

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

Monday, March 6, 2017

The President of Council called the meeting to order at 7:00 p.m.

The Ward 2 Councilor offered the opening prayer and the Pledge of Allegiance was recited.

MEMBERS PRESENT:	Mr. August A. Pugliese	(Ward 2 Councilor)
	Mr. Michael D. Speelman	(Ward 4 Councilor)
	Mrs. Kristy L. Hosken	(Ward 3 Councilor)
	Mr. Kris E. Hamrick	(Ward 5 Councilor)
	Mr. John S. Roskovics	(Ward 1 Councilor)
	Mr. Christopher J. McClure	(Vice President)
	Mrs. Josephine Misener	(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(S): N/A

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

PRESENTATION(S): None

EXECUTIVE SESSION

The City Manager requested an Executive Session, to be attended by the above council members and officers, to discuss Personnel/Compensation and Bargaining Agreements. Mr. Pugliese moved, Mr. Hamrick seconded to adjourn into Executive Session. On the roll call to adjourn into Executive Session: Mr. Pugliese, Mr. Speelman, Mrs. Hosken, Mr. Hamrick, Mr. Roskovics, Mr. McClure, Mrs. Misener voted yea; motion CARRIED. The President announced no decisions may be voted on in Executive Session; and that at the conclusion of the Executive Session the public portion of the meeting will resume.

Reconvened Public Meeting/Action: The members of City Council and Administration returned to the dais, the President announced the public portion of the meeting resumed, and there was nothing to report out of Executive Session.

CONSENT AGENDA

The Consent Agenda is a means whereby Council is able to efficiently conduct business by grouping routine items for consideration and disposal by one motion, one second and one vote.

MEETING MINUTES READING & DISPOSAL – None

LEGISLATION AGENDA – None

REGULAR BUSINESS

MEETING MINUTES READING & DISPOSAL

The Clerk of Council presented the February 21, 2017, Regular Meeting minutes for Council's consideration. Mr. Pugliese moved, Mr. Hamrick seconded to waive the reading of the minutes; motion CARRIED. Hearing no corrections, the minutes were approved as presented.

ADMINISTRATIVE REPORTS and COMMUNICATIONS

CITY MANAGER'S REPORT

- **Sanitation Building HVAC Upgrade**

The City Manager requested an ordinance to enter into an agreement with HAVE, Inc. with a mailing address of P.O. Box 812 Ashtabula, OH 44004 as most responsible bidder to provide a Ductless HVAC Unit for the Sanitation Building in the amount not to exceed \$11,750.00. Payment for this expenditure will be taken from the Permanent Improvement Fund 412. Mr. Pugliese moved, Mr. Speelman seconded to grant the City Manager's request; motion CARRIED.

- **Water Pollution Control Centrifuge Service/Repair (tune-up)**

The City Manager requested an ordinance to enter into an agreement with Andritz Separation, Inc., Arlington, TX for the purpose of providing services and materials needed to service and repair the Centrifuge at the Water Pollution Control Plant in the amount not to exceed \$26,000. Payment for this expenditure will be taken from the WPC Capital Improvement Fund. Mr. Pugliese moved, Mr. Speelman seconded to grant the City Manager's request; motion CARRIED.

CITY SOLICITOR'S REPORT – No Report

FINANCE DIRECTOR'S REPORT

The Finance Director reported:

- **Finance Hours**

The Finance Customer Service window is open 8:30 a.m. to 4:00 p.m., Monday through Friday. Due to the complexity of local income tax and because the department closes at 4:00 p.m., to count the cash

drawer, we are unable to assist customers after 4:00 p.m. The Income Tax Department will have extended hours of 8:00 a.m. to 5:00 p.m., from April 10 through April 18.

- **February Month End**

February is closed, there are no surprises, and the reports have been distributed for review and discussion at the March 10, Finance & Personnel Committee meeting.

- **Then a & Now Certifications**

In 2016, a purchase order was secured for the item below; however the purchase was not made in 2016, so at the end of 2016 the purchase order was closed out. The purchase was then made in January 2017, prior to a new purchase order being secured. The Finance Director has authority to approve payment for a purchase made without a purchase order up to \$3,500. Thereafter, payment approval must be by a voice vote of the City Council. Permission to pay the following was requested.

VENDOR	DESCRIPTION	AMOUNT	Certificate, Date	Obligation Date
USALCO	Chemicals	10,025.29	1/1/2017	11/31/2016

Mr. McClure moved, Mr. Pugliese seconded to authority payment; motion CARRIED.

- **Centralized Income Tax Collections**

Ohio Governor John Kasich's budget includes a provision for collecting net profit returns, which would require all businesses to file their net profit returns and make payments through Ohio Business Gateway (OBG - a time-and money-saving online filing and payment system that helps simplify business' relationship with government agencies.) If enacted, the State of Ohio would take 1% of the collected revenue and distribute the remainder to the cities. The Ohio Municipal League and local tax administrators are recommending and requesting resolutions opposing these plans. While there are several reasons to oppose the proposed change, the main reasons are the State is not equipped to audit returns like local individuals are who know their business communities. OBG is also not a user friendly system; therefore smaller businesses would suffer. The proposed change is also one more step to complete centralize collection of income tax by the State of Ohio. Mr. Roskovics moved, Mr. Pugliese seconded to oppose the proposed State of Ohio budget that centralizes collection of net profit income tax returns. The Vice President announced this issue will be discussed at the Friday, March 10, Finance & Personnel Committee meeting. The motion CARRIED.

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 reported the committee will meet on Tuesday, March 14, meeting. The Ashtabula County Board of Commissioners and Mr. Todd Nagy, Ashtabula County Chief Building Official will be present to discuss the creation of a booklet on "How To" open a business in the City of Ashtabula. The Chair

announced the meeting is open to the public. The Vice President said securing business and financial plans from companies desiring to locate in the City is something we might want to think about. He said while we want to make it easy for businesses to open, we do not want someone to buy up buildings on Main Avenue that have LLCs (Limited Liability Corporations) in Las Vegas under an assumed name by a third party in Russia.

The President encouraged the public to get involved where they can, even if it is just to watch.

Parks & Recreation Board: The Board will meet on Tuesday, March 14, at 6:30 p.m., in Pre-Council Chambers.

FINANCE & PERSONNEL (F&P) - (Mr. McClure/Mr. Pugliese)

The Chair announced the committee will meet on Friday, March 10, at 8:00 a.m.

PUBLIC WORKS/PUBLIC UTILITIES/CABLE/SCHOOLS (PW/PU/C/S) - (Mr. Pugliese/Mr. McClure)

The Chair reported on the committee's Friday, March 3, meeting, as follows:

- **2017 Road Resurfacing**

The City Manager presented a list of 16 roads. The committee and City Manager agreed on the following streets and alleys, at an estimated cost of \$400,000:

- West 44th Street (Station Avenue to Main Avenue)
- Edwards Avenue (Bunkerhill Road – south)
- Murray Avenue (Bunkerhill Road – south)
- Gary Avenue (West 52nd Street to West 48th Street)
- West 51st Street (Gary Avenue to Chestnut Avenue)

- Twenty-Six alleys, most are located on the eastside and have not received anything for years. They will be chip seal, which is a stone layer placed on top of what is there, at a cost of \$165,000, of which will be taken from the \$400,000. A few of the alleys are:
 - East 44th Street to East 45th Street (between Valleyview Boulevard & State Road)
 - East 45th Street to East 46th Street (between Valleyview Boulevard & State Road)
 - East 46th Street to East 47th Street (between Valleyview Boulevard & State Road)
 - East 47th Street to East 48th Street (between Valleyview Boulevard & State Road)

Forty-Seven (47) streets were paved during the comprehensive paving program performed a few years ago. The program was paid for by securing a five million dollar loan, scheduled to be paid off in 2028. Therefore, we are restricted on what we paving we are able to do, but will try to have a paving program each year.

The City is aware of the condition of Lake Avenue and West Avenue, especially towards the Harbor area. He said those roads are unable to be addressed at this time, but hopefully they will be able to receive attention in the next couple of years.

One half mile of paving (the length of Main Avenue) costs \$100,000. Residents were asked to be patient.

Tivision Place has not been forgotten. The road requires major repair prior to paving is able to be performed; therefore, the job will have to be held off.

Chris Tolnar, GPD Group, reviewed with the committee, City projects on which they provided supervision, such as:

- West Harbor Phase 1
- West Harbor Phase 2
- Waste Water Treatment Plant (WWTP)
- Bridge Street Parking Lot
- Walnut Beach Parking Lot

The City Manager reported that since 2013, through grants secured by his office and the Planning and Community Development Department, along with City matching funds, we have invested over \$16 million into our infrastructure (e.g., roads, WWTP, sidewalks, and parking lots). He said the work has long been needed and requires continued efforts of the same.

Questions / Comments for PW/Pu/Cable/Schools Committee

- **Alleys:** The Vice President reported alleys can “go over sidewalks”, and that many of our sidewalks are pretty bad; therefore he wanted to know what will be done where an alley hits a sidewalk. The Manager said he will have to take a look at this and report back.
- **Valleyview Boulevard:** The Manager announced this road’s paving is on hold until the road is repaired due to a major water pipe break.

SAFETY FORCES (SF) - (Mr. Hamrick/Mrs. Misener)

- The Chair announced the committee will meet to discuss body cameras on Monday, March 27, at 8:00 a.m., in the Municipal Building 2nd floor conference room.

WORK SESSION

- **City Charter:** The President announced Council will meet in a work session on Monday, March 13, at 8:00 a.m., in the Municipal Building 2nd floor conference room, to review changes the Council and the Administration suggest be placed on the ballot. The items will be of a clerical nature, or should be removed because they are antiquated or will be items that will permit government to run more efficiently. The goal is to place them on the November 7 general election ballot for the electorate’s consideration. The President issued a reminder this is a public meeting.

LEGISLATION AGENDA

- **Formal Legislation Request(s)** - None
- **Legislation Overview** - None
- **Public Discussion (Legislation Only)** – None

- **Reading**

ORDINANCE NO. **2017-15**, AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH HAVE, INC., FOR THE PURCHASE AND INSTALLATION OF AIR CONDITIONING UNITS IN THE SANITATION DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$11,750. (City Manager) Mr. Pugliese moved, Mr. Hamrick seconded to waive the reading of the ordinances; motion CARRIED. Mr. Pugliese moved, Mr. Hamrick seconded to waive the Charter requirement of two readings. On the roll call to waive the Charter requirement of two readings: Mr. Pugliese, Mr. Speelman, Mrs. Hosken, Mr. Hamrick, Mr. Roskovics, Mr. McClure, Mrs. Misener voted yea; motion CARRIED. On the roll call to adopt the ordinances: Mr. Pugliese, Mr. Speelman, Mrs. Hosken, Mr. Hamrick, Mr. Roskovics, Mr. McClure, Mrs. Misener voted yea; motion CARRIED.

UNFINISHED BUSINESS - None

NEW BUSINESS

- **Liquor Permit Transfer**

- FROM: William & Charles & Robert Widlits dba Short Stop Drive Thru, 2328 Lake Avenue, Ashtabula, OH 44004
- TO: Shortstop Drive Thru LLC dba ShortStop Drive Thru, 2300 Lake Avenue, Ashtabula, OH 44004

The Ward 3 Councilor announced no hearing on the request is required. No one else requested a hearing, as well. *(Clerk of Council's Note: The week of March 12, the Clerk of Council received notice from the Ohio Division of Liquor Control announcing that the TO: address should also be 2328 Lake Avenue.)*

- **Council Rules of Order**

The Chair reported Council met in a Work Session to review and make changes to their Rules. The Clerk of Council made the changes and presented a final document to each member, for their review. There being no comments or requests for further consideration, the President of Council entertained a motion to accept the new Rules of Order. Mr. Pugliese moved, Mr. Hamrick seconded; motion CARRIED.

MISCELLANEOUS

The President reported:

- **Regular Meeting**

The next REGULAR COUNCIL MEETING is scheduled for Monday, March 20 at 7:00 p.m. Pre-Council is at 6:00 p.m.

- **BOARDS & COMMISSIONS**

The President reported some inquiries and some applications have been received. They continue to taken. Please visit the city's website at www.cityofashtabula.com, for the recent listing of Boards and Commissions.

- **Wine & Walleye Festival:** The Lift Bridge Community Association (LBCA) is still in need of volunteers. The City Manager reported a new Festival website and a web-based system for volunteers are being created. He said the committee is very active and expressed appreciation to the few members of Council that have attended meetings. There is a lot of work to be done so expect a call from the LBCA and the City of Ashtabula, soon.
- **Former Carlisle's Building (Main Avenue):** The Ward 2 Councilor asked for an update on the dilapidated structure. The City Manager reported he has been in touch with the US Environmental Protection Agency (USEPA) to see if they are able to assist the City in getting the structure removed, much like they did in removing the former West Elementary School. Data and reports have been submitted to them. They have been on an eight month investigation to determine who actually owns the structure in order to gain access. Because the structure has been forfeited and gone through foreclosures, the issue of ownership and who to contact has been questioned. We believe we now have a way to gain entrance. The Manager said the USEPA representative he has had constant contact with expects to be in Ashtabula City at the end of April. At that time more sampling will be conducted to see what is able to be remediated. The Manager said his fear is that the building is not structurally sound enough to actually allow entrance for asbestos remediation, and hopes the remediation will be in the form of demolition of the entire structure. The Ward 2 Councilor said he knows of someone that operates a drone, who could go into the structure for a look-around. The Manager said they have been able to get into the building and he does not believe it will be an issue to get the samples that are needed. However, if it is decided to remediate the present contamination, it would be a tough sell for the Ashtabula County Building Department and the Ashtabula City Fire Department to make to a contractor, so the best case scenario is demolition. The President asked what exactly will be done when the USEPA visits in April and if there is a timeline. The Manager said he is not quite sure if they are going to tour the structure and speak with the City about our intentions, and find out how they may help, or what. He said we would have to wait for their report, after their visit, to determine how to proceed. The Manager reported the former West Elementary School structure costs just over \$600,000 to remediate and demolish – keeping in mind it was a burned out structure, already on the ground, so the job was pretty much just picking up the rubble. This cost of that project will be placed onto the property's taxes, which he doubts will be reimbursed. In comparison, the former Carlisle structure will be a huge price tag because it is a five story structure with a basement, and "surgical" demolition will be required to detach the Masonic Temple from the structure.
- **Ashtabula Iron and Metal (A.I.M.) Accessory Building:** The Ward 1 Councilor commended the City Manager for his work on getting the dilapidated accessory building facing West Avenue razed before it fell into the road. The Manager said the estimated cost for materials to replace 250 foot of missing fencing around the razed structure came in at about \$1,700, which the City's Public Works crews will install. This cost will be placed onto the property's taxes, as well.

GENERAL PUBLIC DISCUSSION – None


CLOSING REMARKS – None

EXECUTIVE SESSION – None

ADJOURNMENT

Hearing no further business to come before this Council, the President declared the meeting adjourned at 8:15 p.m.

DATE APPROVED: March 20, 2017

ATTESTED BY: 
Josephine Misener, President of Council

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