

**ASHTABULA CITY COUNCIL  
REGULAR MEETING MINUTES**

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

**Monday, May 5, 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.

<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:** N/A

**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 by grouping like items together and disposing/enacting them by one motion, a second and a vote.

### **APPROVAL OF MEETING MINUTES** - None

### **FORMAL LEGISLATION REQUESTS**

#### **ORDINANCE**

**2014-68** AN ORDINANCE REPEALING, IN ITS ENTIRETY, CODIFIED ORDINANCE SECTION 143.07 "COLLECTION OF CHARGES FOR CITY EMERGENCY MEDICAL SERVICES" FOR THE PURPOSE OF INCORPORATING INTO THE CODIFIED ORDINANCES RECENT AMENDMENTS TO THE CHARTER ABOLISHING THE POSITIONS OF CITY AUDITOR AND CITY TREASURER AND CREATING THE POSITION OF CITY DIRECTOR OF FINANCE.  
(Finance Director & Clerk of Council)

#### **ORDINANCE**

**2014-69** AN ORDINANCE ENACTING NEW CODIFIED ORDINANCE SECTION 143.07 "COLLECTION OF CHARGES FOR CITY EMERGENCY MEDICAL SERVICES" FOR THE PURPOSE OF INCORPORATING INTO THE CODIFIED ORDINANCES RECENT AMENDMENTS TO THE CHARTER ABOLISHING THE POSITIONS OF CITY AUDITOR AND CITY TREASURER AND CREATING THE POSITION OF CITY DIRECTOR OF FINANCE.  
(Finance Director & Clerk of Council)

#### **ORDINANCE**

**2014-70** AN ORDINANCE REPEALING, IN ITS ENTIRETY, CODIFIED ORDINANCE SECTION 161.01 "CREATION AND COMPOSITION" FOR THE PURPOSE OF INCORPORATING INTO THE CODIFIED ORDINANCES RECENT AMENDMENTS TO THE CHARTER ABOLISHING THE POSITIONS OF CITY AUDITOR AND CITY TREASURER AND CREATING THE POSITION OF CITY DIRECTOR OF FINANCE. (Treasury Investment Board)  
(Finance Director & Clerk of Council)

#### **ORDINANCE**

**2014-71** AN ORDINANCE ENACTING NEW CODIFIED ORDINANCE SECTION 161.01 "CREATION AND COMPOSITION" FOR THE PURPOSE OF INCORPORATING INTO THE CODIFIED ORDINANCES RECENT AMENDMENTS TO THE CHARTER ABOLISHING THE POSITIONS OF CITY AUDITOR AND CITY TREASURER AND CREATING THE POSITION OF CITY DIRECTOR OF FINANCE. (Treasury Investment Board) (Finance Director & Clerk of Council)

#### **ORDINANCE**

**2014-72** AN ORDINANCE REPEALING, IN ITS ENTIRETY, CODIFIED ORDINANCE SECTION 163.01 "CREATION AND COMPOSITION" FOR THE PURPOSE OF INCORPORATING INTO THE CODIFIED ORDINANCES RECENT AMENDMENTS TO THE CHARTER ABOLISHING THE POSITIONS OF CITY AUDITOR AND CITY TREASURER AND CREATING THE POSITION OF CITY DIRECTOR OF FINANCE. (Depository Commission)  
(Finance Director & Clerk of Council)

**ORDINANCE**

**2014-73** AN ORDINANCE ENACTING NEW CODIFIED ORDINANCE SECTION 163.01 "CREATION AND COMPOSITION" FOR THE PURPOSE OF INCORPORATING INTO THE CODIFIED ORDINANCES RECENT AMENDMENTS TO THE CHARTER ABOLISHING THE POSITIONS OF CITY AUDITOR AND CITY TREASURER AND CREATING THE POSITION OF CITY DIRECTOR OF FINANCE. (Depository Commission)  
(Finance Director & Clerk of Council)

**ORDINANCE**

**2014-74** AN ORDINANCE REPEALING, IN ITS ENTIRETY, CODIFIED ORDINANCE SECTION 513.16(a) "MANDATORY ADDITIONAL FINE IN ALL DRUG CASES" FOR THE PURPOSE OF INCORPORATING INTO THE CODIFIED ORDINANCES RECENT AMENDMENTS TO THE CHARTER ABOLISHING THE POSITIONS OF CITY AUDITOR AND CITY TREASURER AND CREATING THE POSITION OF CITY DIRECTOR OF FINANCE.  
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**ORDINANCE**

**2014-75** AN ORDINANCE ENACTING NEW CODIFIED ORDINANCE SECTION 513.16(a) "MANDATORY ADDITIONAL FINE IN ALL DRUG CASES" FOR THE PURPOSE OF INCORPORATING INTO THE CODIFIED ORDINANCES RECENT AMENDMENTS TO THE CHARTER ABOLISHING THE POSITIONS OF CITY AUDITOR AND CITY TREASURER AND CREATING THE POSITION OF CITY DIRECTOR OF FINANCE.  
(Finance Director & Clerk of Council)

**ORDINANCE**

**2014-77** AN ORDINANCE REPEALING, IN ITS ENTIRETY, CODIFIED ORDINANCE SECTION 719.04 "DEPOSIT REQUIRED" FOR THE PURPOSE OF INCORPORATING INTO THE CODIFIED ORDINANCES RECENT AMENDMENTS TO THE CHARTER ABOLISHING THE POSITIONS OF CITY AUDITOR AND CITY TREASURER AND CREATING THE POSITION OF CITY DIRECTOR OF FINANCE. (Finance Director & Clerk of Council)

**ORDINANCE**

**2014-78** AN ORDINANCE ENACTING NEW CODIFIED ORDINANCE SECTION 719.04 "DEPOSIT REQUIRED" FOR THE PURPOSE OF INCORPORATING INTO THE CODIFIED ORDINANCES RECENT AMENDMENTS TO THE CHARTER ABOLISHING THE POSITIONS OF CITY AUDITOR AND CITY TREASURER AND CREATING THE POSITION OF CITY DIRECTOR OF FINANCE. (Finance Director & Clerk of Council)

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

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

**LEGISLATION READING**

ORDINANCE

2014-66 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE ASHTABULA COUNTY Y.M.C.A. FOR LIFEGUARDS. (City Manager)

ORDINANCE

2014-68 AN ORDINANCE REPEALING, IN ITS ENTIRETY, CODIFIED ORDINANCE SECTION 143.07 "COLLECTION OF CHARGES FOR CITY EMERGENCY MEDICAL SERVICES" FOR THE PURPOSE OF INCORPORATING INTO THE CODIFIED ORDINANCES RECENT AMENDMENTS TO THE CHARTER ABOLISHING THE POSITIONS OF CITY AUDITOR AND CITY TREASURER AND CREATING THE POSITION OF CITY DIRECTOR OF FINANCE.  
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Mr. Balog moved, Mr. Pugliese seconded to waive the reading of the above Consent Agenda Legislation; motion CARRIED. Mr. Balog moved, Mr. Pugliese 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. 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. Ducro IV voted yea; motion CARRIED.

**(END OF CONSENT AGENDA)**

## REGULAR AGENDA

### READING AND DISPOSAL OF MEETING MINUTES - None

### CITY MANAGER'S REPORT

#### **GPD Group Inc. - West Ave. Traffic Signal Project Construction Inspection**

The City Manager requested an ordinance to enter into an agreement with Glaus, Pyle, Schomer, Burns, & DeHaven, Inc., of 520 South Main Street, Suite 2531, Akron, OH 44311 for the purpose of providing construction inspection for the ATB Traffic Signal Project in the amount not to exceed \$90,273.00. Funding for this expenditure will be taken from Account Number 412-200-5500. Mr. Pugliese moved, Mr. Balog seconded to grant the Manager's request; motion CARRIED.

#### **Ohio Public Works Commission, Issue I - Future Funding renewal**

The City Manager requested a resolution in support of the renewal of the Ohio Public Works Commission, Issue I funding. This State program provides important funding for infrastructure projects for local governments. This program has brought millions of construction dollars to our community and county. Mr. Pugliese moved, Mr. Balog seconded to grant the Manager's request. The President reported this funding has allowed us to do the OPWC West 9<sup>th</sup> Street Tributary project. The Manager reported in 2013 and 2014 the funds were used on West 9<sup>th</sup> Street. In 2015, the project will be moved to Union Avenue & West 6<sup>16th</sup> Street where a lot of flooding has occurred. He said the City has historically used the funding for so many projects that could not have been done without it. The motion CARRIED.

#### **2014 Street Materials**

The City Manager requested an ordinance to enter into an agreement with Koski Construction Company of 5841 Woodman Avenue, Post Office Box 1038, Ashtabula, OH 44004 as the lowest and most responsible bid for the purpose of providing cold mix asphalt and surface course in the amount as listed on the 2014 Street Materials bid package item numbers 10, 11, 12, 13, 14, and 15 for the pricing as listed. Funding for this expenditure will be taken from Account Number 205-156-5420, Public Works Operating. Mr. Pugliese moved, Mr. Balog seconded to grant the Manager's request; motion CARRIED.

The City Manager requested an ordinance to enter into an agreement with Kinder Morgan/Pinney Dock & Transport LLC of 1149 East 5<sup>th</sup> Street, Ashtabula, OH 44004 as the lowest and most responsible bid for the purpose of providing limestone in the amount as listed on the 2014 Street Materials bid package item numbers 2, 3, 4, 5, 6, and 7 for the pricing as listed. Funding for this expenditure will be taken from Account Number 205-156-5420, Public Works Operating. Mr. Pugliese moved, Mr. Balog seconded to grant the Manager's request; motion CARRIED.

### **Obsolete Fire Equipment Disposal**

The City Manager requested an ordinance to dispose of certain pieces of equipment in the Fire Department deemed obsolete/junk. He announced the list of items. Mr. Pugliese moved, Mr. Balog seconded to grant the Manager's request; motion CARRIED.

### **QUESTIONS/COMMENTS FOR CITY MANAGER**

The Manager was asked to provide the following updates:

- **Former West Avenue Elementary Fire Damage:** The City has received information from the USEPA attorney and we are weighing our options.
- **Police Department Boat Insurance:** The Manager was able to get the annual insurance reduced from \$8,500 to \$3,000. The boat is a highly contested piece of equipment, so the Manager was glad to secure the reduction.
- **Potholes:** Public Service Superintendent Dominic Iarocci schedules pothole fills in the morning, at which time he is provided with the previous day's list.
- **Street Sweeper (new equipment):** It has been out and is working its way around town. The main roads were scheduled to be done today, but crews were called out on a sewer jet issue, so the main roads were not completed. The main roads will be swept first. It has been on many of the streets where issues were reported. The machine works extremely well, which is confirmed by the dirt piles accumulated at Public Works. They will be deposited at the landfill. It is evident the roads have not been swept in a while, and some will take two or three passes before they come clean.
- **Sewer Jet:** The machine was out most of the month of April.
- **Catch Basins:** Our Catch Basins are in need of work due to lack of maintenance, harsh winters, heavy truck traffic, and old infrastructure. They will be addressed.
- **Council Chambers Sound System:** A new system was installed on Friday. Reports on how it works tonight are welcome.

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

### **FINANCE DIRECTOR'S REPORT**

In response to calls regarding tax return processing, the Director reported the Income Tax Department has been short-staffed the last couple of weeks. Returns are being processed, and should be caught up in the next couple weeks.

**CITY COUNCIL COMMITTEE REPORTS and COMMUNICATIONS**

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

**Meetings:** The Chair announced the committee is scheduled to meet on Wednesday, May 7, at 4:00 p.m. The Parks and Recreation Board is scheduled to meet on Tuesday, May 13 @ 6:30 p.m.

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

The Chair announced the committee will meet on Friday, May 9, at 8:00 a.m.

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

The Chair reported on the committee's Friday, May 2, as follows:

**Traffic Control:** Prohibit Parking on South Side of East 45<sup>th</sup> Street (West of State Road) – the Police Department should have a recommendation to present to the committee in June or at the Monday, May 19 Regular Council meeting.

**Yard Waste Bag Pickup:** Public Works continues to pickup yard waste bags from treelawns. The Manager suggested the free pickup of bags be extended through the month of May. Mr. McClure moved, Mr. Pugliese seconded to grant the Manager's suggestion; motion CARRIED. Council provided the Manager with approval to instruct crews to begin now. Legislation authorizing the extension is forthcoming.

The Manager is analyzing the Yard Waste Bag Program and will make recommendations at the appropriate time.

**Curbside Recycling/Grant:** The Manager spoke to the committee about how he would like to proceed with enacting curbside recycling, and continues to work with Ashtabula County Solid Waste District (ACSWD) and the Ashtabula County Commissioner's to secure grant funding to begin. Also being discussed is a 'generation fee', the enactment of which Public Services Superintendent Dominic Iarocci discourages. The City Manager reported we pay a tipping fee at the landfill, revenue from which goes to the ACSWD. The ACSWD is proposing the enactment of a 'generation fee' as a revenue generator for them. The City of Ashtabula would bare most of the cost because we have our own haulers. It would adversely affect our Sanitation Department to the tune of about \$70,000. He said the City has a vote on the ACSWD and can 'help that conversation along'.

**Potholes:** This is a battle the City is trying to get ahead of.



**Street Cut/Opening Fee Restructure:** The committee would like to keep this issue connected with the proposed Comprehensive Paving Program in order to address how to proceed with the City's best interest in view.

**High Grass/Weed (exceed 8 inches) Notice to Public:** The Manager's office will soon place notice in the Star Beacon to keep grass and weeds under 8 inches.

#### **QUESTIONS/COMMENTS FOR PW/U/S COMMITTEE**

**Traffic Signal (West 44<sup>th</sup> Street & Park Avenue):** The Ward 2 Councilor asked the Chair to comment on the traffic signalization at this intersection (currently a 2-way stop). The Chair announced that on the way home from the May 2 committee meeting an accident occurred at this intersection. Since then another accident has occurred. The intersection went from a 4 way traffic light to 2-way stop (*Ordinance No. 2013-75*). This committee would like the Police Department to revisit the issue. The Ward 2 Councilor spoke with Pastor Doug Wright, of First Baptist Church, who said the church building protrudes out into the right-of-way, which might be a problem. The Council said perhaps a 4-way stop would be better.

**Graffiti:** The Ward 4 Councilor reported there is a lot of graffiti on the back of the building along the area of the former Shea's Theatre and asked who takes care of it. The Manager said the City takes care of its property and private property is the responsibility of the owner. He will notify the owners.

**Waste Water Treatment Plant:** The Chair reported the Plant is doing well with revenue from leachate intake. The Plant has needed preventative maintenance attention for awhile, the lack of which resulted in a catastrophic occurrence to one of the two 'final tanks'. Now one half of the Plant has to undergo a major repair and the Manager is seeking funding. The Manager said this is a perfect example why Issue 1 – Infrastructure Funding that will appear on tomorrow's primary election ballot is so important to support.

**Next Meeting:** The Chair announced the committee is scheduled to meet again on Friday, June 6, at 8:00 a.m.

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

The Chair announced there to be no report.

**Police Levy:** The Chair asked citizens to support the 2.5 mil, 5 year, Police Levy which will appear as Issue 4 on the May 6 Primary ballot.

**Next Meeting:** Friday, May 16, at 8:00 a.m., in the Municipal Building 2<sup>nd</sup> floor conference room.

**Work Session** – No Session/No Report

**FORMAL LEGISLATION REQUESTS**

Mr. Ducro IV moved, Mr. Pugliese seconded ORDINANCE NO. 2014-79 AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$700,000 OF NOTES OF THE CITY OF ASHTABULA TO PAY FOR THE COST FOR CERTAIN PENSION OBLIGATIONS OF THE CITY; motion CARRIED.

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

**LEGISLATION READING**

**ORDINANCE NO. 2014-67 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH GLAUS, PYLE, SCHOMER, BURNS & DEHAVEN, INC., FOR CONSTRUCTION ADMINISTRATION, INSPECTION AND RECORD-KEEPING SERVICES RELATED TO THE CITY OF ASHTABULA'S TRAFFIC SIGNALIZATION PROJECT**, was presented. Mr. Balog moved, Mr. Pugliese seconded to waive the reading of the ordinance; motion CARRIED. Mr. Balog moved, Mr. Pugliese seconded to waive the Charter requirement of two readings. On the roll call to waived 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 ordinance: Mr. Hamrick, Mr. Balog, Mr. Pugliese, Mrs. Cook, Mrs. Misener, Mr. McClure, Mr. Ducro IV voted yea; motion CARRIED.

**RESOLUTION NO. 2014-76 A RESOLUTION URGING VOTERS TO SUPPORT STATE ISSUE 1, RENEWAL OF THE STATE CAPITAL IMPROVEMENTS PROGRAM, ON THE MAY 6, 2014 BALLOT**, was presented. Mr. Balog moved, Mr. Pugliese seconded to waive the reading of the resolution; motion CARRIED. Mr. Balog moved, Mr. Pugliese seconded to waive the Charter requirement of two readings. On the roll call to waived 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 resolution: Mr. Hamrick, Mr. Balog, Mr. Pugliese, Mrs. Cook, Mrs. Misener, Mr. McClure, Mr. Ducro IV voted yea; motion CARRIED.

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On the roll call to waived 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 ordinance: Mr. Hamrick, Mr. Balog, Mr. Pugliese, Mrs. Cook, Mrs. Misener, Mr. McClure, Mr. Ducro IV voted yea; motion CARRIED.

**LIQUOR PERMIT REQUEST – (NEW)**

**For:** 415 Water Street LLC, 415 Morton Drive, Ashtabula, OH 44004 (located next to US Coast Guard Station)

**Class:** **D1** - Beer only for on premises consumption and in sealed containers for carry out, until 1 a.m.

**D3** - Spirituous liquor for on premises consumption only, until 1 a.m.

The Ward 2 Councilor had no objections to the request. Mr. Ducro IV moved, Mr. McClure seconded to grant the request. The Solicitor noted the request is for Council to determine whether or not a hearing is required. If Council simply moves to take no action, it will suffice. The President announced Council would take no action.

**UNFINISHED BUSINESS** - None

**NEW BUSINESS** - None

**MISCELLANEOUS BUSINESS**

**Street Line Painting:** The Vice President reported the road markings on the newly renovated bridge located on West Avenue over West 30<sup>th</sup> Street, will be done soon.

**LCpl Kevin M. Cornelius Memorial Park:** The Ward 4 Councilor announced the Ashtabula City Parks & Recreation Board would like to enhance the Park. In doing so they are considering how to restore the fountain, which she believes is a great asset to the Park. She said it would be most appreciated if anyone is willing to donate brick in order to rebrick around the fountain and remove the walkway. The amount of bricks required is unknown. The Manager reported he inquired to the EPA about using some of the bricks that will be removed from the fire damaged former West Avenue Elementary School. The process the City would have to go through to decontaminate the bricks is time-consuming and very costly.

**Clean-ups:** The President thanked everyone who came out on Saturday, April 26, to clean up various areas of the City (West Side, Walnut Beach, and Indian Trails Park).

**Tire Amnesty Day (TAD):** The City Manager announced Public Services Superintendent Domonic Iarocci reported over 2000 tires were collected in a three hour period on the last TAD. He reported over the last two years the City spent \$10,000 removing tires deposited at the Transfer Station, free of charge.

**Mr. Merle McCurdy:** The President reported the Ashtabula County Bar Association (ACBA) hosted an event last Friday, May 2, at the Hubbard House, located on Walnut Beach, to honor Mr. McCurdy. He was the 2<sup>nd</sup> Black prosecutor in the United States, and a native of Conneaut, Ohio. He played a significant role in the abolition movement, as did other past members of the ACBA, in making our community a 'free and color-blind' community. The President said the presentation was exceptional and commended the ACBA for putting it on.

### **GENERAL PUBLIC DISCUSSION**

#### **Mr. Doug Monroe, 5650 Woodman Avenue, Lot 28**

**Police Levy:** Mr. Monroe asked why a police levy is being sought rather than spending some of the overtime pay out to hire more police officers. The President reported an extensive amount of time was spent at the March 25, 26, & 27 community meetings, breaking down how overtime is generated. He explained how funds may not be taken away from overtime and put towards hiring new police officers because it is unpredictable where overtime is going to be needed. He said he gained more of an understanding of how it all works by attending the meetings.

The City Manager reported that a lot of the overtime funding is spent on mandatory training and incidents. A lot of the funding has nothing to do with overtime, but reflects how payment is taken out of various line items. He reported that about \$76,000 is not contributed to hours worked but is payment owed to the officers. When the 2014 schedule was produced, overtime was reviewed and there were only 18 days of scheduled overtime reflected. This did not take into account sick time and injuries. One additional officer cannot be covered by 18 days of scheduled overtime, especially given the 18 days covered 4 platoons.

The President reported less overtime is being paid out since hiring part-time dispatchers to cover dispatching services our Police Department provides to four villages.

The Solicitor reported a significant portion of Police Department overtime comes from officers being required to appear in court on off duty hours to testify in cases where they have successfully solved a crime and made arrests. If the officer works a night shift, they must appear during the day (which is otherwise time off) to testify in a case he resolved on the night shift. The City has taken all the steps necessary to minimize or reduce this type of overtime, but it will never completely go away if officers are doing their job.

The President reported when looking at the cost to hire a new officer it was impossible to figure the exact amount of dollars it would save. If a new officer's wages and benefits cost \$75,000, maybe it will save between \$25,000 and \$35,000 in overtime. So the cost to hire a new officer, with the current reduction in staffing, is always going to exceed the amount of overtime savings we would realize. The levy would afford us the opportunity to add more police officers, which our current budget does not afford.

**Dollar General:** Mr. Monroe inquired why the yellow traffic light located by the new Dollar General store on Route 20 and Benefit Avenue, is still on flashing. The Manager reported all new hardware has to be installed at the intersection. The footers have been poured. It has to harden so many days before signalization is installed. The new traffic equipment should be installed by the end of this month.

**Former West Avenue Elementary School:** Mr. Monroe asked for an update on the fire damaged structure. The Manager reported the City is working with the OEPA and USEPA to locate funding to raze the structure. The City is technically not responsible for the property, but believed it to be in the City's best interest to secure it which is why the fence was erected around the structure.

**Half Torn Down Building:** Mr. Monroe asked why a Harbor building located across the street from Sav-a-lot is not totally removed. The Manager responded the building is privately owned. During the structure's renovation a wall fell. The owner is weighing his option to restore the structure or completely razing it.

**Improperly Filled Pothole:** Mr. Monroe reported in past years he has witnessed City crews doing a good job filling potholes on West 6<sup>th</sup> Street, where is formally resided. Recently he saw crews fill a pothole on the same road, leaving a flyer in the hole, and covered it with fill, leaving the flyer visible.

**Graffiti on West Avenue Overpass (over West 30<sup>th</sup> Street):** Mr. Monroe reported a crown has been spray-painted on the overpass. While it does not look bad right now, it is the beginning of something that could spread.

**Scrapping:** Mr. Monroe reported he scrapes for a living. The price of \$120 per ton to dispose of scrape at the City's Transfer Station is higher than the \$80 per ton charge to dispose of the same scrape at Waste Management (WM) in Geneva, Ohio, causing him to have to travel to Geneva for the lesser price. He said since the new Transfer Station scale was installed the cost to dispose has increased. He suggested the City lower their price to keep dollars in the community. He said WM employees are friendlier than the City's and do not hurry him along. He said he no longer has the City pickup his garbage because of the unfriendliness he encounters.

The City Manager reported the City has to operate the Transfer Station, pay the same rates to WM as Mr. Monroe pays, pay the cost for a semi-truck to transport the material to WM, which includes fuel, and vehicle and compactor maintenance, and the scale. The Manager reported he was told the old scale had inaccuracies, which may have accounted for the lesser fee.

The Vice President reported, and the Manager elaborated, that there are very few communities with a transfer station.

The President thanked Mr. Monroe for helping to get unwanted items off the street.

**EXECUTIVE SESSION:** None

**RECONVENE OPEN MEETING:** N/A

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

### **CLOSING REMARKS**

**Regular Meeting:** The President announced the next Regular Council Meeting is scheduled for Monday, May 19, at 7:00 p.m.; Pre-Council at 6:00 p.m.

**Tag Line:** The President reminded citizens to “Remember to keep believing in Ashtabula!”

### **Closing Comments**

**Police Levy:** The President encouraged residents to exercise their right to vote tomorrow. He said the City would appreciate support for the Police Levy.

**May 4-10 - Municipal Clerk Week (MCW):** The Clerk of Council announced that in honor of the 45<sup>th</sup> Anniversary of MCW she wanted to provide the public with a brief version of the History of the Municipal Clerk. She reported it was not until she was approached, 22 years ago, about whether she was interested in applying for the City’s Clerk of Council position, that she knew there was such a profession. She quickly found, and still finds today so many others lack the same knowledge she once had. She ended by saying, “If you see a Municipal Clerk thank them for the work that they do”. The Clerk was thanked for her services to the City and Council.

The following is the full version of the history of the Municipal Clerk:

### **HISTORY OF THE MUNICIPAL CLERK**

#### **EARLY BEGINNINGS**

*The Municipal Clerk is the oldest of public servants in local government, along with the tax collector. The profession traces back before Biblical times. For example, the modern Hebrew translation of Town Clerk is "Mazkir Ha'ir" which literally translated, means city or town "Reminder". The early keepers of archives were often called "Remembrancers", and before writing came into use, their memory served as the public record.*

*Ancient Greece had a city secretary who read official documents publicly. At the opening of a meeting, one of his first duties was to decree a curse upon anyone who should seek to deceive the people.*

*St. Paul and his followers during his missionary work in Persia (now Western Turkey) owed their safety to the action of a town clerk. As related in Acts 19:22-41, written in A.D. 58, the artisans of Ephesus who made the idols of the time, feared the effect of Paul's missionary work on their trade. They incited a mob to seize two of Paul's followers. The town clerk, however, spoke out against this action and insisted that charges laid against these men had to be settled in the proper manner and before the proper authorities. There was no justification for riotous conduct. With that, he dispersed the crowd.*

*Reportedly, the regency line of France descends from the office of the Clerk! According to James Bryce in his book "The Holy Roman Empire," there is a direct link between the position of Mayor of the Palace, a clerical post created by the Merovingian Kings of France, and all subsequent Kings of France.*

*In the eighth century, the Frankish Kings of France depended on the Mayor of the Palace to perform all manner of clerical and administrative tasks for the King including collecting taxes and fees, publishing documents, keeping state records and assisting in the enforcement of the King's justice.*

*In 751, the Merovingian King, Childeric, was deposed and his assistant, Pippin, the Mayor of the Palace, became not only the monarch of France but was simultaneously created a Patrician of Rome by Pope Gregory the Third. Pippin was, in turn, father of the great Charlemagne, the first Holy Roman Emperor and founder of the Carolingian Dynasty of Europe on High, which in successive generations, produced the Kings of France, as well as the Emperors of Germany and Austria.*

#### **DEVELOPMENT IN ENGLAND**

*The title "Clerk" as we know it developed from the Latin "clericus". During the Middle Ages, when scholarship and writing were limited to the clergy, clerk came to mean a scholar, especially one who could read, write, and thus serve as notary, secretary, accountant and recorder.*

*In ancient England, the township (surrounded by its hedge or "tun") and the borough (an outpost fortified with a wall) developed a strong system of democratic local government. And one of the first officials these freemen elected was the "Clarke", (today known as the "Clerk").*

*The beginning of the office of city clerk in England can be traced back to 1272 A.D. in the history of the Corporation of Old London. The "Remembrancer" was called upon to remind the councilors (members of the council) what had transpired at their previous meetings, since the meetings of the early councils were not recorded in written minutes.*

*In 1354, the Mayor of Nottingham appointed the Clarke and provided for his remuneration. In 1439, Symkyn Birches was awarded the office of "Town Clerk" in another community for the rest of his life. In 1477 Thomas Carton, a town clerk, was the first English printer, and served as diplomat for the King. In 1485, Nicholas Lancaster, the Clarke, became Mayor of York.*

*In the 1500's in England, there were not only the 'Town Clarke' but also the "Clerk Comptroller of the King's Honorable Household. In 1603, there was a "Clarke General of the Armie." Indeed, King Henry the Eighth had a "Clarke of the Spicery" and King Charles had his "Clarke of the Robes."*

*Perhaps the strongest statement of the unique position occupied by the Municipal Clerk is by an English Court in the Middle Ages ruling in the case, Hurle-Hobbs ex parte Riley and another. Concerning this case, Chief Justice Lord Caldecote, observed: "The office of town clerk is an important part of the machinery of local government. He may be said to stand between the local Council and the ratepayers. He is there to assist by his advice and action the conduct of public affairs in the borough and, if there is a disposition on the part of the council, still more on the part of any member of the council, to ride roughshod over his opinions, the question must at once arise as to whether it is not his duty forthwith to resign his office or, at any rate, to do what he thinks right and await the consequences."*

## **COLONIAL DEVELOPMENT**

*When the early colonists came to America they set up forms of local government to which they had been accustomed, and the office of clerk was one of the first to be established. When the colonists first settled in Plymouth, Massachusetts, they quickly appointed a person to act as recorder. That person kept all the vital records for birth, marriages and deaths for the church, as well as various other records of appointments, deeds, meetings, and the election of officers at the annual town meeting.*

*Indeed, in Massachusetts, the town clerk was one of the earliest offices established in colonial towns. The settlers were well aware of the importance of keeping accurate written records of their agreements and actions including grants of land, regulations governing animals, the collection of taxes and the expenditure of town funds.*

*The person given the responsibility for recording these orders was also often given other duties, such as sweeping the meeting-house and selling the seats, ringing the bell, and paying the bounty for jays and blackbirds whose heads were presented to him by the citizens. By the middle of the 17th century, the title town clerk appears in town records and this title has continued to the present.*

*One of the earliest statutory duties imposed by the Massachusetts General Court on town clerks was recording births, deaths and marriages. Since that time, the General Court has formalized by statute many of the duties first delegated by vote of the town and has added others. By 1692, the town clerk was required to enter and record divisions of land and orders of the selectmen as well as all town votes, orders and grants. Warrants directed to the constable for the collection of taxes were to be signed by the assessors or the town clerk.*



Ashtabula City Regular Council Meeting  
Monday, May 5, 2014

*Between 1742 and 1756, the General Court made the town clerk responsible for maintaining a list showing each inhabitant's property value and for producing it, if necessary, to substantiate a person's voting rights. The town clerk was required to administer and record the oath of office taken by town officials. By 1776, the town clerk was empowered to call town meetings to elect selectmen if a majority of the selectmen had moved from the town or were absent in the service of the country.*

*The office of town clerk of Wethersfield, Connecticut, was established in 1639 and that person was to "keep a record of every man's house and land," and to present "a fairly written" copy of such to every General Court to be recorded by the secretary of the colony. In the first municipal election in New York City in 1689, the offices of Sheriff, Mayor and City Clerk were on the ballot.*

May 2007

**Anecdotal Poem:** The President said in the spirit of people doing the best they are able to do to help improve our community, he wanted to share the following:

The Story of Everybody, Somebody, Anybody, and Nobody

This little story is about four people named Everybody, Somebody, Anybody, and Nobody. There was an important job to be done and Everybody was sure that Somebody would do it. Anybody could have done it, but Nobody did it. Somebody got angry about that because it was Everybody's job. Everybody thought that Anybody could do it, but Nobody realized that Everybody wouldn't do it. It ended up that Everybody blamed Somebody when Nobody did what Anybody else could have done.

The moral of the story is everybody can do something to make a difference. Don't rely on others; get up and get it done yourself.

**ADJOURNMENT**

Mr. Pugliese, moved, Mr. Balog seconded to adjourn the meeting at 8:14 p.m.

DATE APPROVED: **May 19, 2014**

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

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

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

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