

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

Tuesday, January 21, 2014

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 recited.

Members Present: Mrs. Alice T. Cook (Ward 3 Councilor)
Mrs. Josephine Misener (Ward 4 Councilor)
Mr. Kris E. Hamrick (Ward 5 Councilor)
Mr. August A. Pugliese (Ward 2 Councilor)
Mr. J. P. Ducro IV (President)

Member(s) Absent: Mr. Richard F. Balog (Ward 1 Councilor)
Mr. Christopher J. McClure (Vice President)

Officer(s) Present: Mr. James M. Timonere (City Manager)
Mr. Michael Franklin (City Solicitor)
Mrs. Dana D. Pinkert (Finance Director)
Mrs. LaVette E. Hennigan (Clerk of Council)

Officer(s) Absent: None

Excused Absence: Mrs. Misener moved, Mr. Pugliese seconded to excuse the Ward 1 Councilor and the Vice President from this meeting; motion CARRIED.

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

Presentations: None

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.

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APPROVAL OF MEETING MINUTES

The Clerk of Council presented the December 16, 2013 Regular Meeting minutes. Mr. Pugliese moved, Mrs. Cook seconded, to waive the reading of the 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 – None

(END OF CONSENT AGENDA)

REGULAR AGENDA

READING AND DISPOSAL OF MEETING MINUTES - None

CITY MANAGER’S REPORT

Harbor Streetscape – Phase 2 – ODOT Agreement, PID 95400

The City Manager requested an ordinance to enter into an agreement with the Ohio Department of Transportation to proceed with the ATB Ashtabula Harbor Streetscape, Phase 2 which provides funding to replace and repair the Point Park stairway, in the estimated amount of \$264,000.00. Funding for this project will be taken from the Public Improvement account. The project is expected to be constructed in 2015. This project has been in the works for a while; this ordinance will allow the project to proceed. Mr. Pugliese moved, Mrs. Cook seconded to grant the Manager’s request; motion CARRIED.

Safe Routes to School (SRTS) – ODOT Application

The City Manager requested an ordinance to file an application with the Ohio Department of Transportation through the SRTS Program. This funding will be utilized to provide sidewalks and infrastructure at the Ashtabula Elementary Campus located on Wade Avenue. Mr. Pugliese moved, Mr. Hamrick seconded to grant the Manager’s request; motion CARRIED.

Walnut Beach Restoration Project

The City Manager requested a resolution on behalf of the City of Ashtabula, in support of the Walnut Beach Park Restoration Project. This is the Hurricane Sandy Resiliency Grant previously discussed, which the City will apply for. Mr. Pugliese moved, Mr. Hamrick seconded to grant the Manager’s request; motion CARRIED.

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Pothole Reporting Procedure

Crews are working to reduce the extensive pothole list by filling them day and night when not snowplowing. To report a pothole call or email:

City Manager Jim Timonere (992-7103) - Jim@ashtabulacity.com;

Executive Assistant Brenda Sanders (992-7103) - BSanders@ashtabulacity.com; or

Public Works (993-7036) - publicworks@cityofashtabula.com

Lake Avenue Street Cuts

The Ward 2 Councilor reported an old street cut in front of Capos Pizza needs attention.

The Ward 4 Councilor asked how long after a street cut is repaired are companies responsible for the cut. She reported all the cuts along Lake Avenue (from Route 20 to West 24th Street) are getting bad, and that Lake Avenue was not too long ago paved. The Manager said he does not believe the City's legislation addresses a timeframe. He said utility companies are easy to work with when it comes to returning to repair their cuts, Aqua Ohio's cuts are holding up, and we have had a significant amount of freeze and thaw which wreaks havoc on roads.

CITY SOLICITOR'S REPORT - No Report

FINANCE DIRECTOR'S REPORT

Formal Legislation Request

RESOLUTION NO. 2014-18, A RESOLUTION REQUESTING AN ADVANCE OF \$200,000 ON THE 2013 PROPERTY TAX SETTLEMENT FROM THE ASHTABULA COUNTY AUDITOR. Mrs. Cook moved, Mr. Pugliese seconded to grant the Finance Director's request; motion CARRIED.

2013 Financials Closed: 2013 financials are closed, the most notable being the year ended with an unencumbered General Fund balance of \$332,000. It was projected to be \$122,000; however income tax revenue came in higher than projected. The Self-Insurance Fund began the year with **(-\$322,000)**, and ended with over \$10,000. The Director said her goal is to continue this trend. A full year-end report will be given at the February Finance & Personnel Committee meeting.

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CITY COUNCIL COMMITTEE REPORTS and COMMUNICATIONS

Community/Economic Development/Parks & Recreation (Mrs. Misener/Mr. McClure)

The Chair reported on the committee's January 13 meeting, as follows:

My Neighborhood Group (meets at St. Peter's Church, 4901 Main Avenue): provided an overview of their projects. On Saturday February 8, from 1:00 a.m. to 3:00 p.m., Jungle Terry will put on a free show at the church, open to the public. Their next meeting is scheduled at the church on Thursday, February 13, at 7:00 p.m. Citizens were encouraged to attend and get involved in what this group is doing. It is difficult for groups to find consistent volunteers because our population is so transient. The Chair applauded the group's efforts.

East 48th Street Park: It is in danger of being abandoned. The City's lease agreement with the railroad is inactive. The Manager and Solicitor will contact the railroad to determine the status of the lease and report back.

Parks & Recreation Board: The Chair attended the Board's January 14 meeting. Board Chair Mr. Earl Tucker presented their 2013 Annual Report, discussed their budget restraints, and what they would like to accomplish. The Chair reported this is an aggressive group which she is glad is in our City because parks are a very important aspect of our community. Ms. Karen Adair from the Nature Conservancy will attend the Board's February meeting to speak about the Walnut Beach Resiliency grant activity.

Next Committee Meeting: February 10, at 4:00 p.m. Mr. Michael Habowski, President & CEO, Ashtabula County Medical Center, will be present.

March Committee Meeting: Mrs. Lynda Annick, President, Ashtabula Downtown Development Association (ADDA), and Mr. Michael Wayman, Chairman, Ashtabula Township Park Commission, will speak with the committee.

Finance and Personnel - (Mr. Ducro IV/Mr. Balog)

The Chair reported on the committee's January 10 meeting, as follows:

Financials: The Finance Director provided a 2013 recap. The Chair reported the numbers were better than projected; however the City continues to seek to be more efficient and fiscally responsible.

Appropriations: The Finance Director explained that by passing our annual appropriations by 'department' versus by 'fund', less appropriation ordinances will be required throughout the year. In order to make this change, at the Director's request, the Chair moved, Mr. Pugliese seconded to formally present the following legislation:

ORDINANCE NO. 2014-20, AN ORDINANCE REPEALING, IN ITS ENTIRETY, ORDINANCE NO. 2013-185, PASSED ON DECEMBER 16, 2013, FOR THE PURPOSE OF AMENDING THE ANNUAL BUDGET ORDINANCE TO REFLECT APPROPRIATIONS BY DEPARTMENT/ACTIVITY RATHER THAN BY SPECIFIC LINE ITEM. The Finance Director explained the City has always passed its annual appropriations by line item versus by department. In doing so the numerous interdepartmental transfers needed per month require the legislative action of Council. During the consolidation of the Treasurer and Auditor Departments into one Finance Department (which took effect on January 1, 2014), a review of policies and procedures was conducted. The Solicitor was consulted regarding annual appropriations being passed by department thereby more efficiently conducting day-to-day business, without affecting the reporting procedure. Council and the public will continue to receive information at the 'line item' level. The motion CARRIED.

ORDINANCE NO. 2014-21 AN ORDINANCE TO PROVIDE FOR AMENDED APPROPRIATIONS BY DEPARTMENT/ACTIVITY FOR THE CURRENT EXPENSES AND OTHER EXPENSES OF THE CITY OF ASHTABULA, OHIO FROM JANUARY 1, 2014, THROUGH DECEMBER 31, 2014; motion CARRIED.

New Telephone System: The Manager told the committee a new phone system will be installed that will save on monthly expenses. Conneaut Telephone Company will provide the equipment at little to no cost. Mr. Ken Johnson, General Manager, Conneaut Telephone Company, will speak about the system at the committee's February 14, 8:00 a.m. meeting.

Bed Tax: The City Manager informed the Committee he would like to enact a bed tax for lodging facilities within the City. The Manager and Solicitor will draft proposed legislation to present to the committee in February. The Manager will gather information from the Convention and Visitor's Bureau and the cities of Conneaut and Geneva.

Vacation Time Accrual: Previous discussion took place regarding the way in which employees accumulate vacation time. It was determined that no change to the process is needed, but that the language regarding 'accrual' should match the language found in union contracts. This item was removed from the committee's agenda roster.

Conforming Boundaries: Saybrook Township Trustees approached the City of Ashtabula to ask that we conform the Saybrook Township and Ashtabula City incorporated boundaries, which would remove the Township's boundaries from the incorporated boundaries of the City. The City seeks to know, for sure, how it will affect the Township Park Levy and the potential usage of the Saybrook Cemetery by Saybrook residents that reside in the incorporated areas of Ashtabula City. The Chair notified Saybrook Township Trustee Bob Brobst the City would like assurance in writing as to how residents and the City would be affected should this request be granted.

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Time Warner Cable (TWC) Phone Service: The committee discussed a method whereby residents would be assured to have reliable Time Warner phone service during an outage. Subsequently the Ward 1 Councilor and the Clerk of Council spoke with Ms. Dorian Waller, Manager-Government Relations for Time Warner Cable NEO, Cleveland Heights, Ohio, regarding a plan to have service dispatched directly to TWC phone customers whose sole phone service is with TWC, and quickly restore their service.

Public Works/Utilities/Schools – (Mr. McClure/Mr. Pugliese)

The Vice Chair announced the committee will meet on Friday, February 7, at 8:00 a.m.

Safety Forces – (Mr. Balog/Mrs. Misener)

The President reported on the committee's Friday, January 17, meeting as follows:

Police Levy: The Police Levy Committee, chaired by the Ward 4 Councilor, is considering evening meetings so citizens may get involved in the levy campaign.

Fire Department

NIMS (National Incident Management System): Fire Chief Pristera commented on compliance requirement changes. He will provide the committee with an update on said requirements to ensure the City meets them.

New Purchase Order and Payroll System: Fire Chief Pristera reported the department is implementing both and sees the benefit of them.

Police Department

US Marshall Task Force (USMTF): Police Chief Stell provided information on work his department is doing with the USMTF, the FBI, and the Ashtabula County Sheriff's Department to tackle area crime.

Civil Service Commission Rules & Regulations (R&R): The procedure for updating the R&R was discussed. The Commission and Solicitor's presence has been requested at the committee's February 21, meeting to discuss the procedure.

Ashtabula Iron & Metal (A.I.M) Property: The Fire Chief and Manager provided an update on the status of this property. The EPA has performed a lot of clean up on site, including removing tire piles. There remain legal issues to resolve between the property owners, the real estate, and the business.

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Former West Avenue School Property (recent fire): The City awaits the EPA update to determine when we may move forward and what will be required to demolish and properly dispose of the structure.

Vacant West Avenue Plaza: The deplorable condition of this vacant structure was discussed. The Manager is aware of one of the storefronts broken window which has left the structure wide open.

Red Cross Hero's Breakfast: Fire Chief Pristera announced the event will be held on Tuesday, March 18, at 7:30 a.m. Tickets are \$25, and may be purchased from him. The President said this is always a nice event to recognize local, hometown heroes.

Procedure for Writing Parking Tickets: Past and present procedures, and how to make the procedure more efficient, was discussed. More will be discussed in an upcoming meeting.

Work Session – No Report

FORMAL LEGISLATION REQUESTS - None

PUBLIC COMMENT (Regular Agenda Legislation Only) - None

LEGISLATION READING

The Clerk of Council presented the following Legislation:

RESOLUTION NO. 2014-18 A RESOLUTION REQUESTING AN ADVANCE OF \$200,000 ON THE 2013 PROPERTY TAX SETTLEMENT FROM THE ASHTABULA COUNTY AUDITOR, (Requestor: Finance Director), was presented. Mr. Pugliese moved, Mrs. Cook seconded to waive the reading of the resolution; motion CARRIED. Mr. Pugliese moved, Mrs. Cook seconded to waive the Charter requirement of two readings. On the roll call to waive the Charter Requirement of two readings: Mrs. Cook, Mrs. Misener, Mr. Hamrick, Mr. Pugliese, Mr. Ducro voted yea; motion CARRIED. On the roll call to adopt the resolution: Mrs. Cook, Mrs. Misener, Mr. Hamrick, Mr. Pugliese, Mr. Ducro voted yea; motion CARRIED.

ORDINANCE NO. 2014-19 AN ORDINANCE APPROPRIATING THE SUM OF \$45,411 FROM UNAPPROPRIATED PERMANENT IMPROVEMENT FUND 412 FOR CAPITAL/TRAFFIC SIGNALIZATION, (Requestor: Finance Director), was presented. Mr. Pugliese moved, Mrs. Cook seconded to waive the reading of the ordinance; motion CARRIED.

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Mr. Pugliese moved, Mr. Hamrick seconded to waive the Charter requirement of two readings. On the roll call to waive the Charter Requirement of two readings: Mrs. Cook, Mrs. Misener, Mr. Hamrick, Mr. Pugliese, Mr. Ducro voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mrs. Cook, Mrs. Misener, Mr. Hamrick, Mr. Pugliese, Mr. Ducro voted yea; motion CARRIED.

ORDINANCE NO. 2014-20 AN ORDINANCE REPEALING, IN ITS ENTIRETY, ORDINANCE NO. 2013-185, PASSED ON DECEMBER 16, 2013, FOR THE PURPOSE OF AMENDING THE ANNUAL BUDGET ORDINANCE TO REFLECT APPROPRIATIONS BY DEPARTMENT/ACTIVITY RATHER THAN BY SPECIFIC LINE ITEM, (Requestor: Finance Director), was presented. Mr. Pugliese moved, Mr. Hamrick seconded to waive the reading of the ordinance; motion CARRIED. Mr. Pugliese moved, Mr. Hamrick seconded to waive the Charter requirement of two readings. On the roll call to waive the Charter Requirement of two readings: Mrs. Cook, Mrs. Misener, Mr. Hamrick, Mr. Pugliese, Mr. Ducro voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mrs. Cook, Mrs. Misener, Mr. Hamrick, Mr. Pugliese, Mr. Ducro voted yea; motion CARRIED.

ORDINANCE NO. 2014-21 AN ORDINANCE TO PROVIDE FOR AMENDED APPROPRIATIONS BY DEPARTMENT/ACTIVITY FOR THE CURRENT EXPENSES AND OTHER EXPENSES OF THE CITY OF ASHTABULA, OHIO FROM JANUARY 1, 2014, THROUGH DECEMBER 31, 2014, (Requestor: Finance Director), was presented. Mr. Pugliese moved, Mr. Hamrick seconded to waive the reading of the ordinance; motion CARRIED. Mr. Pugliese moved, Mr. Hamrick seconded to waive the Charter requirement of two readings. On the roll call to waive the Charter Requirement of two readings: Mrs. Cook, Mrs. Misener, Mr. Hamrick, Mr. Pugliese, Mr. Ducro voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mrs. Cook, Mrs. Misener, Mr. Hamrick, Mr. Pugliese, Mr. Ducro voted yea; motion CARRIED.

RESOLUTION NO. 2014-22 A RESOLUTION SUPPORTING THE WALNUT BEACH RESTORATION PROJECT, (Requestor: City Manager), was presented. Mr. Pugliese moved, Mrs. Cook seconded to waive the reading of the resolution; motion CARRIED. Mr. Pugliese moved, Mrs. Cook seconded to adopt the resolution. On the roll call to adopt the resolution: Mrs. Cook, Mrs. Misener, Mr. Hamrick, Mr. Pugliese, Mr. Ducro voted yea; motion CARRIED.

UNFINISHED BUSINESS - None

NEW BUSINESS - None

MISCELLANEOUS BUSINESS - None

GENERAL PUBLIC DISCUSSION – None

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EXECUTIVE SESSION: None

RECONVENE OPEN MEETING: N/A

ACTION RESULTING FROM EXECUTIVE SESSION: N/A

CLOSING REMARKS

The President reminded everyone to “Remember to Keep Believing in Ashtabula”.

ADJOURNMENT

Mr. Hamrick moved, Mr. Pugliese seconded to adjourn the meeting at 7:35 p.m.

DATE APPROVED: **February 3, 2014**

ATTESTED BY: _____
J. P. Ducro IV
President of Council

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