABULA,** was presented. Mrs. Lattimer moved, Mrs. Stranman seconded to waive the reading of the ordinance; motion CARRIED. Mrs. Lattimer moved, Mrs. Stranman seconded to waive the Charter requirement of two readings. On the roll call to waive the Charter requirement of two readings: Mr. Pugliese, Mrs. Lattimer, Mr. Balog, Mr. Trisket, Mrs. Stranman, Mr. Ducro voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mr. Pugliese, Mrs. Lattimer, Mr. Balog, Mr. Trisket, Mrs. Stranman, Mr. Ducro voted yea; motion CARRIED.

**ORDINANCE NO. 2013-168 AN ORDINANCE ENACTING NEW CODIFIED ORDINANCE SECTION 127.03, ENTITLED EEO OFFICER,** was presented. Mrs. Lattimer moved, Mrs. Stranman seconded to waive the reading of the ordinance; motion CARRIED. Mrs. Lattimer moved, Mrs. Stranman seconded to waive the Charter requirement of two readings. On the roll call to waive the Charter requirement of two readings: Mr. Pugliese, Mrs. Lattimer, Mr. Balog, Mr. Trisket, Mrs. Stranman, Mr. Ducro voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mr. Pugliese, Mrs. Lattimer, Mr. Balog, Mr. Trisket, Mrs. Stranman, Mr. Ducro voted yea; motion CARRIED.

**ORDINANCE NO. 2013-169 AN ORDINANCE REPEALING, IN ITS ENTIRETY, PAYROLL ORDINANCE NO. 2013-136, PASSED ON AUGUST 19, 2013, FOR THE PURPOSE OF PERMITTING THE REORGANIZATION OF THE FISCAL DIVISION OF AUDITOR OF THE CITY AS OF JANUARY 1, 2014, BY CREATING, COMBINING AND REORGANIZING VARIOUS POSITIONS, AND ESTABLISHING RATES OF COMPENSATION THEREFOR,** was presented. Mrs. Lattimer moved, Mrs. Stranman seconded to waive the reading of the ordinance; motion CARRIED. Mrs. Lattimer moved, Mrs. Stranman seconded to waive the Charter requirement of two readings. On the roll call to waive the Charter requirement of two readings: Mr. Pugliese, Mrs. Lattimer, Mr. Balog, Mr. Trisket, Mrs. Stranman, Mr. Ducro voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mr. Pugliese, Mrs. Lattimer, Mr. Balog, Mr. Trisket, Mrs. Stranman, Mr. Ducro voted yea; motion CARRIED. (The detailed explanation for this repeal may be found in the Finance & Personnel Committee report above.)

**ORDINANCE NO. 2013-170 AN ORDINANCE AUTHORIZING COMPENSATION, SALARIES AND WAGES TO ALL EMPLOYEES OF THE CITY OF ASHTABULA, OHIO,** was presented. Mrs. Lattimer moved, Mrs. Stranman seconded to waive the reading of the ordinance; motion CARRIED. Mrs. Lattimer moved, Mrs. Stranman seconded to waive the Charter requirement of two readings. On the roll call to waive the Charter requirement of two readings: Mr. Pugliese, Mrs. Lattimer, Mr. Balog, Mr. Trisket, Mrs. Stranman, Mr. Ducro voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mr. Pugliese, Mrs. Lattimer, Mr. Balog, Mr. Trisket, Mrs. Stranman, Mr. Ducro voted yea; motion CARRIED.

**UNFINISHED BUSINESS** - None

**NEW BUSINESS** - None

**MISCELLANEOUS BUSINESS**

The President entertained a motion to **codify the City's Indigent Burial Policy**. Mrs. Lattimer moved, Mr. Trisket seconded to grant the President's request; motion CARRIED.

The President entertained a motion **for a resolution opposing House Bill 289 regarding JEDDS (Joint Economic Development District) & JEDZ (Joint Economic Development Zone)**. Mr. Trisket moved, Mrs. Lattimer seconded to grant the President's request. The Solicitor elaborated as follows: Two members of the Ohio Legislature have proposed legislation which would amend the existing statues dealing with JEDDS, to require in the event that a JEDD agreement (because these districts are created by agreements), in the event it is renewed or amended that essentially the consent of all members of the JEDD would be required. That may should very fair and reasonable on its face, but what that essentially permits when a JEDD comes to the end of its first term is for the one or a couple of business or land owners to say I no longer want to be part of this JEDD. You've put in my sewers; you've built up my infrastructure, and by opting out of the JEDD at this point I can keep all those wonderful things and I don't have to pay the income tax to the JEDD that is divided between my township and the city that's providing the sewers. The problem from our perspective is when we spent two years negotiating a new sewer agreement with the county we deliberately made the trade of annexation for JEDDS. The City essentially withdrew its demand that all homes and businesses served by a city sewer annex to the City or run the risk of losing that service, in return for an agreement which the county acceded to, that all new businesses requesting sewer tap-ins would be required to join economic development agreements, so that the city and townships could share in the income tax revenues which could be charged in a JEDD but cannot be charged in an unincorporated township. It was a compromise and it has begun to bear fruit. We got our first two JEDDS; one of them just expanded. We will be receiving income tax revenues very shortly, if they're not already coming in; and we have permitted some tap-ins. If this legislation passes it is possible for us to lose the benefit of our bargain. Now all of our JEDD agreements are the same in duration as the county sewer agreement. So we would have a chance to revisit that issue. But if at the end of 15 years the business owners (and they may be different business and land owners) see an opportunity to opt out of a JEDD and stop paying income tax while not losing any services, I would suggest to you that they're going to be very likely to do that, and the City will have lost the benefit of its bargain. So, I've expressed, to the Ohio Municipal League, my concern over that and I've asked City Council to consider a resolution opposing this legislation because as applied to our particular area it creates a host of new problems. It creates many more problems than it could ever possibly solve. I'm sorry, with due deference to the Ohio Legislature, it's another case of something not being broken so let's fix it. The motion CARRIED.

The President entertained a motion to **repeal Ordinance 2000-23 Reutilization of Non-productive Land, with a modification to include the terminology "land bank"**. Mrs. Lattimer moved, Mrs. Stranman seconded to grant the President's request; motion CARRIED.

The President entertained a motion for **an ordinance addresses the Reutilization of Non-productive Land, with a modification to include the terminology “land bank”, and to codify the same.** Mrs. Lattimer moved, Mrs. Stranman seconded to grant the President’s request; motion CARRIED.

**General Election:** The President reported there are issues in addition to our Police Levy on tomorrow’s General Election ballot, and encouraged residents to exercise their “privilege” to vote. Polls open from 6:30 a.m. until 7:30 p.m.

**Urban Meyer Signs “Borrowed”:** The Ward 2 Councilor reported the signs the City had made and placed around our community in key locations, to recognize St. John High School graduate and Ohio State University Head Football Coach, Urban Meyer, have been “borrowed”. He made an appeal to whoever took the signs, and to anyone who knows who has them to return them. He said they may be returned anonymously to his home, the City’s Public Works Department, or City Hall. He said they belong to the City, they recognize the achievement of someone from our area, and cost the City \$84.00 each. The City would like to return them to their rightful place in order to share with our visitors of the talent produced in our community.

#### **GENERAL PUBLIC DISCUSSION**

**Mr. Kenneth Wolfgang, 4203 Ann Avenue:** reported the Clerk of Council provided everyone with the specific audible traffic signal reports Council requested. He hopes they will benefit the City.

Mr. Wolfgang commended the Clerk of Council for her “duty as a Clerk”. He said he has a ministry to the blind titled “Holiness Bibles for the Blind”. They reach out to the blind across the nation and world. He is in the process of developing their website and knows how hard it is to produce an accessible website. He said in doing this work and readying himself for possibly becoming a member of Council (he was a write-in candidate on the November 5 General Election ballot), the Clerk has done her best to get him information about Council. When he told her his “text-to-speech” equipment (he is legally blind) could not read pdf formatted documents, she sent them in an accessible format. He presented her with a coffee cup and pencils from the Leader Dogs for the Blind school, as a token of appreciation for her assistance in helping him to possibly help the citizens, if elected. He said he hopes others follow her lead and go above and beyond the call of duty; not asking questions, but just doing their job and make things more and equally accessible to those with physical challenges.

The Clerk thanked him for recognizing her. She said the City has paid for her to attend seminars and conferences to instruct her on how to be a Municipal Clerk. One of the things we are told is that the Sunshine Law is a law that must be followed. In it are the guidelines for providing public records. She said Mr. Wolfgang made a public records request, and she provided it.

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She further stated that the law says if the document is in a requested format, she is to provide the document, but that the document does not have to be recreated in a particular format in order to satisfy the public records request. She said she did not do anything more than many of her co-workers do every day.

The Ward 4 Councilor said, "Her modesty is a part of the treasurer that makes her who she is; Thanks LaVette". The President also thanked her.

**EXECUTIVE SESSION:** None

**RECONVENE OPEN MEETING:** N/A

**ACTION RESULTING FROM EXECUTIVE SESSION:** N/A

**CLOSING REMARKS**

The President announced the Council's next Regular Council Meeting is scheduled for Monday, November 18, at 7:00 p.m.; asked that the public remember to vote; and to "Remember to Keep Believing in Ashtabula"

**ADJOURNMENT**

Mr. Pugliese moved, Mr. Balog seconded to adjourn the meeting at 8:00 p.m.

DATE APPROVED: **November 18, 2013**

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

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

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

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