

**ASHTABULA CITY COUNCIL
REGULAR MEETING MINUTES**

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

Monday, May 19, 2014

Call to Order

Council met in a **REGULAR MEETING**. The President of Council called the meeting to order at 7:00 p.m.

Opening Ceremony (Prayer/Pledge/Moment of Silence)

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

Members Present:	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: 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

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

- April 21, 2014 Public Hearing
- April 21, 2014 Regular Meeting
- May 5, 2014 Regular Meeting

Mr. Balog moved, Mrs. Cook seconded to waive the reading of the above meeting 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

2014 Community Recycling Grant

The City Manager requested an ordinance to enter into an agreement with the Ohio Environmental Protection Agency (OEPA), Office of Environmental Education, Post Office Box 1049 Columbus, OH 43216-1049 in the amount not to exceed \$200,000.00 for implementation of the Community Recycling Program grant. Mr. Pugliese moved, Mr. Balog seconded to grant the Manager's request. The Manager reported this is the City's second attempt to secure these funds. With this funding curbside recycling will be enacted for the current Friday and Monday garbage pickup routes, which encompasses about one half of City residents (*Wards 1 and 2*). The grant will be used to purchase 2 toter carts for each household – (1) for recycling; (1) for regular garbage. It will cost residents no additional money. The current \$15.00 per month garbage pickup fee will remain the same. If a resident requires a second regular garbage container, it will cost \$10.00. The program's purpose is to limit what goes to the landfill and streamline operations. Funds will come available in July. Time will be given thereafter to implement the program, provide residents education, and have arms affixed to our sanitation trucks so toters may be picked up electronically to reduce staff injuries.

The Manager said he does not anticipate the program commencing until sometime towards the end of this year or possibly the beginning of next year. Garbage pickup will continue to be performed once a week. The recycling toter will be emptied every two weeks until weekly pickup becomes necessary. The Manager said stand alone garbage bags placed on treelawns is an invitation for rodents and animal to tear into them and make a mess. He would like to see all residents us the new system once implemented, and no longer place bags on treelawns. The motion CARRIED.

2014-2015 City Health Insurance

The City Manager requested an ordinance to enter into an agreement with Anthem Blue Cross, Blue Shield for the purpose of providing health, dental, and vision insurance coverage for the City of Ashtabula effective June 1, 2014 through May 31, 2015. Mr. Pugliese moved, Mr. Balog seconded to grant the Manager's request. The Manager reported our fixed plan cost is increasing by 3% (\$50,000). Through the comparable 12 months, our insurance claim payouts have decreased much. Total claims paid in 'The current period was \$1.34 million compared to the 12 months prior at \$1.69 million. It appears the total paid claims for the upcoming year will decrease'. The motion CARRIED.

Ohio Department of Transportation (ODOT) - State Infrastructure Bank (SIB) Loan

The City Manager requested an ordinance to file and implement, through ODOT, an application for a SIB Loan to provide funding for paving City Streets over a period of three years. Mr. Pugliese moved, Mrs. Cook seconded to grant the Manager's request; motion CARRIED.

Traffic Control File

The City Manager requested an ordinance to amend the Traffic Control File to incorporate a 25 MPH speed limit on Lake Avenue between West 9th Street and West 30th Street. Mr. Pugliese moved, Mrs. Cook seconded to grant the Manager's request. The Vice President reported signs are not yet posted, and asked how many will be. The Manager reported the Traffic Department will make the determination in accordance with state regulations; and the road is not currently marked. The Ohio Revised Code says if a road's speed limit is unmarked in a business district the speed limit is automatically 25 mph. The Manager said it could not be determined if the City previously posted a speed limit, so he is making this recommendation in order to establish a record and have signs erected. The Ward 2 Councilor asked if there will be a grace period. The Manager said it is believed that the area has been 25 mph all along; therefore he will leave it to the discretion of the patrolmen.

Sale of Property

The City Manager requested an ordinance authorizing the sale of property. Mr. Pugliese moved, Mr. Balog seconded to grant the Manager's request. The Manager reported the property is the former East 6th Street Café (903 East 6th Street). The lot has been vacant, bids were let for the sale of the property, no bids were received, a neighbor expressed interest after the bidding period and purchased it. The Vice President asked for the size of the lot.

The Manager reported it is a non-buildable lot; therefore the new owner would have to request a variance to build on it. The Manager reported the lot sold for \$2,251.00, which covers the City's investment in it. The motion CARRIED.

QUESTIONS/COMMENTS FOR CITY MANAGER

Street Sweeper for Veteran's Day Program: The Ward 5 Councilor asked the Manager if on Friday crews could sweep the Memorial Day parade route.

CITY SOLICITOR'S REPORT - No Report

FINANCE DIRECTOR'S REPORT

The Finance Director reported financials were distributed to Council today because the May Finance & Personnel Committee meeting was cancelled. She reported there are no surprises or concerns, and the City is operating within budget.

Formal Legislation Request

The Finance Director made a formal legislation request for ORDINANCE NO. 2014-86 AN ORDINANCE TO MAKE SUPPLEMENTAL APPROPRIATIONS IN THE RECYCLING GRANT, CODE ENFORCEMENT, EARLY RETIREMENT INCENTIVE PROGRAM (ERIP) AND PERMANENT IMPROVEMENT FUNDS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF ASHTABULA, STATE OF OHIO, FOR THE PERIOD JANUARY 1 THROUGH DECEMBER 31, 2014. Mr. Balog moved, Mrs. Cook seconded to grant the Finance Director's request; motion CARRIED.

CITY COUNCIL COMMITTEE REPORTS and COMMUNICATIONS

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

The Chair reported on the committee's May 7 meeting, as follows:

Police Levy Passed on May 6: The Chair thanked everyone who helped with and voted for the levy. That was a 'good day' for the City of Ashtabula. It will have a major impact because at the beginning of 2015, more officers will be placed on the road. This will directly affect economic development, as well.

Peace Stone: A peace stone was given to the City of Ashtabula at the first Multicultural Festival (MCF) in 2011. An agreement on the stones placement in South Park has been reached.

The area in the park on which the stone will be placed will receive attention this weekend during the Park-to-Park clean up. Members of the executive committees of Saving the History in Ashtabula (STHIA) organization and Ashtabula Downtown Development Association (ADDA) met with this committee chair and the Council President prior to today's Pre-Council meeting, to discuss the stone. The Ward 5 Councilor/STHIA member was instrumental in getting the stand for the stone manufactured at no cost, and will place the stand on the chosen site, in preparation for its dedication at the upcoming MCF July 26 & 27.

ADDA Projects: Vice President Ms. Marty Cephas provided the committee with a list of '2013 Accomplishments and 2014 Priorities'. The report lists all ADDA projects (Streetscape, Street Banners, Window Displays, Flowers on Main, Shea's Theater Restoration, Safety and Security Program, Multicultural Festival and other events, Former Municipal Building Restoration, Business Director, and Other). The report also denotes what has been accomplished and their timeline for projects not yet completed.

Projects Report: The Chair said she would like the City to adopt ADDA's project reporting system. Included on the City's report would be Comprehensive Paving Project, Curbside Recycling Program, grant projects, timelines, etc. It would provide a written outline and reference document for Council (who are part-time), and others who desire is to know this information.

Parks & Recreation Board (Board): Time and funding prevent the Board from moving forward with desired projects. They are doing a lot of planning and have had much discussion about what they would like to do. The most important item they are working on is the placement of the playground equipment donated to the City by the Ashtabula Area City Schools after razing several of their former school buildings. The Manager said quotes were received late last week. \$12,500 to \$13,000 was quoted for the parts needed to reconstruct the equipment, \$750 for one of the manufacturer's crew members to help reassemble the equipment, \$8,000 to 9,000 for rubber mulch, bringing the project cost to a little over \$20,000 to install. The equipment is worth \$40,000. The City will have to prep the ground and provide the manpower for a two day project.

The Board is in the very beginning stages of other projects they have in mind. More conversation is needed and answers received before announcements are made.

The YMCA is having a Youth Boating Program for ages 11 to 15, \$50.00 participation fee, and more information may be secured from the Y @ (440) 997-5321.

The YMCA will hold exercise classes at Walnut Beach. For more information contact the YMCA.

"Whee, I'm Welding" Letter of Support: The Council President asked the committee for their approval for a letter of support to Mr. Phil Schmidt, for the G.O. Community Development Corporation's project titled "Whee, I'm Welding".

The project uses virtual reality technology to get at risk teenagers and young adults interested in and trained for rewarding careers in the welding industry. The Chair asked for a vote of support from the full Council. Mr. McClure moved, Mr. Balog to grant the support; motion CARRIED.

Toboggan Run: The Council President asked the Board to provide him with a project he could present to an area service group for funding consideration. The Board came up with (4) to (5) projects, with the number one selection being a Toboggan Run at Walnut Beach. The President will present the request to the Elks Club and report back on their response.

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

The Chair announced the committee did not meet this month. They are scheduled to meet again on Friday, June 13, at 8:00 a.m.

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

The Chair announced the committee will meet again on Friday, June 6, at 8:00 a.m.

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

The Chair announced the committee did not meet in May. They are scheduled to meet again on Friday, June 20, at 8:00 a.m., in the Municipal Building 2nd floor conference room.

Police Levy: The Chair thanked supporters. He believes the placement of more officers on the road, come January 2015, is going to make a “big difference”.

Work Session – No Session/No Report

FORMAL LEGISLATION REQUESTS - None

PUBLIC COMMENT (Regular Agenda Legislation Only)

Mr. Tim Fleming, 601 Ohio Avenue: asked if residents living in low-income housing complexes would have the opportunity to participate in the curbside recycling program. The Manager reported they are welcome to use the City’s recycling center, but that the items must be sorted. He reported the plan is to lease the City’s recycling building to a company who will provide single-stream recycling which will eliminate the need to sort. He hopes to open the program up to commercial entities, which time commercial dumpsters would be placed at low-income housing complexes, restaurants, and bars, upon request.

LEGISLATION READING

Consent Agenda Format: Mr. Ducro IV moved, Mr. McClure seconded to dispose of the Legislation Agenda by Consent Agenda format; motion CARRIED.

The Clerk of Council presented the following legislation:

ORDINANCE

2014-80 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO DISPOSE OF OBSOLETE EQUIPMENT. (City Manager)

ORDINANCE

2014-81 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE OHIO ENVIRONMENTAL PROTECTION AGENCY FOR IMPLEMENTATION OF A \$200,000 COMMUNITY RECYCLING PROGRAM GRANT. (City Manager)

ORDINANCE

2014-82 AN ORDINANCE WAIVING THE FEE REQUIRED FOR DISPOSITION OF BAGS CONTAINING YARD WASTE UNDER CODIFIED ORDINANCE SECTION 951.12 DURING THE MONTH OF MAY, 2014. (City Manager)

ORDINANCE

2014-83 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH KINDER MORGAN – PINNEY DOCK & TRANSPORT COMPANY FOR THE PURCHASE OF STREET REPAIR MATERIALS. (City Manager)

ORDINANCE

2014-84 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH KOSKI CONSTRUCTION COMPANY FOR THE PURCHASE OF STREET REPAIR MATERIALS. (City Manager)

ORDINANCE

2014-85 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ANTHEM BLUE CROSS, BLUE SHIELD, FOR THE PURPOSE OF PROVIDING EMPLOYEE HEALTH, DENTAL AND VISION INSURANCE COVERAGE FOR THE PERIOD OF JUNE 1, 2014 THROUGH MAY 31, 2015. (City Manager)

ORDINANCE

2014-86 AN ORDINANCE TO MAKE SUPPLEMENTAL APPROPRIATIONS IN THE RECYCLING GRANT, CODE ENFORCEMENT, EARLY RETIREMENT INCENTIVE PROGRAM (ERIP) AND PERMANENT IMPROVEMENT FUNDS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF ASHTABULA, STATE OF OHIO, FOR THE PERIOD JANUARY 1 THROUGH DECEMBER 31, 2014. (Finance Director)

RESOLUTION

2014-87 A RESOLUTION IN OPPOSITION TO SUBSTITUTE HOUSE BILL 5 (SubHB 5) and SENATE BILL 282 (SB 282), WHICH SEEK TO AMEND CERTAIN PORTIONS OF THE LAW OF THE STATE RELATING TO MUNICIPAL INCOME TAX. (City Council)

ORDINANCE

2014-88 AN ORDINANCE AMENDING THE TRAFFIC CONTROL FILE FOR THE PURPOSE OF POSTING A SPEED LIMIT OF 25 MILES PER HOUR ON LAKE AVENUE FROM WEST 9TH STREET TO WEST 30TH STREET. (City Manager)

ORDINANCE

2014-89 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE SALE OF REAL PROPERTY. (903 East 6th Street) (City Manager)

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. 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 above Consent Agenda Legislation: Mr. Balog, Mr. Pugliese, Mrs. Cook, Mrs. Misener, Mr. Hamrick, Mr. McClure, Mr. Ducro IV voted yea; motion CARRIED.

UNFINISHED BUSINESS - None

NEW BUSINESS

LIQUOR PERMIT REQUEST – (NEW)

For: Dogen Midwest LLC, dba Dollar General Store, #14529, 1708 West Prospect Road (US 20), Ashtabula, OH (near Benefit Avenue)

Class: C1 Beer only in original sealed containers for carry-out only until 1:00 a.m.

C2 Wine and Certain prepackaged mixed drinks in sealed containers for carry out only until 1:00 a.m.

The Ward 2 Councilor announced he 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; therefore, if Council simply moves to take no action, it will suffice. The President entertained a motion that Council take no action. Mr. Balog moved, Mrs. Cook seconded. The Ward 4 Councilor requested to abstain because she is employed by Dollar General. Mr. McClure moved, Mr. Balog seconded to permit the Ward 4 Councilor to abstain from voting. On the roll call for the request to abstain: Mr. Balog, Mr. Pugliese, Mrs. Cook, Mr. Hamrick, Mr. McClure, Mr. Ducro IV voted yea; motion CARRIED. Council voted on the main motion to take no action, and motion CARRIED.

MISCELLANEOUS BUSINESS

Library Levy Meeting: The Ward 4 Councilor reported she attended the Ashtabula County Public Library meeting last week where library expansion plans were presented. The plans are very aggressive, will evolve from a place where you go to get books or access a computer to higher technology. They plan to host social events, have a room in which movies can be made, and will have activities geared for youth and senior citizens. The Library Levy that passed on May 6 will not cover construction and expansion; those funds will have to be raised. The Councilor said this is something positive for our community that is taking place downtown, and will coincide with everything else the City Manager and Council are doing.

Televising of Council Meetings: The Manager reported the reason for no cable picture this evening is because a few weeks ago Time Warner Cable notified its customers the channel Council meetings are broadcast on would only be available via a digital cable box. He asked viewers who are watching to relay the message to those who are unable to view the programming.

Police Levy: The Manager echoed Council's sentiments regarding the passage of the Police Levy on May 6. He said, "It was a huge victory for the City, for our residents, and specifically for our Police force". As we mentioned during the campaign (2) dispatchers and (5) police officers will be hired. All interested persons, or anyone who knows someone that might be interested in law enforcement, should pick up an application to take the Civil Service examination. Applications may be picked up at Attorney/Civil Service Commission Chair Bret Cimorell's office, located in the back of the Huntington Bank building on Main Avenue & West 44th Street, and should be returned to the same location. The Manager said he has reached out to other areas, social groups, and surrounding counties to see if we can attract a great pool of people to take this test, which rarely is given in Ashtabula and other areas due to recent budgetary challenges. On behalf of his administration, the Manager thanked citizens for doing their homework on the levy, realizing what it was all about, and coming out and supporting it. "I do appreciate it."

Yard Waste Bag Pick Up: The Ward 2 Councilor said next week is the last free pickup week and noticed a few bags have not been picked up. The Vice President reported that at his June 6 Public Works/Utilities/Schools Committee meeting the discussion regarding yard waste bags and whether to continue the program will resume.

Walnut Beach: The President asked if garbage pickup at the Beach is on a regular schedule. The Manager responded yes, that (14) cans were placed throughout the Beach, and said people participated in the day long Beach cleanup. He reported cans are overflowing from the cleanup, during which 40 bags of garbage were removed. He asked that the Beach be respected and litter be placed in the cans.

GENERAL PUBLIC DISCUSSION

Mr. Tim Fleming, 601 Ohio Avenue: reported he has concerns about Police personnel, said he would like to speak with the City Manager and Police Chief Stell, and asked if this is the forum in which to do so. The Manager offered to speak with Mr. Fleming after this meeting.

Nik Tressler, 202 West 58th Street: said he frequently hears about how horrible the City of Ashtabula is and about the numerous drug addicts and criminals who reside here. He said, "We're really, really down on each other and the community". He said meanwhile there are some hard working persons who try to do good; some of which Council has honored, some of which the business community has awarded. Mr. Tressler reported he has spoken with the Council President regarding City Council honoring Ms. Shelia Dubsy who has impacted hundreds of people and their careers, many of which have returned to the City and enhanced our quality of life. He said he knows the lives of at least five people were saved because of her work, and that she continues to create beauty and great success in our community. He said while Ms. Dubsy resides in Geneva-on-the-Lake she is a jewel to our City, spending the last 30 years creating a dance department at the Ashtabula Arts Center. He said this would be more than being honored for coordinating parade or festival, but being honored for changing the lives of hundreds of people, and believes the City should "honor her in some very special way".

The President said he agrees with comments regarding Ms. Dubsy's contributions to the community, along with numerous others at the Arts Center who have done the same. He said Council honored the Ashtabula Arts Center's 60 Anniversary by the presentation of a resolution at a televised council meeting, and that the resolution touched base on the many specific things Ms. Dubsy, Ms. Beth Koski (former executive director), and others have collectively achieved. The President said, he speaks on behalf of Council all of whom signed the resolution, the City is very appreciative and honored to have the Ashtabula Arts Center in our community; and do recognize all the work everyone, including volunteers, have done. He thanked Mr. Tressler for reminding everyone of Ms. Dubsy's contributions.

Police Chief Robert Stell: Thanked everyone for supporting the Police Levy. He said he feels good about the result, and thanked everyone on the dais who contributed to the levy's success. He especially thanked Ashtabula Police Officer Thomas Perry, who is currently the Local 26 Fraternal Order of Police (FOP) President, and who worked tireless and did an outstanding job on the levy campaign.

Ashtabula City Regular Council Meeting
Monday, May 19, 2014

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, June 2, 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!”

The President thanked the television viewing audience for tuning in.

ADJOURNMENT

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

DATE APPROVED: **June 2, 2014**

ATTESTED BY: _____

J. P. Ducro IV
President of Council

ATTESTED BY: _____

LaVette E. Hennigan, MMC
Clerk of Council