

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

**Monday, March 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.

A moment of silence was observed for the passing, last weekend, of Mr. Angelo Masters, an Ashtabula City Public Works employee who served 22 years, retiring in 1986.

**Members Present:** 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. Kris E. Hamrick (Ward 5 Councilor)  
Mr. Christopher J. McClure (Vice President)  
Mr. J. P. Ducro IV (President)

**Member(s) Absent:** None

**Officer(s) Present:** 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:** None

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

**Presentations:** None

**Announcement:** The President congratulated Lakeside High School Senior, Kyle Conel, for placing 1<sup>st</sup> in this year's State Wrestling championships, Division 1. He is the only student in the history of Ashtabula Area City Schools to place 1<sup>st</sup> at State Wrestling Championships. A resolution acknowledging Kyle's accomplishment will be presented at an upcoming Council meeting.

Ashtabula City Regular Council Meeting  
Monday, March 3, 2014

**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 **February 18, 2014 Regular Meeting** minutes for disposal. 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** - 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**

#### **Health Insurance Consultant**

The City Manager requested an ordinance to enter into a two year agreement with Giangola Insurance Agency of 1000 Lake Avenue, Ashtabula, OH 44004 in the amount not to exceed \$15,000.00, annually, payable in monthly installments of \$1,250.00. Funding for this expenditure will be taken from Account Number 602-140-5420. Mr. Pugliese moved, Mrs. Cook seconded to grant the Manager's request. The Manager reported there to be no increase in the contract rate. The motion CARRIED.

Ashtabula City Regular Council Meeting  
Monday, March 3, 2014

**Police Computer Equipment Maintenance Agreement**

The City Manager requested ORDINANCE NO. 2014-32, AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH T.A.C. COMPUTER, INC., of 76036 First Place B-10, Oakwood Village, OH 44146, FOR MAINTENANCE AND SERVICE OF POLICE DIVISION COMPUTER EQUIPMENT, in the amount not to exceed \$18,234. Funding for this expenditure will be taken from Account Number 101-118-5705. Mr. Balog moved, Mrs. Cook seconded to grant the Manager's request. The Manager noted this contract's pricing has been consistent. The motion CARRIED.

**Publication of Public Notice**

The City Manager requested ORDINANCE NO. 2014-31, AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE ASHTABULA STAR BEACON of 4626 Park Avenue, Ashtabula, OH 44004, FOR ONE (1) YEAR FOR THE PURPOSE OF PROVIDING NEWSPAPER PUBLICATION OF PUBLIC NOTICES, in the amount not to exceed \$8.93 per column inch from Saturday through Friday. Funding for this expenditure will be taken from Account Number 101-140-5320. Mr. Pugliese moved, Mrs. Cook seconded to grant the Manager's request. The Clerk of Council reported as long as she could remember public notice requests for Friday print were at a lesser rate than all other days. She asked if this will hold true with the new contract. The Manager will check. The motion CARRIED.

**Annual Bridge Inspections**

The City Manager requested RESOLUTION NO. 2014-30, A RESOLUTION GIVING CONSENT TO THE STATE OF OHIO'S DIRECTOR OF TRANSPORTATION FOR BRIDGE INSPECTION SERVICES WITHIN THE CORPORATE LIMITS OF THE CITY OF ASHTABULA, OHIO, under a Federally funded Statewide program through ODOT. This program will provide bridge inspections at no cost to the municipality. Mr. Pugliese moved, Mr. Hamrick seconded to grant the Manager's request. The Manager reported this agreement will result in an annual savings of \$6,500, and will only cover the bridges the City is responsible for, which excludes railroad bridges. The motion CARRIED.

**Properties for Demolition**

The City Manager requested ORDINANCE NO. 2014-34, AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH MEDICO SYSTEMS, INC., OF 1949 FORMAN ROAD, JEFFERSON, OH 44047, for an amount not to exceed \$63,480, FOR ASBESTOS ABATEMENT AND DEMOLITION SERVICES TO ABATE FOUR (4) VACANT AND BLIGHTED STRUCTURES. Funding for this expenditure will be taken from Account Number 290-162-5485. Mr. Pugliese moved, Mr. Hamrick seconded to grant the Manager's request. The Manager reported this is Round 2 of the Moving Ohio Forward funding to demolish structures. Four (4) properties will be abated and demolished (1559 Laird Drive, 1644 West 4<sup>th</sup> Street, 1802 Lake Avenue, and 1008 West 43<sup>rd</sup> Street). There are another three to four homes to be demolished with the remainder of the Moving Ohio Forward funding. He hopes to have the list of properties for demolition to Council at the first meeting in April.

Ashtabula City Regular Council Meeting  
Monday, March 3, 2014

The properties have been identified. What has to be determined now is how much asbestos is present, the cost to remediate it, and how to make sure the entire \$200,000 is spent. The motion CARRIED.

### **City Telephone System**

The City Manager requested an ordinance to enter into an agreement with Conneaut Telephone Company of 224 State Street, Conneaut, OH 44030 for the purpose of upgrading the telephone services for the City of Ashtabula. Mr. Pugliese moved, Mrs. Cook seconded to grant the Manager's recommendation. The Manager reported the City's phone costs will reduce by 10% compared to what we currently pay Windstream. The Public Works, Fire, City Hall Annex, and City Hall buildings will be linked together. Handsets, new telephone service, and fiber lines are being provided at no cost to the City. The motion CARRIED.

**Council Chambers Sound System:** The Ward 2 Councilor reported the Manager was asked to have Conneaut Telephone Company/Suite224, (or another firm), look at the Council Chambers sound system, because complaints of viewers not being able to hear the televised meeting has begun again.

### **Questions and Comments for the City Manager**

**Demolition Funding:** The President recapped demolition grant funding sources the City has received: Neighborhood Stabilization Program (NSP) funds razed several structures; and this evening's Medico Systems legislation represents the second round of Moving Ohio Forward (MOF) funding, all of which will be used within the next couple of months. The third source of funding is the Hardest Hit Fund (HHF). The City is eligible for participation as a 'land banking community'. This funding is tied to foreclosure settlements. The Manager reported there are several restrictions tied to HHFs, much like when the NSP first came out. Several restrictions were placed on NSPs until it was realized that some restrictions were going to hamper the program's success. The HHF has already changed and begun to morph as more municipalities and land banks seek these funds, in that some restrictions have been removed in order to make demolition activity less cumbersome. The HHF will run through the County's Land Bank, a seat on which the City has. The County has asked the City to participate in putting together the request for these funds due to our success in securing NSP and MOF demolition funding. An example of one of the HHF program restrictions is that the County Land Bank may be forced to own some of the properties we identify for demolition within our City limits. The hope is that more restrictions are lifted as more municipalities seek to participate.

The President reported there was discussion about other restrictions possibly being modified related to asbestos abatement in neighborhoods, 'and within certain distances', and asked for an update. The Manager responded, he submitted a letter to all our state and federal representatives, the Environmental Protection Agency (EPA), and the Attorney General's Office.

He explained how we had just secured a bid for demolition and over 60% of the demolition cost was to abate asbestos; resulting in a reduction in the number of structures that may be razed. "We know they're looking at it. Whether they're going to come up with a solution - and we feel there is a solution - a very safe and responsible way to demolish structures without going through abatement as they do now." He said there are fees associated with abatement, people profit abatement activity, they have bigger lobbyist than we do, and believes this to be one of the reasons abatement is so expensive. He said with the enactment of more demolition programs, with more money going towards abating a structure, and the more municipalities participating, the more attention is being brought to the fact that half of the money is spent to abate rather than demolition. With these realizations we are hoping there will be a change.

**Former West Avenue Elementary School Building Fire Remnants:** The President asked for an update on razing the burned structure. The Manager reported our consultant has informed him that something would be reported to the City by Wednesday.

**Street Cuts:** The Ward 2 Councilor reported there are several bad street cuts, even some that were recently repaired, due to the extreme freeze and thaw we have experienced this winter. He is hopeful the responsible parties will make them right. The Manager said discussions have already begun.

**West 10<sup>th</sup> Street and Joseph Avenue:** The President asked the Manager for an update on the waterline leak that was freezing and causing a hazardous slushy and icy condition, and asked if he was able to visit the site. The Manager said had no update to report, that he was unable to visit the site, but believes it is taken care of because he did not receive a call from Aqua, OH water company.

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

**FINANCE DIRECTOR'S REPORT**

**City Income Tax Returns:** The Finance Director issued a reminder it is income tax time. She said there are various ways to take care of taxes, including a payment option located on the City's website home page. The Director invited calls to her department if help is needed.

**Sewer/Trash (S/T) Payment:** The Finance Director announced S/T payments may also be made by selecting the payment option found on the City's website home page.

**CITY COUNCIL COMMITTEE REPORTS and COMMUNICATIONS**

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

**Meeting Announcement:** The committee will meet on Monday, March 10, at 5:00 p.m. Mr. Michael Wayman, Chairman of the Ashtabula Township Park Commission, and an Ashtabula Downtown Development Association representative, will be present.

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

**Meeting Announcement:** The Chair announced the committee will meet on Friday, March 14, at 8:00 am.

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

**Meeting Announcement:** The Chair announced some of his members will not be available for the Friday, March 7, 8:00 a. m., meeting, and asked the Manager if he had anything for the agenda. The Manager said he waits an updated map of the Comprehensive Paving Project, and doubts it will be available by Friday. The Chair suggested the map discussion be placed on a Pre-Council agenda once it arrives. He then asked the Manager if Public Services Superintendent Dominic Iarocci had anything; the Manager will check and let the Chair know.

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

**Meeting Announcement:** The Vice Chair reported on the committee's February 21 meeting, as follows:

**Fire Department:** Fire Chief Ronald Pristera reported the Department is undergoing mandated training, are spending a lot of time conducting construction inspections, fire examines were scheduled for February 22, and the fire truck will return in two weeks from getting repaired. The Manager reported the truck has not returned yet.

**Police Department:** Police Chief Robert Stell reported April Police examines are not yet confirmed.

**Civil Service Commission Rules & Regulations (R&R):** Two options were presented on the procedure to update the R&R:

- Enact legislation to repeal the rules in their entirety and enact legislation setting forth a completely new set of rules; and
- Enact legislation to repeal and replace individual R&R, and then charged the City Solicitor and Civil Service Commission Chair with the task of incorporating changes into the R&R document and distributing said document to the appropriate persons.

Ashtabula City Regular Council Meeting  
Monday, March 3, 2014

- After much discussion the Solicitor strongly suggested option two; the committee concurred with the Solicitor as the City's legal advisor, and voted accordingly.

The Vice Chair entertained a motion, Mrs. Cook seconded to accept option two as policy, with the inclusion of the Civil Service Chair and City Solicitor being charged with the responsibility of ensuring the document is updated and distributed to the appropriate persons; motion CARRIED.

#### **Questions and Comments for Committee**

**Police Levy:** The President announced the following Community Informational/Q&A Session's have been scheduled, for the purpose of providing the public the opportunity to engage the Police Department on the upcoming Police Levy scheduled to appear on the May 6 Primary Ballot:

Tuesday, March 25 @ St Peter's Episcopal Church (Main Avenue);

Wednesday, March 26 @ People's Baptist Church (West Avenue), and

Thursday, March 27 @ Zion Lutheran Church (West 9<sup>th</sup> Street), @ 6:00 p.m.

**Meeting Announcement:** The Vice Chair announced the committee's next meeting is scheduled for Friday, March 21, at 8:00 a.m.

**Work Session:** The President announced Council will meet in a Work Session on Monday, March 10, at 4:00 p.m. The Western Reserve Land Conservancy (WRLC) will speak to Council about the work they do to establish Vacant Property Inventory's for Land Bank purposes.

The Manager reported one of the issues floating around regarding the Hardest Hit (demolition) Fund is target areas will be required. Previous demolition funding could be used in areas scattered throughout the City. The WRLC has enacted a program where they survey every parcel regardless of whether a structure is on the parcel or not, creates an inventory, photographs it, puts it in a data base format, and assigns an exterior structure rating of A through F. The Manager reported WRLC conducted the program in the City of Lorain, OH, is signing up more communities, and we want to make sure we get on their list. They will provide a tentative cost estimate to conduct the survey. There are funds in the City's Code Enforcement (CE) account to pay for the project, but we want to see if another program will fund it before using CE funds.

The Vice President asked if eminent domain is a factor, and will the survey provide a plan of action. The Manager responded eminent domain is not a factor, and WRLC will give the completed survey to the City to use as deemed appropriate.

Ashtabula City Regular Council Meeting  
Monday, March 3, 2014

The Manager reported technology exist that will allow the vacant property survey to have a layer placed on top of it showing crime statistics in the surveyed areas. He said it is not uncommon for surveys to reveal that areas thought to have a high crime rate, due to vacancies, is not the case.

**FORMAL LEGISLATION REQUESTS** - None

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

**LEGISLATION READING**

The President entertained the option to dispose of the Legislation Reading by a consent agenda format. Mr. Balog moved, Mr. McClure seconded to do so; motion CARRIED.

The Clerk of Council presented the following legislation:

**RESOLUTION**

**2014-30** A RESOLUTION GIVING CONSENT TO THE STATE OF OHIO'S DIRECTOR OF TRANSPORTATION FOR BRIDGE INSPECTION SERVICES WITHIN THE CORPORATE LIMITS OF THE CITY OF ASHTABULA, OHIO.

**ORDINANCE**

**2014-31** AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE ASHTABULA STAR BEACON FOR ONE (1) YEAR FOR THE PURPOSE OF PROVIDING NEWSPAPER PUBLICATION OF PUBLIC NOTICES.

**ORDINANCE**

**2014-32** AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH T.A.C. COMPUTER, INC., FOR MAINTENANCE AND SERVICE OF POLICE DIVISION COMPUTER EQUIPMENT.

**ORDINANCE**

**2014-34** AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH MEDICO SYSTEMS, INC. FOR ASBESTOS ABATEMENT AND DEMOLITION SERVICES TO ABATE FOUR (4) VACANT AND BLIGHTED STRUCTURES.

Mr. Pugliese moved, Mr. Hamrick seconded to waive the reading of the legislation; motion CARRIED. Mr. Pugliese moved, Mr. Balog seconded to waive the Charter requirement of two readings.



Ashtabula City Regular Council Meeting  
Monday, March 3, 2014

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

### **UNFINISHED BUSINESS**

**Street Sweeper:** The President asked if the new equipment has arrived. The Manager responded yes. He said he plans to speak with Public Works employees about his intention to put up for bid a night shift that would work two to three weeks in order to get the entire City swept. Moving forward the same plan would be enacted once at the beginning of the spring, summer and fall seasons. He said this will make a big visual and collection system difference.

The President suggested manually sweeping Route 20/Prospect Road sidewalks so the large amount of dirt may be removed from them prior to the sweeper being used.

The Ward 2 Councilor asked the Manager to issue a notice to residents, close to the time the street sweeper is scheduled, so vehicles may be removed from the roads. The Manager agreed this would be very helpful.

The President said there are several pieces of concrete on the Route 20/Prospect Road overpass due to the freeze/thaw, and asked if the street sweeper will be able to remove them. The Manager said it will be addressed.

**NEW BUSINESS** - None

### **MISCELLANEOUS BUSINESS**

**Downtown Laughs:** The President announced this event is an Ashtabula Downtown Development Association (ADDA) fundraiser scheduled for Friday and Saturday, March 21 and 22. Doors open at 6:00 p.m., Dinner at 6:45 p.m., Show at 8:00 p.m. He said it is a nice event for a good cause, and encouraged attendance.

**'Dogs Days of Summer':** The Lake Erie Dog Park Association will host this event at Smith Field Dog Park on Sunday, August 3, from 1:00 p.m. to 5:00 p.m. A permit is required to host the event at the Park.

**Smith Field Dog Park Winter Usage:** The Manager said the walking track at Smith Field is used in the winter but does not believe he has seen anyone using the dog park. Mr. Tucker said he has seen activity only in good weather.

Ashtabula City Regular Council Meeting  
Monday, March 3, 2014

**GENERAL PUBLIC DISCUSSION** - None

**EXECUTIVE SESSION:** None

**RECONVENE OPEN MEETING:** N/A

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

**CLOSING REMARKS**

**Next Regular Meeting:** The President announced the next Regular Council Meeting is scheduled for Monday, March 17, at 7:00 p.m., Pre-Council at 6:00 p.m.

The President said Ms. Marty Cephas, the citizen who coined the “Remember to Keep Believing in Ashtabula” slogan, is out of the hospital, back at home, and doing well. “Welcome home Marty”.

**ADJOURNMENT**

Mr. Hamrick moved, Mr. Balog seconded to adjourn the meeting at 7:45 p.m.

DATE APPROVED: **March 17, 2014**

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

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

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

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