

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

**REGULAR MEETING**

**Monday, May 4, 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.

**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)

**MEMBER(S) ABSENT:** 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, MMC	(Clerk of Council)

**OFFICER(S) ABSENT:** None

**EXCUSED ABSENCE(S):** Mr. Pugliese moved, Mrs. Cook seconded to excuse the Vice President from this meeting; motion CARRIED.

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

**PRESENTATION(S):** None

**EXECUTIVE SESSION:** N/A

**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**

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

- April 6, 2015 Regular Meeting
- April 20, 2015 Regular Meeting

Mr. Balog 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**

#### **Purchase of Vehicles for City Departments**

The City Manager requested authorization to execute a change order to a previously authorized purchase of four (4) vehicles from Nassief of 1059 State Route 46 N, Jefferson, OH 44047 in the amount not to exceed \$1,134.00, for a revised total of \$81,534.00. Funding for this expenditure will be taken from the Permanent Improvement Fund, 412. Mr. Pugliese moved, Mrs. Cook seconded to grant the Manager's request. Discussion: The City Manager explained that he did not account for destination and title fees, which the change order will cover. The motion CARRIED.

#### **Nassief Vehicle Purchases**

The City Manager requested an ordinance to purchase two (2) vehicles from Nassief of 1059 State Route 46 N, Jefferson, OH 44047 in the amount not to exceed \$52,000.00 in accordance with State Purchasing pricing. Funding for this expenditure will be taken from the Permanent Improvement Fund, 412. Mr. Pugliese moved, Mrs. Cook seconded to grant the Manager's request. Discussion: The Manager reported that at the April 20 Regular Council meeting he first requested this ordinance for the purchase of SUV's for the Police and Fire Departments, but did not account for additional fees, totaling \$1,000. The motion CARRIED.

### **Paving Program**

The City Manager announced paving has begun, prep work is completed and the project will commence from the southeast end of the City and proceed northwest.

### **Hulbert Hill Rebricking**

The City Manager announced Aqua Ohio has begun removing their waterline from the road into the sidewalk/treelawn area so if they need to get to the line the brick street will not have to be touched. Water service, in the construction area, will be interrupted on Tuesday, May 6, from 11:00 a.m. until 2:00 p.m.

### **Bridge Street Parking Lot**

The City Manager reported the new parking lot construction has begun.

### **Point Park Stairs**

The City Manager announced this project has been let for bid.

### **Highland Beach Storm Drain**

The City Manager reported a storm drain problem at Highland Beach has persisted. It will be let for bid on Friday, May 8; the bid opening is scheduled for May 27.

### **Waste Water Pollution Plant Projects**

The City Manager reported work at the plant is progressing.

**Final Tank:** We are waiting for equipment for the Final Tank. The tank is being cleaned and sealed in preparation for the equipment's arrival.

**UV:** This project is let for bid. We are waiting for the electrical bid to come back, after which Council will be presented with a recommendation.

The Manager asked that patience is exercised while moving about the City, and to be considerate of workers at all construction sites.

### **First Baptist Church Parking Request**

The City Manager asked Police Chief Stell to look at the parking in front of West 44<sup>th</sup> Street and Park Avenue, which surround Cornelius Park, to accommodate parking for the church during the library's renovation period. The Chief 'was okay with leaving those as no parking except for church services'. The City Manager requested legislation, "To change the no parking signs along West 44<sup>th</sup> Street and along Park Avenue in the block between Park Avenue and Main Avenue, around Cornelius Park, to include the words 'except for church services'. Mr. Pugliese moved, Mr. Balog seconded the Manager's request; motion CARRIED.

**Questions and Comments for the City Manager**

**Paving:** The President asked if there's a scheduled time for asphalt to be laid. The Manager responded he believes they are about 2 to 3 weeks out. As was the case last year, the City does not allow the paving contractor to open up any more roads than they have open now, before they are allowed to mill more.

**Traffic Signs:** The Ward 2 Councilor reported there were concerns with the new street signage at Five Points (Lake and Park Avenues) and East and West 24<sup>th</sup> Streets. One sign says "East Prospect Road and it is actually west of the bridge. The other says East 24<sup>th</sup>. They will be corrected.

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

**FINANCE DIRECTOR'S REPORT**

**Formal Legislation Request:** The Finance Director requested AN ORDINANCE TO MAKE SUPPLEMENTAL APPROPRIATIONS IN THE UNCLAIMED FUNDS, PARKS & RECREATION, EARLY RETIREMENT INCENTIVE PLAN (ERIP), PERMANENT IMPROVEMENT, WATER POLLUTION CONTROL (WPC) CAPITAL AND FIRE ESCROW FUNDS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF ASHTBAULA, STATE OF OHIO, FOR THE PERIOD JANUARY 1 THROUGH DECEMBER 31, 2015. Mr. Balog moved, Mr. Pugliese seconded to grant the Finance Director's request; motion CARRIED.

**Out of the Office:** The Finance Director announced she would be out of the office May 7 through May 12, but that her staff would be available to assist.

**CITY COUNCIL COMMITTEE REPORTS and COMMUNICATIONS**

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

The Chair announced the committee will meet on Tuesday, May 12, at 4:00 p.m., in the Municipal Building 2<sup>nd</sup> Floor Conference Room. She also announced the Ashtabula City Parks & Recreation Board would meet the same day at 6:30 p.m., in the Pre-Council Chambers.

**Finance and Personnel - (Mr. Ducro IV/Mr. Balog):** The Chair announced the committee would meet on Friday, May 15, 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 Vice Chair reported on the committee's Friday, May 1, meeting, as follows:

**Ashtabula Area City Schools (AACS) Superintendent**

(Mr. Patrick Colucci/ Superintendent, Mr. Steve Candela/Board President)

Superintendent Colucci reported:

- \* All day/every day kindergarten was reinstated;
- \* District busing reinstated due to savings garnered when half day kindergarten was established and the district was restructured;
- \* Established 'Student of the Month' and "Student of the Year" awards. Area businesses donate to the cause – more donors are always welcome;
- \* Safe Routes to School (SRTS) project will be completed in 2017. When completed, it will make travel to school, for elementary campus students, safer. The School Board and residents would like the program to be extended in order for sidewalks to be constructed on Routes 84 and 20;
- \* The City's combined efforts with Saybrook Township are vital to the success of the SRTS project;
- \* It was suggested that AACS representatives meet with Saybrook to discuss sidewalks at the junior/high school campus located in Saybrook Township.

**Perception of AACS District**

- \* Work is ongoing to change the public's perception of the District;
- \* There are new and wonderful things going on in the classrooms;
- \* The news print regarding the District's rating is misleading;
- \* The District is working with a wider mix of students who come from various type home lives and economic factors, and the District has been increasing their scores regularly. Superintendent Colucci reported, "We went from a 2 to a 9 to a 12 to a 16 not too long ago, but the game changed. So when we were hitting the indicators they were 75. We were hitting them at 75 and 76. Now the indicator became 80, and we're still getting 75, 76. So, that doesn't mean that we got a 3 and we went from 75 or 76 down to 40. The public is not going to understand. We've leveled off because we have made tremendous gains in our academics. But, on the other hand, our ESL (English as Second Language) population is about 250 to 300. Try having students come in from Puerto Rico who have no idea how to speak English or read and get them to pass these tests. Our special needs population is about 24% compared to Buckeye School District at 10% (maybe). If you're going to compare apples-to-apples, that's not fair. That's why I say, come on in and see what's going on."
- \* Some believe the 'open enrollment' program has hurt school districts rather than helped; Superintendent Colucci testified at the State level about 'open enrollment'; and
- \* The City Manager suggested the district return to the City/County sports series where schools within Ashtabula County play each other. It would increase the attendance at sports events, which is much needed for local comradery amongst students. Hopefully this can happen within the next few years.

### **AQUA WATER REPRESENTATIVES**

Mr. Tony Mancari/Area Manager and Mr. Gary Fusco/Field Supervisor communicated the following to the committee:

#### **Road Repairs**

- \* The 2014 winter season was rough; issues stemming from the season are being addressed;
- \* Koski Construction will address temporary road with permanent fixes once the asphalt plant opens;
- \* They have a map of roads scheduled for paving and will coordinate efforts, where possible, with the City in order to lessen street cuts on newly paved roads;
- \* They are behind schedule but will do whatever possible to adjust their street opening schedule to coincide with The City's 2015 Paving Program; and
- \* Their valve replacement program is continuing.

#### **Rate Increase**

- \* If their request with the PUCO for a System Improvement Charge is fully granted it will result in an additional \$2.11 per month for an average residential customer using 4,000 gallons of water; and
- \* Their hope is that the PUCO will issue their decision in August with an effective date of September 2015.

#### **New Distribution Facility (being constructed at the City's Route 11 Industrial Park)**

- \* The new facility is under construction;
- \* It will be the first business in the Park;
- \* The Vice Chair said hopefully this is a benchmark for future business in the Park; and
- \* Once completed a ribbon cutting will be scheduled.

#### **City Sewer Bills**

- \* Aqua reported when water service was out to some City customers, due to no fault of the customers, Aqua obtained permission from a neighboring resident to hook them into their water line. The residents who give permission were credited for their neighbor's water use while hooked to their line. However, the City does not have a policy in place to credit sewer usage fees, which are billed in accordance with water usage.
- \* Aqua Ohio and the City's Finance Department will discuss how to address water outages and credits.

### **LARRY MEANEY, PUBLIC SERVICES SUPERINTENDENT (PSS)**

#### **Street Sweeper**

- \* Is out every day;
- \* Main roads were initially swept;
- \* Currently in Ward 1;
- \* Will continue to move around;
- \* The perfect world would allow the sweeper to get to each ward at least once;

- \* The Manager reported discussing the possibility of putting a 2<sup>nd</sup> or 3<sup>rd</sup> shift on for one month to get the street sweep. The Vice Chair reported that for years the sweeper was operated from 11:00 p.m. until 7:00 a.m. But at that time there was also a city-wide park ban from 3:00 a.m. until 6:00 a.m., so the streets could be properly swept. He suggested that perhaps this way of sweeping could be enacted during the summer months.

**Roads:** A punch list has been created to address problems with roads that were paved last year. The Vice Chair said hopefully the contractor will be in town soon to address the City's concerns, which repairs, unfortunately, will be in the form of road patches.

#### **CRAIG PIERCE, WASTE WATER TREATMENT PLANT SUPERINTENDENT (WWTPS)**

##### **Open House**

- \* It has been suggested that the Plant host a public open house, which the WWTPS is very much open to;
- \* It was also suggested that a video be produced, with the assistance of GreatWave Communication (formerly Cable Suite 541 and Suite224), and placed on the City's website or on the Public Access Channel (PAC); and
- \* The City Manager reported he and the WWTPS spoke about this today. They are not sure if the video can be place on the PAC because it is run through Lakeside High School servers, and only switches over to the City for Regular Council meetings.

##### **Grass Cutting**

- \* The Vice Chair asked that grass clippings not be placed in City streets, and to remove that which has already been; and
- \* He said placing grass in our streets is very damaging to our storm drains.

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

The Chair announced the committee would meet on Monday, June 22, at 4:00 p.m. They will not meet in May because Memorial Day falls on their regularly scheduled meeting day.

##### **Work Session – N/A**

#### **FORMAL LEGISLATION REQUESTS**

The President entertained a motion to formally request:

ORDINANCE NO. 2015-58 AN ORDINANCE REPEALING, IN ITS ENTIRETY, RESOLUTION NUMBER 2015-14 FOR THE PURPOSE OF PROVIDING AMENDED BALLOT LANGUAGE FOR THE SENIOR SERVICES RENEWAL LEVY AT THE REQUEST OF THE COUNTY BOARD OF ELECTIONS. Mr. Balog moved, Mr. Pugliese seconded to grant the President's request.

**Discussion:** The City Solicitor reported he was asked by a member of the media what the difference is between this resolution, the next resolution that will come before this Council, and the resolution Council passed in February. He said, "It is primarily a matter of grammar and semantics. The gist and the purpose, and certainly the amounts of the resolutions, are identical. There's no change in the purpose; there's no change in the requested amount; there's no change in the fact that it's a renewal of an existing levy. It's just that there's an insistence on the part of the County Board of Elections that a renewal accurately and completely mimic the language used 5 years ago and in turn, 10 years ago, when these provisions first came on the ballot and were first renewed. It's a matter of choice of language only. The motion CARRIED.

RESOLUTION NO. 2015-59 A RESOLUTION DETERMINING TO PROCEED WITH THE RENEWAL, BY SUBMITTING TO THE ELECTORS OF THE CITY OF ASHTABULA, ASHTABULA COUNTY, OHIO, ON THE THIRD DAY OF NOVEMBER, 2015, THE QUESTION OF CONTINUING THE SUPPLEMENTATION OF THE GENERAL FUND OF THE CITY OF ASHTABULA, OHIO, IN ORDER TO CONTINUE THE MAKING OF APPROPRIATIONS FROM SAID GENERAL FUND TO THE ASHTABULA COUNTY COUNCIL ON AGING, INC., AN OHIO NOT-FOR-PROFIT CORPORATION WITH U.S. INTERNAL REVENUE CODE SECTION 501(C)(3) STATUS, FOR THE PURPOSE OF ASSISTING SAID AGENCY IN THE COST OF ITS OPERATING AND MAINTAINING ITS SENIOR CITIZENS SERVICE CENTER IN THE CITY OF ASHTABULA, OHIO, IN ACCORDANCE WITH THE ASHTABULA, OHIO MUNICIPAL CHARTER AND/OR SECTIONS 5705.19(Y) / 5705.191 OF THE OHIO REVISED CODE; SAID LEVY TO APPEAR UPON THE TAX DUPLICATE OF SAID CITY OF ASHTABULA, ASHTABULA COUNTY, OHIO, FOR THE TAX YEARS 2016 TO 2020, INCLUSIVE. (City Council) Mr. Balog moved, Mrs. Cook seconded, the grant the President's request; motion CARRIED.

**PUBLIC DISCUSSION** (Regular Agenda Legislation Only)

The President briefly outlined the Legislation Agenda. There were no public comments.

**CONSENT AGENDA DISPOSAL**

The President entertained a motion to dispose of the Regular Legislation Agenda in Consent Agenda format. Mr. Balog moved, Mrs. Cook seconded; motion CARRIED.

**LEGISLATION READING**

The Clerk of Council presented the following legislation for consent agenda format disposal:

**ORDINANCE**

2015-58 AN ORDINANCE REPEALING, IN ITS ENTIRETY, RESOLUTION NUMBER 2015-14 FOR THE PURPOSE OF PROVIDING AMENDED BALLOT LANGUAGE FOR THE SENIOR SERVICES RENEWAL LEVY AT THE REQUEST OF THE COUNTY BOARD OF ELECTIONS. (City Council)



RESOLUTION

2015-59 A RESOLUTION DETERMINING TO PROCEED WITH THE RENEWAL, BY SUBMITTING TO THE ELECTORS OF THE CITY OF ASHTABULA, ASHTABULA COUNTY, OHIO, ON THE THIRD DAY OF NOVEMBER, 2015, THE QUESTION OF CONTINUING THE SUPPLEMENTATION OF THE GENERAL FUND OF THE CITY OF ASHTABULA, OHIO, IN ORDER TO CONTINUE THE MAKING OF APPROPRIATIONS FROM SAID GENERAL FUND TO THE ASHTABULA COUNTY COUNCIL ON AGING, INC., AN OHIO NOT-FOR-PROFIT CORPORATION WITH U.S. INTERNAL REVENUE CODE SECTION 501(C)(3) STATUS, FOR THE PURPOSE OF ASSISTING SAID AGENCY IN THE COST OF ITS OPERATING AND MAINTAINING ITS SENIOR CITIZENS SERVICE CENTER IN THE CITY OF ASHTABULA, OHIO, IN ACCORDANCE WITH THE ASHTABULA, OHIO MUNICIPAL CHARTER AND/OR SECTIONS 5705.19(Y) / 5705.191 OF THE OHIO REVISED CODE; SAID LEVY TO APPEAR UPON THE TAX DUPLICATE OF SAID CITY OF ASHTABULA, ASHTABULA COUNTY, OHIO, FOR THE TAX YEARS 2016 TO 2020, INCLUSIVE. (City Council)

ORDINANCE

2015-60 AN ORDINANCE TO MAKE SUPPLEMENTAL APPROPRIATIONS IN THE UNCLAIMED (FUNDS), PARKS & RECREATION, EARLY RETIREMENT INCENTIVE PLAN (ERIP), PERMANENT IMPROVEMENT, WATER POLLUTION CONTROL (WPC) CAPITAL AND FIRE ESCROW FUNDS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF ASHTABULA, STATE OF OHIO, FOR THE PERIOD JANUARY 1 THROUGH DECEMBER 31, 2015. (Finance Director)

ORDINANCE

2015-61 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO PURCHASE TWO (2) VEHICLES FROM NASSIEF FORD TOYOTA HYUNDAI IN AN AMOUNT NOT TO EXCEED \$52,000 IN ACCORDANCE WITH STATE PURCHASING PRICING. (City Manager)

ORDINANCE

2015-62 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO PURCHASE TWO (2) VEHICLES FROM BOB ROSS AUTO GROUP IN AN AMOUNT NOT TO EXCEED \$61,300 UNDER THE STATE PURCHASING PROGRAM. (City Manager)

ORDINANCE

2015-63 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CHANGE ORDER TO A PREVIOUSLY AUTHORIZED PURCHASE OF FOUR (4) VEHICLES FROM NASSIEF FORD TOYOTA HYUNDAI IN AN ADDITIONAL AMOUNT NOT TO EXCEED \$1,134 FOR A REVISED TOTAL OF \$81,534. (City Manager)

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

### **UNFINISHED BUSINESS**

**Cleaning Up Our City:** The Ward 2 Councilor pleaded with citizens to do their part to assist the City in cleaning up our community. He voiced his frustration with furniture, tires, and other unsightly materials regularly being left on treelawns for weeks at a time. These are items which the City will not remove during our weekly garbage pickup. The Councilor also voiced frustration with items being placed around the Goodwill donation bin in the Kister Plaza on Lake Avenue. He asked that rather than placing these items on the treelawn to sit for days, that they are taken to the City's West 24<sup>th</sup> Street Transfer Station.

**Weekly Garbage Pick Up:** The Ward 2 Councilor reported there are three to four residential properties on Lake Avenue between West 32<sup>nd</sup> Street and Five Points (Lake Avenue & Park Avenue intersection) that routinely put their trash on the treelawn one week before their scheduled weekly trash pickup. He said if a special trash pickup is needed, the City offers the service for a small fee. He pleaded that residents PLEASE HELP!

The City Solicitor reported that the violations the Ward 2 Councilor commented on are prosecutable; and that a fine and even jail time can be imposed.

The President announced that, by law, trash should not be placed on the treelawn for weekly pickup, prior to 6:00 p.m. the evening before.

**NEW BUSINESS** - None

### **MISCELLANEOUS**

**Welcome Special Visitor:** The President welcomed Mr. Steven Cook, the Ward 3 Councilor's son, who was in town for a visit.

**GENERAL PUBLIC DISCUSSION** - None

**EXECUTIVE SESSION:** None

**RECONVENE OPEN MEETING:** N/A

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

**CLOSING REMARKS**

**Meetings**

The President announced the next Regular Council Meeting is scheduled for Monday, May 18, at 7:00 p.m.; Pre-Council at 6:00 p.m.

The President announced Council will meet in a PUBLIC HEARING on Tuesday, May 12, at 5:45 p.m., in Council Chambers, for the purpose of hearing public comments and recommendations regarding the Joint Economic Development District (J.E.D.D.) contract between the City of Ashtabula and Saybrook Township Route 20 Economic Development District for 'Lantern at Saybrook', a facility to be constructed on the site of the former Dalhkempers store.

**ADJOURNMENT**

Hearing no further business to come before this Council, the President asked everyone to "Remember to Keep Believing in Ashtabula", and adjourned the meeting at 7:43 p.m.

DATE APPROVED: June 1, 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