

**ASHTABULA CITY COUNCIL MEETING MINUTES**  
**CITY OF ASHTABULA, OHIO**  
4717 Main Avenue, Ashtabula, OH 44004

**REGULAR MEETING**

**Monday, March 2, 2015**

**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, Park Avenue, offered the opening prayer, and the Pledge of Allegiance was recited.

<b>MEMBERS PRESENT:</b>	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)
	Mrs. Josephine Misener	(Ward 4 Councilor)
	Mr. Christopher J. McClure	(Vice President)
	Mr. J. P. Ducro IV	(President)

**MEMBER(S) ABSENT:** None

<b>OFFICER(S) PRESENT:</b>	Mr. James M. Timonere	(City Manager)
	Mr. Michael Franklin	(City Solicitor)
	Mrs. Dana D. Pinkert	(Finance Director)
	Mrs. LaVette E. Hennigan, MMC	(Clerk of Council)

**OFFICER(S) ABSENT:** None

**EXCUSED ABSENCE(S):** N/A

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

**PRESENTATION(S):** 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 efficiently conduct business by grouping routine items and disposing of or enacting them by one motion, a second, and a vote.

**APPROVAL OF MEETING MINUTES** – None

**FORMAL LEGISLATION REQUESTS** - None

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

**LEGISLATION READING**

The Clerk of Council presented the following legislation for City Council's consideration:

RESOLUTION

2015-31 A RESOLUTION DECLARING IT NECESSARY TO RENEW AN EXISTING THREE-TENTHS (0.3) MILL TAX LEVY AND REQUESTING THE ASHTABULA COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE CITY OF ASHTABULA, ASHTABULA COUNTY, OHIO, AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY SUCH RENEWAL LEVY.  
(Senior Center)

ORDINANCE

2015-32 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A SECOND AMENDMENT TO THE JOINT ECONOMIC DEVELOPMENT DISTRICT CONTRACT WITH ASHTABULA TOWNSHIP, OHIO. (Manager)

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

(END OF CONSENT AGENDA)

## **REGULAR AGENDA**

**READING AND DISPOSAL OF MEETING MINUTES** – None

**CITY MANAGER'S REPORT**

**2015 Paving Program Contractor Award**

The City Manager requested an ordinance to enter into an agreement with Ronyak Paving Inc. of 14376 N. Cheshire Street, Burton, OH 44021 for the amount not to exceed \$2,171,470.15 as the most responsible bid for the City of Ashtabula's 2015 Paving Project. Funding for this expenditure will be taken from the Street Permanent Improvement Fund 412. Mr. Pugliese moved, Mrs. Cook seconded to grant the City Manager's request.

Discussion: The City Manager said he will have the full road paving list by the time the legislation is presented for Council's consideration. The Ward 4 Councilor asked if the roads will be provided in the order in which they will be paved. The Manager said, no, the contractor will evaluate how they want to mobilize crews and work through the City. The Councilor then suggested this would mean the streets that were scheduled for paving last year, but did not get paved, may not be the first ones to be paved this year. The Manager said, "The ones scheduled for last year but were not done are in the same area so we can probably ask them to start in that same area this year to get those done. But, ultimately it's up to the contractor." The Councilor said because the bid was submitted based on the streets to be paved, it would stand to reason the company would look at what has to be done, organize their routes in order to remain in an area until completed and then move to another area, rather than moving back and forth across town with their equipment. The Manager said contractors are given the milling depth and the amount of asphalt needed for each road, from which they submit a 'bulk bid', which include catch basins, sewers, and the amount of asphalt needed for the entire project versus street by street estimates. The Manager said last year, after the contractor set their paving program, the City worked with them to get some of the major arteries done first. He anticipates the same will happen this year. The President asked how many bids were received. The Manager responded, five or six, which is more than last year. The President reported that in this evening's Pre-Council meeting the Manager announced this bid will accelerate the project by one year; therefore the hope is to complete years 2 and 3 this year. The Manager confirmed this to be true, due to when the bid was let, thus giving the contractor the ability to start at the beginning of the paving season. The motion CARRIED.

#### **Police Motorcycle Purchase**

The City Manager requested an ordinance to enter into an agreement with Western Reserve Harley-Davidson of 8567 Tyler Blvd., Mentor, OH 44060 for the amount not to exceed \$12,715.00 for the purchase of the 2011 Harley Davidson Motorcycle, previously leased. Funding for this expenditure will be taken from the Police Permanent Improvement Fund 412. Mr. Balog moved, Mrs. Cook seconded to grant the City Manager's request. Discussion: The President asked the Manager to provide him with the amount that has already been paid on the motorcycle. The Finance Director offered to provide the information to the President. The President asked the Manager to expand on the vehicle's use. The Manager reported one officer consistently uses the bike. However, when Police Chief Stell approached him about purchasing the bike he told him yes, but with the caveat that other officers use it, as well. The President said he was encouraged with this report, especially because this will ensure others in the department are equipped to take over should Captain Cornelius retire. The Vice President asked if a level of training is needed to operate the Police Department's 4-wheeler. The Manager responded no. The motion CARRIED.

#### **Bridge Street Parking Lot Improvement Project**

The City Manager requested an ordinance to enter into a contract with Severino Construction Inc. DBA IGR LLC for the Bridge Street Parking Lot Improvement Project in the amount of \$294,533.90 with the immediate acceptance of Change Order No. 1 reducing the contract by

\$102,478.70, Account Number 290-144-5553, titled Parking Facilities . In addition, award Alternate #1 in the amount of \$19,683.00 for asphalt surfacing. The award of Alternate No. 1 is contingent upon the approval of the Revolving Loan Fund Waiver Request. Mr. Pugliese moved, Mrs. Cook seconded to grant the City Manager's request. Discussion: The President asked for the project's anticipated completion date. The City Manager said all Downtown Revitalization grant projects have to be completed by the beginning of August. This project will begin once the snow melts. The President asked how many bidders were there for this project. The Manager responded, four. The motion CARRIED.

#### **Revolving Loan Fund Waiver (RLF)**

The City Manager requested an ordinance to submit a Revolving Loan Fund Waiver Request to the State of Ohio, Office of Community Development, for the use of City RLF funds in the amount of \$35,000. This request will cover additional expenses associated with the paving of the parking lot (on Bridge Street) and a number of bid items that came in higher than anticipated – Account Number 290-180-5425, titled ED Project. Mr. Pugliese moved, Mrs. Cook seconded to grant the City Manager's request; motion CARRIED.

#### **Repeal of Ordinance No. 2014-150**

The City Manager requested the repeal of Ordinance No. 2014-150 for Roto-Rooter storm drain work, due to the majority of this work was completed by the Public Works Department. Mr. Pugliese moved, Mr. Hamrick seconded to grant the City Manager's request; motion CARRIED.

#### **Obsolete Equipment**

The City Manager announced he was deeming the following City equipment as obsolete: Xerox Document Center 460 (serial no. NE4-022923), Systemax Computer Server (inventory tag no. 3222), 70 Nortel Norstar Telephones, and 25 red office chairs. At the request of the President the Manager reported the items may be recycled, thrown away or scraped, auctioned or sold. The Clerk asked the Manager if legislation is required; he responded yes. The President noted the request was 'deeming the equipment obsolete', not requesting legislation to so. The President then announced the request is to have legislation prepared in order to deem the equipment obsolete. Mr. Pugliese moved, Mrs. Cook seconded to grant the City Manager's request; motion CARRIED.

#### **Records Commission Appointment**

The City Manager announced he notified the President that he appointed the Clerk of Council as the citizen member of the City's Records Commission.

#### **Fire Chief Appointment – Intent**

The City Manager announced he notified the President of his intent to appoint Ashtabula City Fire Lieutenant Shawn Gruber as the City's new Fire Chief. He announced that according to the Civil Service Rules, City Council has 10 days to voice their objection to the appointment.

**Questions and Comments for the City Manager**

**Traffic Lights:** The President asked the City Manager to address the traffic lights that are on flashing rather than full signalization operation. The City Manager reported the following:

West 32<sup>nd</sup> Street & Lake Avenue: It is always placed on flashing when the weather is bad because the road become slick and flashing lights aid in plowing.

Jefferson Road & Bunker Hill Road: Operates on old mechanics, so when it gets cold the flash trips, and has to be reset.

Woodman Avenue & Route 20: There are problems with the power going into the boxes from the lines. The City had been working with the Cleveland Electric Illuminating Company (C.E.I.), and thought it was resolved.

Benefit Avenue & Route 20: Should be working properly.

**FINANCE DIRECTOR'S REPORT**

The Finance Director reported a supplemental appropriations ordinance will be presented at the next regular council meeting to address the City Manager's requests from this evening.

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

**Questions and Comments for City Solicitor**

**High Profile Murder Cases:** The President said he noticed the Star Beacon newspaper is beginning to report on that high profile murder cases are starting to go to trial. He asked if any are in our City jail. The Solicitor responded, no, that they have been bound over to the Court of Common Pleas months ago, and moved to the county jail facility.

**CITY COUNCIL COMMITTEE REPORTS and COMMUNICATIONS**

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

The Chair reported the following:

**New Year's Eve Lift Bridge Drop:** Former radio disc jockey (D.J. Hunter) approached the City with the idea of having a New Year's Eve drop like so many other communities around the United States have. The City Manager organized a preliminary meeting which took place last week. Several items have to take place, such as: volunteers, funds, sponsors, entertainment, crowd placement, laser lights vs. fireworks, security, advertising/promoting, size of event, etc. The Manager reported after some of the meeting attendants report back to him he will schedule the next meeting.

**Ashtabula Downtown Development Association (ADDA):** The Association met last week. Their main topic was their concern regarding the appearance of Main Avenue. They have submitted a grant application to Civic Development Corporation (CDC) for murals and some streetscape items. Donations for flowers may be made by going to the gofundme website. Downtown Laughs is scheduled for Friday/Saturday, March 27 & 28, at 6:00 p.m., at Casa Capelli restaurant, at a cost of \$30.00. Local talent is featured, and there are five (5) entries so far. Reservations may be made by calling the restaurant at 992-3700. Attendance was encouraged.

The Committee chose not to meet in March due to the Council Work Session scheduled for Monday, March 9, at 4:00 p.m.

Parks & Recreation Board: The Board will meet on Tuesday, March 10, at 6:30 p.m., in Pre-Council Chambers.

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

**Meetings:** The Chair reported the committee will not meet in March since financial matters will be discussed at the Monday, March 9, 4:00 p.m. work session. The Committee's next meeting is scheduled for Friday, April 10, at 8:00 a.m., in the Municipal Building 2<sup>nd</sup> floor conference room.

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

The Chair announced the committee will not meet in March. They will meet on April 3, at 8:00 a.m., in the Municipal Building 2<sup>nd</sup> floor conference room.

**Questions and Comments for the Public Works/Utilities/Schools Committee**

**Parking:** The Ward 4 Councilor asked if this committee or the Safety Forces (SF) Committee is the committee at which parking prohibitions and signs are discussed. The President announced that parking prohibitions are covered in Public Works. The SF Committee Chair said they have been covered in both. At the request of the SF Chair the Clerk of Council said traffic sign requests are presented to the PW/U/Schools Committee, while signs and studies may be presented to the SF Committee.

**No Parking on South Side of Mattson Drive:** The Ward 4 Councilor announced she has received a request for no parking on the south side of Mattson Drive due to Lake Avenue residents parking on the road, thus creating congestion. The Clerk announced this request could go directly to the Manager this evening for the purpose of instructing the Police Division to conduct the traffic study. This way it will be ready to be discussed at the next SF Committee meeting scheduled for the end of this month. She said this would be the efficient manner in which to address the request. The Manager reported he has seen vehicles parked on the north side of Mattson Drive, on the sidewalks, but not on the south side, which spans the length of the doctor's office parking lot.

**Revisit Parking Prohibition on East 45<sup>th</sup> Street (on the bend closest to Valleyview Boulevard):**

The Ward 4 Councilor reported when the request to prohibit parking on the bend was first presented, Police Chief Robert Stell reported letters are sent to all residents who would be affected, in order to get their opinion. The Ward 4 Councilor said she believes it is the City's responsibility to address safety issues and not leave it up to residents who want to continue to park on the street, for the sake of convenience. The Councilor said if enough cars park on the bend it creates a safety issue, even when there is no snow, and believes the Police Division and Council should make the final determination, not the residents – as was the process when she previously served on Council. She asked that the request be revisited. The Manager asked the Councilor if she wanted the study to be on a particular side or both. The Councilor responded one side, while not favoring one over the other. The Clerk of Council suggested the south side of the road because there is presently a parking prohibition on the south side from 1820 East 45<sup>th</sup> Street to State Road.

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

The Chair announced the committee will meet on Monday, March 23, at 4:00 p.m., in the Municipal Building 2<sup>nd</sup> floor conference room. He reported there is a lot of Safety Forces operations to catch up on.

Residential Road Speed Limits: The Chair reported the City Solicitor issued a clarification of the state law which says when speed limits are not posted on residential roads, the speed is 25 mph. The chair reported the committee will consider requests from two residents for speed limit signs to be posted on their roads.

**Questions and Comments for the Safety Forces Committee**

**Ohio Bureau of Criminal Investigations (OBCI):** The Ward 5 Councilor reported receiving a phone call this morning from the OBCI. They are trying to schedule a representative to be available for the SF Committee's April 27, meeting. The Chair asked that the information be provided to the Clerk of Council for agenda purposes.

**Work Session:** The President announced Council will meet in a work session, open to the public, on Monday, March 9, at 4:00 p.m., to discuss the following items:

- Permissive Tax (Auto Licenses)
- Financing Ohio Environmental Protection Agency (OEPA) Waste Water Treatment Plant (WWTP) Findings
- Collection procedures for unpaid City sewer, trash, and income taxes.

**FORMAL LEGISLATION REQUESTS** - None

**PUBLIC DISCUSSION** (Regular Agenda Legislation Only) - None

**CONSENT AGENDA DISPOSAL REQUEST** – N/A

**LEGISLATION READING** - None

**UNFINISHED BUSINESS**

**Acknowledging Ohio State University's Head Football Coach Urban Meyer:** The Ward 2 Councilor said he hopes something is going to be planned this summer to honor Coach Meyer and his first Ohio State Championship win, when he is in town hosting a youth football clinic at the Spire.

**NEW BUSINESS** - None

**MISCELLANEOUS**

**Vacant Commercial Buildings**

**Former TOPS Grocery Store (West Avenue & Route 20):** The Ward 4 Councilor reported giving more thought to the topic of this structure after it was discussed in this evening's Pre-Council meeting, and remembered it was up for auction last year. The Manager said he believes it was pulled from the auction, and that a retailer has been negotiating with Diversified Development.

**Former West Avenue Elementary School (razed after burned):** The Ward 4 Councilor asked for a status report on the persons whom the Manager reported were interested in the property once it was cleared and cleaned. The Manager reported the property has to be put out for auction, and hopes to do so in the spring.

**Ace Hardware:** The Manager announced that over the weekend the Star Beacon reported Ace Hardware is coming to the Harbor Plaza.

**Former Park Haven Home (Park Avenue):** The Ward 2 Councilor asked the Manager if he has an update on the status of the structure. The City Manager said the Fire Department and Housing Inspector have been reviewing the property and have sent letters to the owners, who will face charges. The Manager said the sprinkler system erupted causing significant damage to the structure. He reported the structure has not been maintained, and the owners will have to answer to this charge in court.

**Former St. John School (Station Avenue):** The President asked if the situation at this structure is the same as the former Park Haven Home. The Manager said yes, and that it is extremely disappointing.

The Ward 2 Councilor asked if there is heat in the above structures. The Manager said, "There is not". He said the problem was detected when someone witnessed water flowing out the front door which flooded the outside of the building.



**Point of Sale Inspections:** The Manager reported that when he presented the need to enact 'Point of Sale' (POS) inspection legislation it was immediately "shot down". He believes such legislation is needed for residential and commercial properties. He said Park Haven and St John School properties were sold to owners who had no intentions, or the financial means (in the case of St John), to do anything with them. He said the City needs to have control of who is purchasing properties. He said it is not uncommon for investment firms to hold properties for the mere sake of having them as part of their portfolio; however are doing nothing to maintain the structures. They charge hundreds of dollars for rent in structures that humans should not inhabit, and such conditions are discovered once inspections are performed, at a later date. He suggested revisiting the enactment of POS inspections so we may hold people responsible for repairing properties before or immediately after they are flipped, with conditions for noncompliance. The City Manager said he knows many realtors will not support this, but we are at a point now where this needed to be addressed. He said the way it would work is before the County Auditor or Recorder is permitted to transfer a deed they would be required to have something from the City authorizing the transfer. At present, properties which are in terrible condition, are on our demolition roster, or have been condemned, the County Auditor's office is notified that there is a 'do not transfer' order, and these properties may be seen on the County Auditor's website. He said this would be for the exterior inspections only, for items such as gutters falling off, paint peeling, porch falling off, or if we know there is interior damage such as is the case at Park Haven. He said if Park Haven was addressed after it was purchased, it could have been saved. He said, "I don't think it can be saved now; and that's a shame. And, someone should have to be held accountable, and not just have to pay a demo cost or just walk away from it. Because, you have to remember, too, these companies form individual LLCs for ever little piece of property they buy. We have one company called Harbor Portfolio. I think we're on Harbor Portfolio 14, right now, of just properties that they buy in town – and they're out of Arizona."

City Solicitor: We've tried to track that particular investor down because of the number and the types of homes they owe and their continuous violation of our Housing Code. And, as far as – we haven't had a lot of success because you don't have to identify the owner of a limited liability company (LLC) to form it in Ohio. You can hire an attorney who just walks in and forms the limited liability company and the attorney acts as the statutory agent and everything filters through the attorney. So the legal person is Harbor Portfolio – fill in the number – 4 through 14. And, that is the owner of the property. And, we are forced to deal with that owner. Well that owner has, as its only asset, the piece of property you talk about; they owe nothing else. They have no reserves you can go after. If you could find out who they were in Arizona, you might write some nasty letters to them. But, it's an incredibly frustrating thing. And, I'm not sure the City of Ashtabula has the power to change that part of it. But, I think the State of Ohio needs to look very seriously at, if you're going to be a real estate owning limited liability company or corporation in the state of Ohio you need to have a responsible party here that will do more than accept letters and forward them on to some unknown owner."

Ward 4 Councilor: Shouldn't we petition our state representatives and congressmen to do something, rather than knowing this problem exist and not reaching out.

City Manager: We have reached out to State Representative John Patterson, and it has been discussed at the county level. He said foreclosures have also been discussed because financial institutions issue foreclosure letters but are not taking possession of the properties. He said a lot of transactions are taking place between financial institution and LLCs because they are trying to get the properties off their books. Therefore a 'for sale' sign may never be posted but a transfer from the financial institution to another entity has taken place. What I have championed is once a foreclosure has been issued there should be a limited amount of time for the transaction to be completed. Banks are releasing mortgages they foreclosed (free and clear) after they are approached about violations on said properties (which are so undervalued versus what is owned on them) to eliminate their liability, but are not notifying the owners they foreclosed on. In my opinion this is the biggest problem with the foreclosure process across the country. The millions of dollars we have received to raze these structures would never have had to be paid out if they had of been maintained.

Ward 4 Councilor: This is deliberate actions on their part.

City Manager: Absolutely.

Ward 4 Councilor: Is this a matter for the Attorney General.

City Manager: Those are the trees that we've been barking up.

Ward 4 Councilor: The Attorney General doesn't want to listen.

City Manager: It's not that they don't want to listen, but you got to remember the banks have much bigger lobbyist than the City of Ashtabula.

City Solicitor: The attorney generals of a number of states sued a number of the larger bank corporations not to long into the mortgage crisis. I would say it was around 2009 that they filed suit. And, they got a settlement. Some of the funds from that settlement have filtered their way into the coffeours of the City of Ashtabula and we've used them to tear down some of, what the Manager calls, zombie properties. But, what the Manager and I have talked about, from time-to-time, and I believe we've tried to, at least pass it on to the county level, and state where possible, is that that settlement really didn't address the problem that goes on and on and on, which is the banks hold mortgages on properties which they have no intention of taking possession of or attempting to manage and resale. And, thereby, they take those properties off the market. There's no beneficial use that can be made of a property that's worth \$40,000 with \$110,000 mortgage that's in default against it. But, the banks either by regulation or by negligence aren't allowed to just release the mortgage. And, this is the problem that's not been addressed; the mortgages should never have been placed on those properties.

It was a fraudulent process that resulted in those huge mortgages being placed on these properties and that is what knocked the bottom out of the real estate market; and that has not been addressed. It seriously has not been addressed – all these zombie properties out here.

Ward 4 Councilor: Is the Harbor Portfolio 14 recent.

City Manager: I've been dealing with them ever since I came into office.

Ward 4 Councilor: 14 is a lot.

City Manager: There are companies that own a lot more than that, within the City.

**Lake Avenue Road Bump:** The President asked if there is an update on this much needed road repair or if we are just waiting for a thaw. The Manager responded, we are waiting for a thaw but have had Aqua Ohio and our staff on site. It is not believed to be an infrastructure problem right now. Two repair quotes have been secured. It would entail cutting a 20 x 30 foot section of the road for \$5,800 increasing to \$8,000 plus for time and material. After the road is excavated we don't know how deep down we have to go to find solid ground and how much fill will be needed. He said he hesitates to do anything at this time because of the weather and because it would only be filled with gravel until the spring when a top coat can be placed on top of it. The Manager said it was suggested a hole be punched in the hump to see if it would relieve pressure, but is doubtful. He said it appears to be a 'ground water table' issue right now, which is the same thing that is happening in front of the back doors of the municipal building due to 'no thaw' conditions and an average February temperature of 14 degrees, and 24 inches of snow on the ground that is not melting. The Manager said potholes are not unique to the City (they are worse in the Cleveland Clinic area). He said crews are trying to address them when the weather is dry and warmer. He said they filled and patched holes on East 46<sup>th</sup> Street, which road took a pounding from plows.

**Pothole Hotline:** The Manager announced that at the last Council meeting, the Ward 2 Councilor suggested the enactment of a pothole hotline. He said Public Services Superintendent Larry Meaney liked the idea, has worked with the phone company, and will get it in place as soon as the lines are hook up.

**Former City Hall Building (4400 Main Avenue):** The Ward 4 Councilor asked the Manager what is being done to raze the structure. The City Manager said, "We are searching for grant money to do that. We actually hoped to do it this year in conjunction with the downtown grant because we can use that as match. So, with the plan to do that next year with the downtown we will again try to apply for an allocation grant to do the demo next year. There is asbestos in the building but it is not as bad as we were told. If the asbestos is in the plaster and the plaster has fallen it will have to be treated differently."

**GENERAL PUBLIC DISCUSSION**

**Mr. Ed Drum, 5025 Dunsmore Avenue:** asked the Solicitor how a City Council seat is filled if a member of Council passes away, resigns, or is unable to fulfill their term. The Solicitor responded, "In the case of a ward councilor or an at-large councilor, if there is a vacancy in the office, the vacancy is filled by, in the case of Republicans and Democrats, by the party which nominated that person. And, in the case of an Independent candidate, by the committee which the candidate identified on his or hers nominating petition. That vacancy is filled until the next municipal election, by the nominating entity, if you will". The President commented that Independent candidates do not identify a party. The Solicitor responded, "On the petition forms you are to fill in the names of a committee that you nominate, usually family and friends – whoever's helping you in your campaign. And, they stand in the shoes of a political party if there is a vacancy". The Vice President said he believes the Ward Councilor's term is filled for the unexpired term, and at-large is until the next soonest election. The Solicitor said he did an opinion on it a few years ago, and believes it was when Mr. Pugliese was appointed. The Vice President reiterated his statement regarding how long the fulfilled terms are for.

**Ms. Patricia Blum, 1540 West 17<sup>th</sup> Street:** asked if the City is going to start the curbside recycling program that has been discussed. The Manager responded, yes. "We still have the grant funds (\$200,000). The issue right now is that the Ashtabula County Solid Waste District has been having trouble getting bids together for their county recycling, which was suppose to tailor off of ours. We were going to do Monday and Friday's route, as curbside recycling. That's still the intention. A lot of things have changed in the last year that's making this harder for us. First all the commodities of all this recycling has pretty much dried up. Where people in communities were getting paid for that recycling now it's costing them for recycling. And as you saw we couldn't take glass any more down at our recycling station. So, we're still working through all the details with that, with Waste Management at the landfill to possibly have a drop off area there that our trucks can bring stuff to. But, I would still like to implement that curbside recycling. And, it's actually in the County's master plan that the EPA prepared for our Solid Waste Plan - that 90% of the county has to have some type of recycling access. And, in order for them to meet that plan the City of Ashtabula and the City of Conneaut both have to agree to do curbside recycling. So, that's why we jumped on that grant when we did. So, it's still the intention to do it."

**Lake City Plating (LCP):** Ms. Blum said while she respects LCP for doing business in our City, she does not believe they have respect for the way in which their employees park on West 17<sup>th</sup> Street during snow periods, and the trouble it causes West 17<sup>th</sup> Street residents.

**EXECUTIVE SESSION:** None

**RECONVENE OPEN MEETING:** N/A

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

**CLOSING REMARKS**

**Members of Media**

The President acknowledged the presence of two new members of the media: Mr. Matt Hutton, Editor – Star Beacon, and Mr. Tim Cleveland, Reporter, Jefferson Gazette. He welcomed them and asked that they let us know if there is anything we may do to help them to do their jobs.

**Meetings**

The President announced the next Regular Council Meeting is scheduled for Monday, March 16, at 7:00 p.m.; Pre-Council at 6:00 p.m.

The President reported Council will meet in a Public Hearing on Monday, March 16, at 5:45 p.m., to hear comments regarding Mr. Bill Hamilton’s request to vacate Easy Street (a paper street off Benefit Avenue).

**Encouragement:** The President asked everyone to “Remember to Keep Believing in Ashtabula”.

**ADJOURNMENT**

Mr. Pugliese moved, Mrs. Cook seconded to adjourn the meeting at 8:03 p.m.

DATE APPROVED: April 6, 2015

ATTESTED BY: J.P. Ducro IV

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

ATTESTED BY: LaVette E. Hennigan

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