

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

**Monday, February 3, 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)**

Pastor Doug Wright of First Baptist Church offered the opening prayer and the Pledge of Allegiance was recited.

**Members Present:** Mrs. Josephine Misener (Ward 4 Councilor)  
Mr. Kris E. Hamrick (Ward 5 Councilor)  
Mr. Richard F. Balog (Ward 1 Councilor)  
Mr. August A. Pugliese (Ward 2 Councilor)  
Mrs. Alice T. Cook (Ward 3 Councilor)  
Mr. J. P. Ducro IV (President)  
Mr. Christopher J. McClure (Vice President)

**Member(s) Absent:** None

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

**Officer(s) Absent:** Mr. Michael Franklin (City Solicitor)

**Excused Absence:** None

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

**Presentations:** Police Chief Stell provided an update on the recent Norman Avenue double homicide; noting there were three persons of interest; two were in custody; neither have been formally charged; one is being sought after with information about him being aired on the internet, television and radio. Our Police Department is working with the Violent Fugitive Task Force (VFTF), a federal agency who is able to track persons across state lines, where our Police Department is unable to. He said the incident is tragic, a lot of time is being dedicated to the case, and his thoughts and prayers go out to the family.

The President said he appreciates the efforts our Police Department and the VFTF has put into the case.

**Executive Session:** None

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**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 the following meeting minutes for disposal:

- January 6, 2014 Regular Meeting
- January 13, 2014 Special meeting
- January 21, 2014 Regular Meeting

The President reported his documentation lists meeting minutes for disposal other than what was presented. The Clerk explained that the presiding officer's outline was different than the agenda, and that she would present any necessary changes at the Tuesday, February 18 Regular Council Meeting.

Mr. Balog moved, Mr. Pugliese seconded to waive the reading of the minutes; motion CARRIED. Hearing no corrections, the minutes were approved as presented.

### **FORMAL LEGISLATION REQUESTS**

#### **ORDINANCE**

**2014-26 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE ASHTABULA COUNTY COMMISSIONERS FOR ONE (1) YEAR FOR THE PURPOSE OF PROVIDING PUBLIC TRANSIT SERVICES. (City Manager)**

#### **ORDINANCE**

**2014-27 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A ONE (1) YEAR LEASE AGREEMENT WITH THE ASHTABULA COUNTY COMMISSIONERS TO FACILITATE PUBLIC TRANSPORTATION SERVICES. (City Manager)**

#### **ORDINANCE**

**2014-28 AN ORDINANCE APPROPRIATING THE SUM OF \$6,000 FROM UNAPPROPRIATED PERMANENT IMPROVEMENT FUND 412 FOR CAPITAL/LADDER TRUCK REPAIRS. (Finance Director)**

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Mr. Balog moved, Mr. Pugliese seconded to approve the formal legislation requests; motion CARRIED.

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

**LEGISLATION READING**

The City Manager requested the removal of Ordinance No. 2014-25 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO FILE AN APPLICATION FOR A NATIONAL FISH AND WILDLIFE FOUNDATION'S HURRICANE SANDY COASTAL RESILIENCY GRANT IN AN AMOUNT OF UP TO \$1,000,000, from the agenda. He reported this was part of the Hurricane Sandy Coastal Resiliency Grant the City applied for. It was thought that this ordinance would be needed, however, it has been determined that the Resolution of Support (2014-22 A RESOLUTION SUPPORTING THE WALNUT BEACH RESTORATION PROJECT), Council passed on January 21, is sufficient. Mr. Hamrick moved, Mrs. Cook seconded to grant the Manager's request to remove Ordinance No. 2014-25 from this evening's agenda; motion CARRIED.

**ORDINANCE**

**2014-23 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN "LPA FEDERAL LOCAL-LET PROJECT AGREEMENT" WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE RECONSTRUCTION OF THE STAIRWAY LEADING FROM POINT PARK TO MORTON DRIVE IN THE CITY OF ASHTABULA.  
(City Manager)**

**ORDINANCE**

**2014-24 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO DEPARTMENT OF TRANSPORTATION'S SAFE ROUTES TO SCHOOLS PROJECT AND TO EXECUTE CONTRACTS/DOCUMENTS AS REQUIRED. (City Manager)**

**ORDINANCE**

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Mr. Pugliese moved, Mr. Balog seconded to waive the reading of the Consent Agenda legislation; motion CARRIED. Mr. Pugliese moved, Mr. Balog seconded to waive the Charter requirement of two readings. On the roll call to waive the Charter requirement of two readings: Mrs. Misener, Mr. Hamrick, Mr. Balog, Mr. Pugliese, Mrs. Cook, Mr. McClure, Mr. Ducro IV voted yea; motion CARRIED. On the roll call to adopt the Consent Agenda legislation: Mrs. Misener, Mr. Hamrick, Mr. Balog, Mr. Pugliese, Mrs. Cook, Mr. McClure, Mr. Ducro IV voted yea; motion CARRIED.

**LIQUOR PERMIT REQUESTS**

The Clerk presented the following liquor permit requests:

**NEW:** Cubish LLC dba Rennick Meat Market, 1104 Bridge Street, Ashtabula, OH 44004

**D5L:** Same as 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., except sales till 1:00 a.m. - Revitalization District.

**NEW:** Lakeway Inc, dba Lakeway Delicatessen, 729 Lake Avenue, Ashtabula, OH 44004

**D2:** Wine and certain prepackaged mixed drinks for on premises consumption and in sealed containers for carry out until 1:00 a.m.

Both requests are located in Ward 2. The Ward 2 Councilor announced he had no objections. Mr. Balog moved, Mr. Pugliese seconded to approve the requests; motion CARRIED.

**(END OF CONSENT AGENDA)**

## REGULAR AGENDA

### READING AND DISPOSAL OF MEETING MINUTES - None

#### CITY MANAGER'S REPORT

**Double Homicide:** The Manager echoed the President and Police Chief's sentiments regarding the men and women involved in the investigation, and said he appreciates their help and hard work.

#### Questions and Comments for the City Manager

**Fire Department:** The President commended the Fire Department for their work in addressing the West 4<sup>th</sup> Street fire in extreme cold conditions, coupled with the damage the ladder truck sustained due to the weather. The Manager said the Fire Chief reported that as the ladder truck was being repositioned in negative 30 degree weather, the line that runs the length of the ladder snapped, crushed, and cracked, and now needs to be replaced. The repair estimate may come in lower than the above appropriation request amount of \$6,000.

**Snow and Salt:** The Manager announced a significant snow fall is predicated for tomorrow night into Wednesday. When the snow reaches three (3) inches vehicles are required to be removed from all roads in order for plowing crews to effectively remove the snow. The Manager commended Public Works crews on a job well done clearing roads and spreading salt. He said salt supply is in good shape. One thousand (1000) tons were ordered early, and shipments are slowly but steadily coming in from Pinney Dock, located in our harbor. He does not believe there is a shortage of salt, as has been reported in the news, but more a distribution problem due to the lack of State of Ohio truck drivers, resulting from increased drilling activity which has created a shortage of CDL drivers.

### CITY SOLICITOR'S REPORT - No Report

#### FINANCE DIRECTOR'S REPORT

**2013 Financial Report and Audit:** The Finance Director reported the compilation of our 2013 Comprehensive Annual Financial Report (CAFR), and audit has begun. State auditors are performing the audit rather than an independent firm.

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**Income Tax:** The annual reminder was mailed in the form of a sealed post card. Persons who have not received the post card may call the Income Tax Department at 992-7104, and request it be mailed or electronically submitted.

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

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

**Meeting Announcement:** The Chair announced the committee's next meeting is scheduled for Monday, February 10, at 4:00 p.m. Mr. Michael Habowski, President & CEO, of Ashtabula County Medical Center (A.C.M.C.), will be present.

**Parks & Recreation Board:** The Board will meet on Tuesday, February 11, at 6:30 p.m., in Pre-Council Chambers. Ms. Karen Adair from the Nature Conservancy will speak on the work at Walnut Beach.

**My Neighborhood:** The group is trying to resurrect the West 58<sup>th</sup> Street Park recently renamed Clifford Kadon Presidential Park. On Saturday, February 8, from 1:00 p.m. to 3:00 p.m., they are hosting Jungle Terry at St. Peter's Episcopal Church, located adjacent to South Park on Main Avenue. Attendance is encouraged.

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

**Meeting Announcement:** The Chair announced the committee's next meeting will take place on Friday, February 14, at 8:00 a.m., in the municipal building 2<sup>nd</sup> floor conference room.

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

**Meeting Announcement:** The Chair announced the committee will meet on Friday, February 7, at 8:00 a.m. Mr. Tony Mancari from Aqua OH will speak on their request to the Public Utilities Commission of Ohio for a water rate increase. Because the committee has not met since December follow up items will be addressed.

**Garbage Pick Up:** The Manager announced garbage pickup will remain on schedule the week of February 16, even with the observance of the President's Day holiday on Monday, February 17.

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

**Meeting Announcement:** The Chair announced the committee will meet on Friday, February 21, at 8:00 a.m. The procedure for updating the Civil Service Commission Rules & Regulations will be the topic of discussion.

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**Police Levy:** The Police Levy Committee is scheduled to meet on Thursday, February 6, at 4:30 p.m., in the municipal building 2<sup>nd</sup> floor conference room. He said volunteers are needed.

**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**

**Join Environment Ohio for Letter of Support for Climate Action:** The President reported Council was asked to join in the letter of support for Climate Action, and declined to do so at this time. Mr. Pugliese moved, Mr. Balog seconded, to place on the record, Council’s decision to decline participation at this time; motion CARRIED. The Clerk will notify the requestor of this action.

**GENERAL PUBLIC DISCUSSION** – None

**EXECUTIVE SESSION:** None

**RECONVENE OPEN MEETING:** N/A

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

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**CLOSING REMARKS**

**Next Regular Meeting:** The President announced Council’s next Regular Meeting is scheduled for Tuesday, February 18, at 7:00 p.m., Pre-Council at 6:00 p.m., due to the observance of President’s Day holiday on Monday, February 17.

The President reminded everyone to “Remember to Keep Believing in Ashtabula”. He asked that Ms. Marty Cephas, who is going through some health problems, be kept in our prayers, and that she was the one that led and inspired him to state, at the end of each Regular Meeting, to “Keep Believing in Ashtabula”.

**ADJOURNMENT**

Mr. Hamrick moved, Mrs. Cook seconded to adjourn the meeting at 7:36 p.m.

DATE APPROVED: February 18, 2014

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

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

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

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