

**ASHTABULA CITY COUNCIL
REGULAR MEETING MINUTES**

Monday, November 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, Park Avenue, 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. 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. LaVette E. Hennigan, MMC (Clerk of Council)

OFFICER(S) ABSENT: Mrs. Dana D. Pinkert (Finance Director)

EXCUSED ABSENCE: 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.

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 together routine items and disposing of or enacting them by one motion, a second, and a vote.

Ashtabula Regular Council Meeting
Monday, November 3, 2014

APPROVAL OF MEETING MINUTES

The Clerk of Council presented the October 20, 2014 Regular Council Meeting minutes for disposal. Mr. Balog moved, Mr. Pugliese seconded to waive the reading of the minutes; motion CARRIED. Hearing no corrections, the minutes stood approved as presented.

FORMAL LEGISLATION REQUESTS - None

PUBLIC DISCUSSION (Consent Agenda Legislation Only) - None

LEGISLATION READING

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

ORDINANCE

2014-159 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO TRANSFER REAL PROPERTY TO THE ASHTABULA TOWNSHIP PARK DISTRICT BOARD OF TRUSTEES. (City Manager)

ORDINANCE

2014-161 AN ORDINANCE ADOPTING THE CITY OF ASHTABULA, OHIO INTERNAL CONTROL POLICY. (Finance Director)

ORDINANCE

2014-162 AN ORDINANCE ADOPTING THE CITY OF ASHTABULA, OHIO PURCHASING CARD POLICY. (Finance Director)

ORDINANCE

2014-165 AN ORDINANCE REPEALING, IN ITS ENTIRETY, ORDINANCE NUMBER 2014-130, AUTHORIZING A CONTRACT WITH GPD GROUP FOR CONSULTING SERVICES FOR THE WATER POLLUTION CONTROL CHLORINE BUILDING IN ORDER TO FUND OTHER PROJECTS AT THE CITY'S WASTE WATER TREATMENT PLANT. (City Manager)

ORDINANCE

2014-166 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH SMOLEN ENGINEERING, LTD. FOR THE PURPOSE OF PROVIDING DESIGN ENGINEERING FOR THE OHIO DEPARTMENT OF TRANSPORTATION-FUNDED SAFE ROUTES TO SCHOOL PROJECT IN THE AMOUNT NOT TO EXCEED \$49,400.00. (City Manager)

ORDINANCE

2014-168 AN ORDINANCE AUTHORIZING BORROWING THE MAXIMUM SUM OF \$500,000 FROM HUNTINGTON PUBLIC CAPITAL CORPORATION FOR THE PURPOSE OF FUNDING THE LEASE/PURCHASE OF VEHICLES AND OTHER CAPITAL EQUIPMENT IN ORDER TO PROVIDE ESSENTIAL SERVICES. (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. 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. Ducro IV voted yea; motion CARRIED.

(END OF CONSENT AGENDA)

REGULAR AGENDA

READING AND DISPOSAL OF MEETING MINUTES – None

CITY MANAGER'S REPORT

Manager's Cup

The City Manager explained he was wearing a Geneva sports jersey to pay off his debt to Geneva City Manager, Jim Pearson, because Geneva defeated Lakeside High School in their annual football match. His hope is that the new Geneva City Manager (Manager Pearson is retiring this year) will have to wear the Lakeside jersey next year.

Residential Public Infrastructure Grant Application

The City Manager requested an ordinance to apply for the Residential Public Infrastructure Grant through ODSA (Ohio Development Services Agency), Office of Community Development in the amount of \$500,000.00 for improvements at the Waste Water Treatment Plant. Mr. Pugliese moved, Mrs. Cook seconded to grant the City Manager's request; motion CARRIED. The Manager reported, to satisfy one of the grant's requirements, income survey requests were sent to 400 city and adjoining township residents who are on the City's sewer billing cycle, along with a self-addressed/stamped envelope. The survey is confidential and will only be reviewed by the City's Project Administrator and the funding agency. The Manager stressed the important of returning the survey. If not enough are returned the City will be required to go door-to-door to acquire the information. He said he would like the surveys to be returned this month, and would greatly appreciate resident's cooperation.

Police Car Purchase

The City Manager requested an ordinance for authorization to enter into a contract with Great Lakes Chrysler as the lowest and best bid for the acquisition of police vehicles in an amount not to exceed \$125,000.00. Funds will be used from the Huntington Lease Purchase agreement. Mr. Balog moved, Mrs. Cook seconded, to grant the City Manager's request. The Manager reported 5 Dodge Chargers will be purchased. The loan will be repaid over five years with Capital Improvement funds. He stressed Police Levy funds will not be used. The Ward 1 Councilor/Safety Forces Chairperson thanked citizens for voting in favor of the Levy. He said, "We're true to our word. We're using the levy monies to hire 2 dispatchers that will replace two police officers who are currently dispatching, and 5 additional officers, for a total of 7 officers. We have a lot to look forward to the first of the year." The motion CARRIED.

Burton Scot Change Order No. 1

The City Manager requested an ordinance for authorization to enter into change order No. 1 with Burton Scot for additional services and materials and deletion of services and materials on the City's 2014-2016 Paving Project. This is a net zero dollar change order. Mr. Pugliese moved, Mrs. Cook seconded to grant the City Manager's request. The Manager reported all bidders were to provide quotes for minor to moderate repairs of catch basins and manholes. Many of them have been restored. However, it was determined that many of them were still in good shape and were deducted from the job, thus reducing the project cost. It also was determined that many of the castings were broken on the storm basins located on the curbs, and therefore were added to the job. This created the net zero dollar change order, which has to be recorded. The motion CARRIED.

Remove Ordinance No. 2014-167 from Consideration

The City Manager requested the removal of Ordinance No. 2014-167 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION (OPWC) STATE CAPITAL IMPROVEMENT AND LOCAL TRANSPORTATION IMPROVEMENTS PROGRAMS TO EXECUTE AGREEMENTS AS REQUIRED FOR PHASE III OF THE WEST HARBOR SEWER IMPROVEMENTS (sewer cleaning and televising), from this evening's agenda. He reported, "The project is being pulled because the application was going to have to be submitted as a 100% loan rather than the City receiving money back as we had in the past in order to score high enough to be eligible for a project." We are also now doing a lot of our own cleaning and televising with our own camera equipment. And, in upcoming years the funds that we would have used to repay this loan will be used for other Waste Water Treatment Plant improvements that are needed. We do intend to apply for the next round of OPWC funding. Mr. Balog moved, Mr. Pugliese seconded to grant the City Manager's request; motion CARRIED.

Updates

2014-2016 Paving Project

The contractor is working on West 13th Street north to Walnut Boulevard and Lake Avenue (to the east side) on some of the roads in the Goodwill Drive area.

The City has asked that no more roads be opened up, and that the work now being done to the aprons, catch basins, sewer drains, and paving be completed. The project will then be evaluated. There are a couple streets to the west of where the contractor presently is which still have to be paved (Westshore, Arlington, and Duquesne). The Manager reported Park Avenue, East 46th and 42nd Street are on the list to come back to. If they are unable be paved this year they will be rolled over into next year's bid. All-in-all, the comments are positive, paving has been performed in many of our troubled areas which should be good for snowplowing.

The President asked if the second coat was placed on Ann Avenue. The Manager responded, yes, on Saturday.

The Ward 4 Councilor asked when is the earliest 2015 paving may begin. The Manager responded as soon as asphalt plants open, which is usually April or May. The paving bid will be let in January or February. The President said next year's paving should start much sooner than this year, given one of the major hold ups this year was securing funding, which has been secured.

Former West Elementary School (fire ridden structure)

The cleanup is complete. The Manager said he met with the USEPA and OEPA last week to review the site. Over 2200 tons of debris was removed and treated as asbestos. Some metal scrap was recovered for recycling. The site has been filled in with clean fill and seeded. The City intends to sale the property by the bid process or by auction. Much interest in the property has been expressed.

Winter Salt

Salt has been delivered and crews are ready for the snow. We have about two hundred more tons to be delivered tomorrow for a total of 2000 tons ordered at last year's price, because our contract was good through October 2014. The Manager said he has concerns about the end of winter salt acquisition due to rumors of extremely high salt prices. The City is working with the Ohio Department of Transportation (ODOT) to try and secure more. We have about 2800 tons in stock; last year 3200 tons were used during an extremely cold winter.

Questions/Comments for the City Manager

Former West Elementary School (fire ridden structure): The Ward 4 Councilor asked what the property's acreage is, does the City have to have it surveyed, is there costs to incur to ready the property for sale, and what is the process for putting a public property up for sale. The City Manager said he does not believe a survey is required, unless the County Engineer requires it when the property is transferred again. The property does not include the parking lot; it is owned by another company. The Manager said a public property has to be advertised for sale or auction.

It has yet to be determined if sealed bids will be taken or if we will host a live auction. A minimum price may be set, and stipulations regarding closing costs or any other associated costs may also be established.

The Councilor asked if the property will revert to residential. The Manager said it will go back to its original zoning which is either residential or C1- General Commercial District. The Councilor said establishing the property's zoning prior to the sale will be beneficial to potential buyers. The Manager said the matter of the property's zoning would go to the City's Planning Commission. The property is less than one acre.

West Avenue Road Repair: The Ward 2 Councilor asked if the bad of West Avenue from Seymour Drive south to a little past West 47th Street, will be repaired. The Manager responded, yes, the City met with Aqua Ohio water company and our paving contractor, Burton Scot. The contractor provided Aqua with a quote, and Burton Scot will do the work.

2014-2016 Paving Project: The President reported receiving multiple questions regarding whether the stretch of road between West 16th Street and Union Avenue will be finished. The Manager said the contractor was hoping to do it this past weekend, but was unable to. He said he at hoped they would get to that area today. If they did not, he is expecting them to do so this weekend. He said the road will not be in its present condition through the winter.

CITY SOLICITOR'S REPORT – No Report

FINANCE DIRECTOR'S REPORT

Formal Legislation Requests: The President presented the following legislation requests:

ORDINANCE NO. 2014-160 AN ORDINANCE CREATING TWO (2) NEW FUNDS IN ORDER TO ACCOUNT FOR RESOURCES IN THE AREAS OF STREET LIGHTING AND SEWER CAPITAL IMPROVEMENTS (to satisfy external auditor's recommendation). Mr. Balog moved, Mrs. Cook seconded to grant the Finance Director's request; motion CARRIED.

ORDINANCE NO. 2014-163 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE AGREEMENT FOR COPIER EQUIPMENT FOR THE CITY FINANCE DIVISION (one for the Municipal Building 2nd floor general purposes and one for the Finance Department's office). Mrs. Cook moved, Mr. Balog seconded to grant the Finance Director's request; motion CARRIED.

ORDINANCE NO. 2014-164 AN ORDINANCE TO MAKE SUPPLEMENTAL APPROPRIATIONS IN THE GENERAL, PUBLIC WORKS, LAW ENFORCEMENT TRUST, SANITATION, POLICE PENSION, MARINA, CODE ENFORCEMENT AND ERIP (Early Retirement Incentive Plan) 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)

Meeting Notice: The Chair reported the Committee will not meet in November.

The Chair reported the following activity:

Parks & Recreation Board: The Board will meet on Tuesday, November 11, at 6:30 p.m., in Pre-Council Chambers located on the first floor of the Municipal Building.

My Neighborhood Group (MNG): The MNG will host a curbside cleanup in the Clifford Kadon Presidential Park (CKPP) neighborhood area (presidential streets), on Saturday, November 8, from 1:00 p.m. to 3:00 p.m. Volunteers are asked to meet at CKPP, to dress warm, and to bring rakes and shovels; garbage bags will be provided.

The MNG's 'Dare to Dream' After School Discovery event, held last month in South Park, had over 100 people in attendance.

The MNG is very active and productive, is good for the community, and we should support them.

Finance and Personnel - (Mr. Ducro IV/Mr. Balog): The Chair announced the committee will meet on Friday, November 14, at 8:00 a.m., in the Municipal Building 2nd floor conference room. The main order of business will be a review of the 2015 budget.

Public Works/Utilities/Schools – (Mr. McClure/Mr. Pugliese): The President reported the Chair plans to have a committee meeting on Friday, November 7, at 8:00 a.m., in the Municipal Building 2nd floor conference room.

Safety Forces – (Mr. Balog/Mrs. Misener): The Chair announced the Monday, November 24 meeting is cancelled due to there being no agenda items prepared for discussion. If it is necessary to meet, a meeting will be scheduled in accordance with the Sunshine Law.

Questions/Comments for the Safety Forces Committee

Civil Service Certified Lists: The President asked if the Civil Service Commission has certified the Police Entrance exam list. The Manager responded, no.

Work Session – No Session/No Report

FORMAL LEGISLATION REQUESTS - None

PUBLIC DISCUSSION (Regular Agenda Legislation Only) - None

CONSENT AGENDA DISPOSAL: Mr. Balog moved, Mr. Pugliese seconded to dispose of the Regular Agenda Legislation by Consent Agenda format; motion CARRIED.

LEGISLATION READING

The Clerk of Council presented the following legislation for consideration:

ORDINANCE

2014-160 AN ORDINANCE CREATING TWO (2) NEW FUNDS IN ORDER TO ACCOUNT FOR RESOURCES IN THE AREAS OF STREET LIGHTING AND SEWER CAPITAL IMPROVEMENTS. (Finance Director)

ORDINANCE

2014-163 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE AGREEMENT FOR COPIER EQUIPMENT FOR THE CITY FINANCE DIVISION. (Finance Director)

ORDINANCE

2014-164 AN ORDINANCE TO MAKE SUPPLEMENTAL APPROPRIATIONS IN THE GENERAL, PUBLIC WORKS, LAW ENFORCEMENT TRUST, SANITATION, POLICE PENSION, MARINA, CODE ENFORCEMENT AND ERIIP 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)

ORDINANCE

2014-169 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH GREAT LAKES CHRYSLER FOR THE ACQUISITION OF POLICE VEHICLES. (City Manager)

ORDINANCE

2014-170 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO CHANGE ORDER NO. 1 TO CONTRACT WITH BURTON SCOT CONTRACTORS, LTD. FOR ADDITIONAL SERVICES AND MATERIALS AND DELETION OF SERVICES AND MATERIALS ON THE ASHTABULA 2014-2016 PAVING PROJECT. (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: Mr. Balog, Mr. Pugliese, Mrs. Cook, Mrs. Misener, Mr. Hamrick, Mr. Ducro IV voted yea; motion CARRIED. On the roll call to adopt the above Regular Agenda Legislation: Mr. Balog, Mr. Pugliese, Mrs. Cook, Mrs. Misener, Mr. Hamrick, Mr. Ducro IV voted yea; motion CARRIED.

UNFINISHED BUSINESS – None

NEW BUSINESS

Civil Service Commission Rules & Regulations: The Manager reported the Civil Service Commission met today in a special meeting to discuss rules pertaining to the Civil Service examination process. The Civil Service Commission Chairperson, Bret Cimorell, will contact City Council with recommended changes. The Manager informed Council he would like the Council to consider the changes at the Monday, November 17 Regular Council Meeting. Upon the passage of the changes, advertising for the Fire Division Chief's test will take place, with the hopes of hiring a new Fire Chief by the end of the year, or beginning of 2015.

Codified Ordinances Replacement Pages: The President entertained a motion for AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE ASHTABULA CODIFIED ORDINANCES, UPDATED THROUGH OCTOBER 10, 2014. Mr. Balog moved, Mrs. Cook seconded to grant the President's request, motion CARRIED.

MISCELLANEOUS

General Election: The Manager announced tomorrow is Election Day, and that important state and county issues will be on the ballot.

Former Municipal Building (4400 Main Avenue): The Ward 2 Councilor noted a fence was erected around the building a few weeks ago. He said has heard comments and concerns about the structure. He said the structure is a well built structure, has been vacant for over 10 years, needs a lot of work, and is a structure many people would like to preserve. He asked if there are any possibilities for or persons interested in the structure. He said he even thought about contacting the post office to see if they would like to relocate there, again. The Manager said he has taken a few interested parties through it. Unfortunately the building has deteriorated significantly. The reason for the fence is because the insurance company would not provide liability insurance without it. "We are searching for funds for demolition. If somebody has a worthwhile project I will be more than happy to entertain it. But, as I've always said, the difficulty with that building is you're probably looking at between a 3 to 5, to maybe even 7 million dollar restoration. And, for the going price of property for rent on Main Avenue, the numbers just don't jive for restoring it. I would love to be able to do it for our own purposes, but in my opinion, depending on how this winter is, it could be even more detrimental to that building. There's a lot of work that needs to be done to that building. I'm extremely concerned about it. But, at this point, because we've taken contractors that have done this in other areas, that have taken part in historic tax credits like we did for the old hotel (*Hotel Ashtabula*), we've taken guys that just do this type of work all the time to restore these buildings, through it – they have no interest in it. We're pretty much kind of resorted to looking for funds to demolish it."

Former Carlisle's Building (Main Avenue): The Ward 2 Councilor asked if anything is going on with this dilapidated structure, which some day may fall out onto Main Avenue.

The Manager reported quite a bit of activity is going on in the back of the structure, because it is being cleaned out. The City's inspectors, police department, and the County building inspector (who has condemned the building), have been there. The owner has been given 30 days to remove items, and has been ordered to make repairs or raze the structure. The City has tried to assist with asbestos abatement through Brownfield opportunities. Some of the preliminary testing the owner has had performed indicates there is not much asbestos in the plaster, if at all, but there are some basement pipes from the heating system that are wrapped in asbestos. So, the amount of asbestos might not be as bad as we thought. However, it will cost a significant amount of money to demolish the structure, especially since it is connected to the Masonic Temple, and because of its proximity to Main Avenue. Also, because in the past there had been so much talk about what was going to happen with the building, the Manager said he is taking an "I'll believe it when I see it" attitude. He said because the County has stepped up and put some force to the matter, and because of the efforts of our City Solicitor's office and our Police Department, things might be different this time around. Upon the completion of the 30 day period, anyone, including the owner, found in or on the property will be found to be criminally trespassing, unless permission has been granted by the City. The Manager said, "It's time".

GENERAL PUBLIC DISCUSSION - None

EXECUTIVE SESSION: None

RECONVENE OPEN MEETING: N/A

ACTION RESULTING FROM EXECUTIVE SESSION: N/A

CLOSING REMARKS

Next Meeting: The President announced the next Regular Council meeting is scheduled for Monday, November 15, at 7:00 p.m.; Pre-Council at 6:00 p.m.

Budget Public Hearing: The President announced City Council will meet in a public hearing on Monday, December 3, at 5:30 p.m., for the purpose of presenting the 2015 Budget for the City of Ashtabula. The public is encouraged to attend.

Tag Line: The President reminded everyone to "Remember to Keep Believing in Ashtabula!"

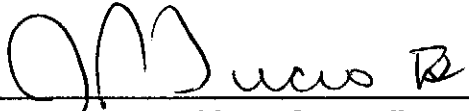
Holiday Parade: The President announced the Ashtabula Downtown Development Association's (ADDA) Holiday Parade is scheduled for Friday, November 21, at 7:00 p.m.

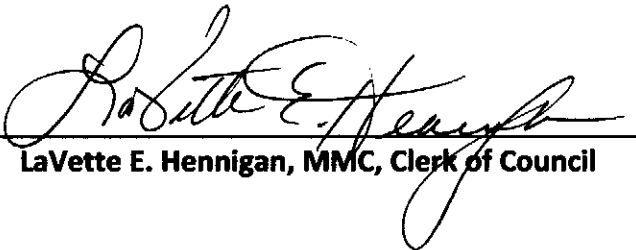
Ashtabula Regular Council Meeting
Monday, November 3, 2014

ADJOURNMENT

Mr. Pugliese moved, Mr. Balog seconded to adjourn the meeting at 7:43 p.m.

DATE APPROVED: November 17, 2014

ATTESTED BY: 
J.P. Ducro IV, President of Council

ATTESTED BY: 
LaVette E. Hennigan, MMC, Clerk of Council