

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

Regular Meeting

Monday, August 1, 2016

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

The Ward 4 Councilor offered the opening prayer; the Pledge of Allegiance was recited.

MEMBERS PRESENT: Mrs. Josephine Misener (Ward 4 Councilor)
 Mrs. Alice T. Cook (Ward 3 Councilor)
 Mr. August A. Pugliese (Ward 2 Councilor)
 Mr. John S. Roskovics (Ward 1 Councilor)
 Mr. Christopher J. McClure (Vice President)

MEMBER(S) ABSENT: Mr. Kris E. Hamrick (Ward 5 Councilor)
 Mr. J. P. Ducro IV (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 Ward 5 Councilor and Council President from this meeting; motion CARRIED.

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

PRESENTATION(S)

Because of the relationship forged and projects they have worked on together, the Vice President asked the City Manager to present the following resolution of Council, on Council's behalf, to Mr. Richard Morrison, President/CEO and Mr. Andy Juhola, Vice President Human Resources of Molded Fiber Glass (MFG). The City Manager was most grateful for the opportunity to make the presentation. He said, "This started in the fall of 2015, when Mr. Morrison asked what MFG could do to help the City. A lot of ideas were kicked around and the westside basketball court was agreed upon. They are the only courts in the City, and now we have gone from having one to two beautiful courts on MFG's behalf."

RESOLUTION NO. 2016-112

**A RESOLUTION OF APPRECIATION
TO
MOLDED FIBER GLASS**

WHEREAS, it has come to the attention of this City Council and these Public Officials of the City of Ashtabula, Ohio, that special recognition is in order; and,

WHEREAS, Molded Fiber Glass (known to the community as MFG), located at 2925 MFG Place, in Ashtabula, OH, has operated its headquarters in the City of Ashtabula since 1948; and,

WHEREAS, MFG has a strong belief in “giving back” to the communities in which they do business, through charitable donations of their time and financial support; and

WHEREAS, In the spring of 2016, MFG began the rehabilitation and expansion of the West 47th Street basketball courts and completed the project in July; the rehabilitation project, managed by Ballo Construction, included two new asphalt courts, seal coating and striping of the existing parking lot and the installation of new fencing, backboards and rims; and,

WHEREAS, MFG leased the courts to the City of Ashtabula for the community’s benefit; thereby, once again, displaying the textbook model of a corporation that has the community’s best interest at heart and that seeks to forge ‘public/private partnerships’ for the betterment those communities;

NOW THEREFORE, BE IT RESOLVED that this City Council and these Public Officials of the City of Ashtabula, Ohio, do hereby express our sincere appreciation to Molded Fiber Glass/West 47th Street Properties for the rehabilitation and expansion of the West 47th Street basketball courts (on which the “Westside Shootout” event has annually taken place for decades), and for their unwavering commitment to and support of the enhancement of the Ashtabula City community.

THANK YOU for Believing In Ashtabula!

ADOPTED: _____

ATTEST: _____
J.P. Ducro IV
PRESIDENT OF COUNCIL

LaVette E. Hennigan, MMC
CLERK OF COUNCIL

APPROVED: _____
Christopher J. McClure
VICE-PRESIDENT OF COUNCIL

John S. Roskovics
WARD 1 COUNCILOR

August A. Pugliese
WARD 2 COUNCILOR

Alice T. Cook
WARD 3 COUNCILOR

Josephine Misener
WARD 4 COUNCILOR

Kris E. Hamrick
WARD 5 COUNCILOR

James M. Timonere
CITY MANAGER

Michael Franklin
CITY SOLICITOR

Dana P. Pinkert
FINANCE DIRECTOR

Mr. Morrison thanked the City for the recognition. He said, "It is meaningful to MFG. We do not do it for recognition, but because we have been in business in the City of Ashtabula since 1948, and it is important for us to support the community that supports us through police, fire and other services provided. We were thinking of a smaller project. However, when the City Manager told me there were no outside basketball courts in the City of Ashtabula I said that's just not right because basketball is a great sport. But it's the getting together of the teams and the team work and the coaching and the mentoring that's so important for our young people. We had a lot of support from a lot of people. We hope it will be a benefit to the young and old of Ashtabula, and help us to make Ashtabula a more desirable place to be."

Mrs. Misener moved, Mrs. Cook seconded to adopt the resolution; motion CARRIED.

EXECUTIVE SESSION - None

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 one vote.

MEETING MINUTES READING & DISPOSAL

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

July 18, 2016 Regular Council Meeting

July 25, 2016 Special Council Meeting

Mr. Pugliese moved, Mrs. Cook seconded to waive the reading of the minutes; motion CARRIED.

The Vice President reported he was not in town to attend Mr. Robert E. Beacom's funeral services or be a part of the Council meeting where a moment of silence was observed. He offered his condolences to Bob's family. "He was a great guy. I consider him a friend. We worked together on this Council. He did my taxes. You can't help but smile when you think about Bob. He will be missed."

LEGISLATION AGENDA

- The Vice President recapped the agenda.

- Public Discussion (Legislation Only) - None
- The Clerk of Council presented the following legislation for Council's consideration:

ORDINANCE

2016-106 AN ORDINANCE TO VACATE THE RIGHT-OF-WAY OF HUMPHREY AVENUE FROM WEST 26TH STREET TO WEST 27TH STREET (2nd Reading). (City Manager)

Mr. Pugliese moved, Mrs. Cook seconded to waive the reading of the ordinance; motion CARRIED. Mr. Roskovics moved, Mr. Pugliese seconded to adopt the ordinance. On the roll call to adopt the ordinance: Mrs. Misener, Mrs. Cook, Mr. Roskovics, Mr. Pugliese, Mr. McClure voted yea; motion CARRIED.

ORDINANCE

2016-109 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A RECREATIONAL LEASE AGREEMENT WITH WEST 47TH STREET PROPERTIES, LLC, FOR THREE YEARS (3) YEARS FOR ONE DOLLAR (\$1.00). (City Manager)

ORDINANCE

2016-110 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE OHIO PUBLIC WORKS COMMISSION (OPWC) FOR THE SANITARY SEWER OVERFLOW ELIMINATION PHASE I PROJECT IN A TOTAL AMOUNT OF \$300,400, AND AN OPWC GRANT/LOAN OF \$195,260. (City Manager)

ORDINANCE

2016-111 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO DISPOSE OF OBSOLETE AND UNNEEDED VEHICLES. (City Manager)

Mr. Roskovics moved, Mrs. Cook seconded to waive the reading of the ordinance; motion CARRIED. Mr. Roskovics moved, Mrs. Cook seconded to waive the Charter requirement of two readings. On the roll call to waive the Charter requirement of two readings: Mrs. Misener, Mrs. Cook, Mr. Roskovics, Mr. Pugliese, Mr. McClure voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mrs. Misener, Mrs. Cook, Mr. Roskovics, Mr. Pugliese, Mr. McClure voted yea; motion CARRIED.

CITY MANAGER'S REPORT

- **East 6th Street Road Repair**

The City Manager requested an ordinance to enter into an agreement with Rocky Road Paving of 3142 Padanarum Road, Geneva, OH 44041, as bid, for the repair of the road on East 6th Street located in front of 1149 East 5th Street, in the amount not to exceed \$12,900.00. Funding for this expenditure will be taken from the Permanent Improvement Fund. Mr. Pugliese moved, Mrs. Cook seconded to grant the City Manager's request; motion CARRIED.

The Ward 2 Councilor asked if work is also going to be performed on Parkgate, the road which butts up to East 6th Street. The Manager responded no. He said the area that has "depressed"

located just past the concrete into the asphalt section will be repaired. A cut will be made all the way across the lanes, concrete will be poured underneath and asphalt will be laid. He said the depression is due from years of wear on the concrete, as well as the heavy trucks that traverse that section of the road when entering and exiting Kinder-Morgan/Pinney Dock.

The Ward 2 Councilor asked about the paving firm. The Manager said they performed patch work on West 13th Street and on State Road, and they do impressive work, so far.

- **Sale of Property**

The City Manager requested an ordinance to enter into an agreement with Guerriero Funeral Home, Inc. of 1550 West 19th Street, Ashtabula, OH 44004, as bid for the sale of property at Smith Field, approximately 0.61 to 0.62 of an acre out of Permanent Parcel No. 68-317-00-003-00. Mrs. Misener moved, Mr. Pugliese seconded to grant the City Manager's request; motion CARRIED. The Vice President inquired about the process to sale this property. The Manager explained Mr. Guerriero would like to expand his business, and due to certain set back requirements he needs this parcel, which is located adjacent to his business. A broker's opinion was secured.

- **Board of Health Re-Appointment**

The City Manager requested the reappointment of Mr. David Hoffman to the Board of Health effective September 2, 2016, for a term to end on September 1, 2021. Mr. Roskovics moved, Mr. Pugliese seconded to grant the Manager's request; motion CARRIED. The Ward 2 Councilor said Mr. Hoffman has been on the board many years, asked how long and congratulated him on his reappointment. The Manager said he would find out.

- **Resolution Request**

The City Manager asked Council for a resolution to thank Cristal Global for the new landscaping they installed all around the Walnut Beach concession stand, on their "Volunteer Day". He said they worked with City staff and a couple agencies to research and install native plantings and eight tons of decorative stone. He said it really looks nice. Mr. Pugliese moved, Mrs. Cook seconded to grant the City Manager's request; motion CARRIED.

The Vice President said what MFG, Cristal, Chromaflo, Zehrco, and many other firms not mentioned, have done "is the advantages of business working with your community. It's the advantages of a stable, effective government getting out of the way to work with those businesses in the community. Those are two nice examples (MFG and Cristal) that we need to draft off of, and put forth the challenge to the other businesses and all corporate partners that we have, to continue to move forward. And, the best way to do that is to ask when we can, and get out of the way where we can."

CITY SOLICITOR'S REPORT - No Report

Questions/Comments for the City Solicitor

- **Working Off Municipal Court Fines**

The Clerk reported seeing adults picking up trash around City Hall this morning. The City Manager reported President Ducro has been working with Ms. Tonja Amato, Ashtabula Municipal

Court Administrator, to have people work off their fines. They have chosen different areas around the City to pick up trash and perform clean-ups; they do so every Monday.

FINANCE DIRECTOR'S REPORT

The Finance Director reported:

- **Annual Certification – Delinquent Sewer & Trash Accounts**

It is that time of year again. Notices were issued for delinquent sewer and trash accounts. The list of nuisance abatement properties was in the Star Beacon newspaper on Thursday, July 28 and again today. The order in which the addresses appeared in the first published listing was in no specific order, due to the way in which the newspaper compiled the spreadsheet we gave them. The second publication was in numerical order. The deadline to pay outstanding accounts is Monday, August 8. Payments not received by the deadline will be certified to the Ashtabula County Auditor for placement on tax duplicates. She invited persons to call her at 992.7197, if necessary, and said staff will also be in the Finance office, this week, to assist.

The Ward 2 Councilor asked if the published list is for delinquent trash only. The Finance Director responded yes; and that most likely if there is delinquent trash, the sewer payment is also delinquent. She suggested that if anyone knows anyone living at or managing published addresses to contact them to see if they are aware of the listing. She reported her staff is suggesting the same to persons who are paying their fine.

The Finance Director reported people get frustrated with the term “nuisance abatement” and the terms associated with it, such as, vermin and property maintenance, but that it is simply delinquent trash pick-up accounts. She reported the terms are used as required by the Ohio Revised Code.

The Vice President said, “There would be a nuisance and problems if the City did not pick-up the trash. We pick it up even when there are delinquent payments. Now, the announcement is you haven’t paid; you would be in violation had you let it fester on the front lawn.”

CITY COUNCIL COMMITTEE REPORTS and COMMUNICATIONS

(Chair/Vice Chair)

COMMUNITY DEVELOPMENT/ECONOMIC DEVELOPMENT/PARKS & RECREATION (CD/ED/P&R)
(Mrs. Misener/Mr. Roskovics) – The Chair announced:

- **Meetings**

The committee will meet on Tuesday, August 9, at 4:00 p.m., in the Municipal Building second floor conference room. The primary discussion will be organizing the proposed Parks & Recreation Levy campaign. The Vice President asked if the Issue No. has been assigned to the levy. The Chair responded no.

Ashtabula City Regular Council Meeting
Monday, August 1, 2016

The Ashtabula Parks & Recreation Board will meet on Tuesday, August 9, at 6:30 p.m., at Clifford Kadon President Park.

FINANCE & PERSONNEL (F&P) - (Mr. Ducro IV/Mr. Pugliese) - The Vice President announced the committee is scheduled to meet on Friday, August 12, at 8:00 a.m., in the Municipal Building second floor conference room.

PUBLIC WORKS/PUBLIC UTILITIES/CABLE/SCHOOLS (PW/PU/C/S) - (Mr. Pugliese/Mr. McClure)
The Chair announced the committee will meet on Friday, September 2, at 8:00 a.m.

SAFETY FORCES (SF) - (Mr. Hamrick/Mrs. Misener) - The Vice President announced the committee is scheduled to meet on Monday, August 22, at 8:00 a.m.

LEGISLATION AGENDA - None

UNFINISHED BUSINESS - None

NEW BUSINESS - None

MISCELLANEOUS

- **Thank you to Mr. Chris Raab:** The City Manager thanked Mr. Raab and the Lift Bridge Community Association for the wonderful TABS (The Arts on Bridge Street) festival that took place on Bridge Street this past Saturday and Sunday. He said traffic was good and there were wonderful artists and musicians.

GENERAL PUBLIC DISCUSSION

Mrs. Patricia Blum, 1540 West 17th Street

Mold in a Home: Expressed much concern with someone painting over a known mold problem at 1508 West 17th Street. She said she is going to remain on top of this issue until it is addressed. She is concerned that someone is going to purchase the house and get sick.

The Vice President asked if this is a Health Department concern. The Manager said he sent Housing Inspector/Code Enforcer John Artuso to the property after Mrs. Blum first reported her concern at the July 18 Regular Council meeting. He will follow up with him.

The Vice President said a building permit is not required to paint – but that if it is a health issue he would think.... The Manager agreed and said, “It all depends on what kind of paint they’re using – if it’s a sealing paint for mold, if they did clean it... it’s hard to say.”

Mrs. Blum reported that when the house was open for the public to see “we had to sign our name because of the mold – before we could get into that house”. The Vice President said, “So it is known there is a mold infestation”. Mrs. Blum responded, “Oh, definitely. It’s been empty for a long time. And, the water in the back cupboard... I didn’t go through the house because I don’t want the Police Department to come after me. I don’t want a vacation. I got to many things to complete yet.”

Thank You: Mrs. Blue expressed her appreciation for “all the good that you guys do”. She told the audience if they have a problem, to attend a Council meeting, and their concern will be taken care of.

Mr. Edward Drum, 5025 Dunsmore Avenue

- **Request for Forensic Audit of City Finances:** “I had a nice conversation with our State Auditor David Yost. And, a lot of people I’ve been talking to (I’m looking at running for City Council) are concerned that the City’s funds are being used inappropriately. My question to the City Manager and Finance Director is, are they willing to have the State Auditor – David Yost’s office, come in and do a full blown forensic audit of the books.”

Vice Pres.: Our Comprehensive Annual Finance Report (C.A.F.R.) is a public record. Anything we do is public record and all of our books are wide open. It is always in the purview of the State Auditor’s Office to conduct such an audit in any municipality in the State of Ohio. If there is a specific area of impropriety, specifics would help.

Finance Director: The City is audited every year. Our books are wide open. I have no issue with someone reviewing them. A forensic audit is different, there will be a cost which is a reason the State Auditor’s office suggests it. We currently pay \$35,000 per year for our audit and anything over and above the normal audit would be at a cost. I would prefer someone call me and tell me their concerns so they may be addressed.

Mr. Drum: Well, the main concern is – there are two issues that everybody’s bringing up to me: During the winter the roads are not being maintained properly because of the short staff. And everybody understands you can only do so much when you have a short staff. But, where are the funds, from the State showing that we get for our roads, going? Are they going to the roads? Are they going somewhere else?

And, the other issue is the Police Levy. Because we heard that a lot of the money was just circumvented – new officers were just replacing old officers that were retiring, so we never actually had a gain in law enforcement. And, so they’re concerned that with this new levy coming up [*proposed Parks and Recreation*] that the money’s not going to be put to the park; it’s going to be put in other areas. And, they want – the resident’s are concerned and they would rather have the State do a complete forensic audit because in the past there has been corruption in the City government. It may have been 10, 15 years ago, but there was still corruption and maybe some of the numbers are still hidden. We’ve looked at your report – your finance report, and we can’t understand what these different things mean and... so we’re like why don’t we have an

independent state auditor come in and do a forensic audit to find if there's anything not being appropriately administered. We understand the City is audited every year, but that's just a basic finance audit. We're asking for a forensic audit."

Finance Director: The funds we get from the State for our streets is completely in a separate fund – actually three separate funds. It completely funds Public Works. In fact, our General Fund supplements that department to the tune of \$100,000 per year. So the only thing that those License Tax and Gas Tax are spent on is the Public Works' personnel and salt. All the activity for the Police Levy funds is also in a separate fund, as required. It's always there to see. Anyone can visit the Finance Department and will be shown every detailed transaction. Again, I have no problem with a forensic audit. But, if you're talking about not being able to understand or have a problem with a report that I put out, try reading a State Auditor's report or a simple C.A.F.R. I would help you with that; I'm not trying to be funny. I'm just saying we could accomplish the same thing if you just come up and I can show you all the numbers.

V. Pres.: I would encourage you to come to the Finance & Personnel Committee meeting on August 12. I would be more than happy or I'm sure Mr. Ducro would be more than happy to walk you through several of these items you just brought up, which are very specific. I've seen the numbers myself. The Police Levy is lined out by dollar – by revenue dollar – by officer that was hired. The roads are in the General Fund – by dollar. And, as a fellow Ohio taxpayer I think it's an enormous waste of money to do a forensic audit with Mr. Yost when there are many other problems in the State of Ohio.

Ward 1: You referenced "we". Are you at liberty to say who "we" are?

Mr. Drum: Like I said, I'm looking at running for City Council. I've talked to the residents in my ward, which is Ward 3, and a lot of them have brought up the same things... how do we know the City's using our money/tax dollars – property taxes and income taxes, properly. The biggest thing I hear from all the residents I've talked to is about the Police Levy and the roads.

V. Pres.: I think those are very specific issues. And, I think we can present those to you at the Finance & Personnel Committee meeting.

Mr. Drum: I will go back to those residents and let them know to come up here.

V. Pres.: I think it would also be a good exercise to point out the amount of delinquent taxes that we don't collect in the City, which would go towards roads, and would go towards police and law enforcement. I think that would be another good item to bring forward to show that if people did pay their taxes and weren't delinquent, that we would probably have a little bit more efficiently run City. So, I think that's another avenue to present to your potential Ward 3 constituents. The more specifics you get, the more effective everybody's going to be.

EXECUTIVE SESSION - None

CLOSING REMARKS - None

ADJOURNMENT: Hearing no further business to come before the Council, the Vice President issued a reminder to "Remember to Keep Believing in Ashtabula", and adjourned the meeting at 7:39 p.m.

DATE APPROVED: August 15, 2016

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