

ASHTABULA CITY COUNCIL
CITY OF ASHTABULA – COUNCIL CHAMBERS
4717 Main Avenue, Ashtabula, OH 44004

REGULAR MEETING MINUTES
Monday, October 19, 2020

CALL TO ORDER

The President of Council called the meeting to order at 7:00 p.m. The Ward 1 Councilor offered the opening prayer, and the Pledge of Allegiance was recited.

MEMBERS PRESENT: Mr. Calvin C. Crawford (Ward 2 Councilor)
Ms. Laydean Young (Ward 3 Councilor)
Ms. Jane E. Haines (Ward 5 Councilor)
Mrs. Kym A. Foglio (Ward 1 Councilor)
Mr. Michael D. Speelman (Vice President)
Mr. John S. Roskovics (President)

MEMBER(S) ABSENT: Ms. Octavia V. Harris (Ward 4 Councilor)

OFFICER(S) PRESENT: Mr. James M. Timonere (City Manager)
Mr. Michael Franklin (City Solicitor)
Ms. Traci R. Welch (Director of Finance)
Mrs. Stacy H. Senskey (Clerk of Council)

OFFICER(S) ABSENT: none

EXCUSED ABSENCE(S): Ms. Haines moved, Mr. Crawford seconded to excuse Ms. Harris from the meeting; motion CARRIED.

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

EXECUTIVE SESSION: Mrs. Foglio moved, Ms. Young seconded to convene an Executive Session for the purpose of Pending and Threatened Litigation. On the roll call to convene an Executive Session: Mr. Crawford, Ms. Young, Ms. Haines, Mrs. Foglio, Mr. Speelman and Mr. Roskovics 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.

REGULAR BUSINESS AGENDA

PRESENTATION OF MEETING MINUTES: The Clerk of Council presented the minutes from the following meetings:

- October 5, 2020 Regular Meeting

Mr. Roskovics moved; Mrs. Foglio 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:

The City Manager formally requested an ordinance to enter into an agreement with Perk Company, Inc. with a mailing address of 8100 Grand Ave., Suite 300, Cleveland, Ohio 44104 as the most responsible bid for the Petmin Plant Resurfacing Project in the amount not to exceed \$809,642.60. Funding for this project will be taken from fund 412. Mrs. Foglio moved; Mr. Crawford seconded to approve the request. **Discussion:** The project was funded by grants and contributions from the businesses impacted. It is scheduled to be completed in 2020. The bid was much lower than the engineer's estimate. Motion CARRIED.

The City Manager formally requested an ordinance to enter into an agreement with Perram Electric, Inc. with a mailing address of 6882 Ridge Road, Wadsworth, OH 44281 for the purpose of providing materials and labor to replace a damaged light pole at Massucci Field in the amount of \$16,981.00. Funding for this project will be taken from fund 233. Mrs. Foglio moved; Ms. Young seconded to approve the request. **Discussion:** Replacing the pole was covered by the City's insurance policy. The project includes replacing a 70 foot pole, wiring, and new LED lamps. Motion CARRIED.

The City Manager requested Council's permission to sign the request of a transfer of a State Liquor Permit to the East Side Drive Thru located within the City of Ashtabula for economic development purposes. This request is for property located at the corner of East 42nd Street and State Road. There were no liquor permits available in the City of Ashtabula, thus requiring a transfer of the permit from another municipality. The City Manager's request was approved by a 6-0 voice vote of Council.

The City Manager requested Council's consent to reappoint Trevor Sprague and Earl Tucker to the Parks & Recreation Board effective immediately with both terms expiring on May 21, 2022. Mrs. Foglio moved; Ms. Haines seconded to approve the request; motion CARRIED.

CITY SOLICITOR:

The City Solicitor requested Council to authorize him to prepare proposed legislation which would implement administrative orders made by the Municipal Court relative to certain Court personnel. Mr. Roskovics moved, Mr. Crawford seconded the City Solicitor's request.

Discussion: The Ward 1 Councilor indicated she was not in favor of this request. Motion carried by a 5 to 1 vote.

FINANCE DIRECTOR:

The Finance Director formally requested an ordinance repealing, in its entirety, payroll Ordinance No. 2020-88, enacted on September 21, 2020 for the purpose of authorizing compensation, salaries and wages to employees of the City of Ashtabula and the Ashtabula City Health District. Mrs. Foglio moved; Ms. Young seconded to approve the request; motion CARRIED.

The Finance Director formally requested an ordinance authorizing compensation, salaries, and wages to employees of the City of Ashtabula and the Ashtabula City Health District. Mrs. Foglio moved; Ms. Haines seconded to approve the request; motion CARRIED.

The Finance Director formally requested an ordinance to make supplemental appropriations in the General, Policy Levy, Coronavirus Relief, CDBG, Housing Code Enforcement, JEDD I and JEDD 2 Funds for current expenses and other expenditures of the City of Ashtabula, State of Ohio, for the period January 1 through December 31, 2020. Mrs. Foglio moved; Mr. Crawford seconded to approve the request; motion CARRIED.

CLERK OF COUNCIL:

Mr. Kenneth Vanyo submitted a Notice of Intent to Serve and asked to be re-appointed to the Parks and Recreation Board. Ms. Haines moved; Mrs. Foglio seconded to approve the reappointment; motion CARRIED.

CITY COUNCIL COMMITTEE REPORTS and COMMUNICATIONS

Community Development/ Economic Development/ Parks & Recreation

The Ward 5 Councilor/ Committee Chair gave a brief report from the Committee's October 13th meeting (minutes attached).

The Committee Chair formally requested Council to approve the City Manager's proposed changes to Codified Ordinance 919 – Street Vacation. Mr. Roskovics moved, Mrs. Foglio seconded to approve the Ward 5 Councilor's request; motion CARRIED.

The Committee Chair formally requested Council to approve drafting legislation requiring landlords to provide proof of insurance on rental properties. Mr. Roskovics moved, Mr. Crawford seconded to approve this request; motion CARRIED.

The Committee Chair formally requested Council to approve renewing the Parks and Recreation Levy for the May 4, 2021 Primary Ballot. Mrs. Foglio moved, Ms. Young seconded to approve the Ward 5 Councilor's request; motion CARRIED.

The next meeting is Tuesday, November 10, 2020 at 4p. Guests include Patrick Haywood, Steve Sargent and Liz Penna who wish to present their request to rename Station Avenue to R. W. Shelby Avenue to the Committee members.

Finance & Personnel

The Ward 1 Councilor/ Committee Chair gave a brief report from the Committee's October 16th meeting (minutes attached).

The Committee Chair asked Council to consider drafting a resolution in honor of Marie Ranier's forty-five (45) years of service to the City of Ashtabula Municipal Court. Mrs. Foglio moved, Ms. Haines seconded the request to draft a resolution honoring Marie Ranier's years of service to the City of Ashtabula Municipal Court; motion CARRIED.

The next meeting is Friday, November 20th, 2020 at 8a.

Public Works/Public Utilities/Cable/Schools

The next meeting is Monday, October 26, 2020 at 5p. The Ward 2 Councilor/ Committee Chair is unable to attend so the Ward 4 Councilor/ Vice Chair will run the meeting. The City Manager invited Christopher J. Tolnar, P. E. the GPD Group Project Manager to discuss the plant evaluation and system evaluation proposals for the Waste Water Treatment Plant.

Safety Forces

The next meeting is Monday, October 26, 2020 at 8a.

LEGISLATION AGENDA

- Formal Legislation Request(s):
- Form and Correctness – met per City Solicitor
- Legislation Overview –
The Council President provided a brief overview of the Legislation Agenda.
- Public Discussion (on legislation only) – None
Request Legislation Presentation by Consent Agenda: Mrs. Foglio moved; Mr. Crawford seconded to dispose of the Regular Business Legislation by consent agenda; motion CARRIED.

LEGISLATION READING

The Clerk of Council presented the following legislation:

ORDINANCE NO. 2020-96 AN ORDINANCE REPEALING, IN ITS ENTIRETY, PAYROLL ORDINANCE NO. 2020-88, ENACTED ON SEPTEMBER 21, 2020 FOR THE PURPOSE OF AUTHORIZING COMPENSATION, SALARIES AND WAGES TO EMPLOYEES OF THE CITY OF ASHTABULA AND THE ASHTABULA CITY HEALTH DISTRICT (Finance Director)

ORDINANCE NO. 2020-97 AN ORDINANCE AUTHORIZING COMPENSATION, SALARIES AND WAGES TO EMPLOYEES OF THE CITY OF ASHTABULA AND THE ASHTABULA CITY HEALTH DISTRICT (Finance Director)

ORDINANCE NO. 2020-98 AN ORDINANCE TO MAKE SUPPLEMENTAL APPROPRIATIONS IN THE GENERAL, POLICY LEVY, CORONAVIRUS RELIEF, CDBG, HOUSING CODE ENFORCEMENT, JEDD 1 AND JEDD 2 FUNDS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF ASHTABULA, STATE OF OHIO, FOR THE PERIOD JANUARY 1 THROUGH DECEMBER 31, 2020 (Finance Director)

ORDINANCE NO. 2020-99 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH PERRAM ELECTRIC, INC., FOR MATERIALS AND LABOR FOR THE REPLACEMENT OF A DAMAGED LIGHT POLE AT MASSUCCI FIELD (City Manager)

ORDINANCE NO. 2020-100 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH PERK COMPANY, INC., IN THE AMOUNT OF \$809,642.60 FOR THE PETMIN RESURFACING PROJECT (City Manager)

Mr. Roskovics moved; Mrs. Foglio seconded to waive the reading of the legislation; motion CARRIED.

Mr. Roskovics moved; Mrs. Foglio seconded to waive the Charter requirement of two readings. On the roll call to waive the Charter requirement of two readings: Mr. Crawford, Ms. Young, Ms. Haines, Mrs. Foglio, Mr. Speelman, and Mr. Roskovics voted aye; motion CARRIED.

On the roll call to adopt the legislation: Mr. Crawford, Ms. Young, Ms. Haines, Mrs. Foglio, Mr. Speelman, and Mr. Roskovics voted aye; motion CARRIED.

NEW BUSINESS:

Tell Us Something We Don't Know:

- The Ward 1 Councilor reminded Council and the community to use two stamps if mailing the absentee ballot. The envelope displays a spot for one stamp. She commended the City Manager, the nets for the tennis courts arrived and were installed Friday. He plans to employ a company to trim the tree branches to avoid fallen branches and leaves on the court. The courts are open and lighted until 10 p.m.

- The Ward 5 Councilor recited a post from Facebook entitled, “This Christmas” to encourage the community to buy from local merchants. She said, “Shop at the stores you want to keep.”
- The Council Vice President presented the Lakeside Dragon football players who worked on cleaning City Parks through the youth OPPORTUNITIES! (yO!) Organization with a Resolution of Appreciation. Council members, the City Manager and yO! representatives expressed gratitude to the boys after practice last Monday, October 12 in front of the coaches and the rest of the Lakeside football team.
- The President of Council reminded the community of the Trick or Treat times of 4 to 6 p.m. on Saturday, October 31st. The Trick or Treat Guidelines are posted on the City’s new website. Click on the Health Department, then “COVID-19 Updates” then “Trick or Treat Guidelines”.

PUBLIC DISCUSSION/COMMENTS (General Matters):

ADJOURNMENT

Hearing no further business to come before this Council, the President declared the meeting adjourned at 8:20p.

DATE APPROVED: November 2, 2020

ATTESTED BY: John S. Roskovics
John S. Roskovics, President of Council

ATTESTED BY: Stacy H. Senskey
Stacy H. Senskey, Clerk of Council

(Attachments)

1. Community Development/Economic Development/Parks & Recreation October 13, 2020 Meeting Minutes pages 7-12
2. Finance and Personnel October 16, 2020 Meeting Minutes page 13-20

ASHTABULA CITY COUNCIL COMMITTEE REPORT

NAME OF COMMITTEE:

Community Development/ Economic Development/ Parks & Recreation (CD/ED/P&R)

DATE: Tuesday, October 13, 2020

MEETING TIME & PLACE: 4:00 p.m. – Council Chambers

MEMBERS PRESENT: Jane Haines (Chair)
Octavia Harris (Vice-Chair)
John Roskovics (Member/Council President)

COUNCIL/ADMNISTRATION/STAFF: City Manager James Timonere, Clerk of Council Stacy Senskey

VISITORS: Mary Church, Assistant Director, Planning & Community
Development Department

Stephen Chase, Captain, Fire Prevention Bureau, Ashtabula Fire
Department

REPORT OF BUSINESS CONDUCTED

City Manager Report –

* The City Manager explained the proposed changes to the Street Vacation Procedure as outlined in the City’s Codified Ordinances are minor but necessary. In Chapter 919.01, section b (2), he proposed:

“An acknowledgement that a survey by a registered surveyor, including plat or map and legal description, of the portion of the street or alley to be renamed, vacated or narrowed, will be required before any ordinance vacating or abandoning the street or alley becomes effective, and that such survey must be obtained within 90 days of passage of the ordinance;”

He stated the existing language requires the homeowner to obtain a survey in advance of the petitioning the Planning Commission or City Council, which dissuades many homeowners from acquiring properties located near paper streets. Many streets or alleys in the City are “paper” streets, meaning the are not developed and only exist on paper.

In Chapter 919.02, section a, he changes:

“The petition for vacation, narrowing or renaming of a street or alley shall be filed with the Department of Planning and Community Development, which shall forward a copy to the City Planning Commission for review and comment or recommendations.”

Existing language calls for petitions to be filed with the Clerk of Council. Initially filing petitions with the Department of Planning and Community Development prepares the department staff to

thoroughly review existing maps and sub-structures prior to bringing the petition before the Planning Commission and then to Council.

The changes to Chapter 919.03 are in **bold** and include:

- (a) *“Notice of the intention of the City Council to vacate any street, alley, avenue, or part thereof shall be given as provided in this Chapter except when written consent to such vacation is filed with **the office of Planning and Community Development** by the owners of all the property or properties abutting the part of the street or alley proposed to be vacated, in which case such notice shall not be required.”*
- (b) *“Except as provided in Paragraph (a) of this Section, no street or alley shall be vacated or narrowed unless notice of the pendency and prayer of the petition, or of the ordinance, under this Chapter is given by the Clerk of Council by publishing the same in a newspaper of general circulation in such City once a week for **three (3) consecutive weeks** preceding action on such petition. Action by City Council thereon may take place three (3) days after the date of the last publication, and shall in all events take place within **ninety (90) days** after the completion of publication.”*

The change in section (a) keeps consistency in the process. In section (b) by decreasing the number of weeks the notice should be published, the City Manager decreases the cost of publication. Existing language calls for the notice to be published for four consecutive weeks, though three weeks is acceptable. Also, in section (b), he uses “ninety (90) days” instead of the existing language “three (3) months”. In addition, section 919.03 specifies the Clerk of Council shall publish the notice and send written correspondence to surrounding property owners.

The City Manager intends to make similar changes to the procedure for Zoning section. Proposed changes in their entirety can be found after page three of these minutes.

Mr. Roskovics moved, Ms. Haines seconded to accept the proposed changes to Codified Ordinance 919 – Street Vacation Procedure; motion CARRIED. This matter will be presented to full Council for consideration.

* The City Manager enlightened the Committee on the proposed “Lakefront Residential Zone” that he, Mrs. Church and City Solicitor Franklin are beginning to prepare. This change would affect those properties on the north side of Walnut Boulevard between West 9th Street and Point Park. Current zoning does not prevent structures on lakefront properties from obstructing neighboring lake vistas. He believes more input will be needed from the public and Mrs. Church agrees participation from residents on both sides of Walnut Boulevard is critical. This hearing would be prior to the presenting zoning changes to Council.

Request -

Require Landlords To Provide Proof Of Insurance On All Rental Properties

Mary Church, Assistant Director, Planning & Community Development Department and Stephen Chase, Captain, Fire Prevention Bureau, Ashtabula Fire Department work closely on rentals affected by fire. Too often, the landlord does not have insurance on a structure and the City is left dealing with an eyesore and an unsafe environment. Captain Chase brought the idea to Mrs. Church, since her department issues the occupancy permits for rentals. Mrs. Church stated it

simply, “If the property is unable to be insured, then that would tell me it probably shouldn’t be occupied.” If approved, requiring proof of insurance would begin to occur upon the annual renewal of their occupancy permit. The department has the ability to revoke occupancy permits for other reasons.

Mr. Roskovics moved, Ms. Harris seconded to have legislation drafted requiring landlords to provide the City with proof of insurance on all rental properties; motion CARRIED. This matter will be presented to full Council for consideration.

Parks & Recreation Board –

Ms. Harris presented the minutes from the last Parks & Recreation meeting. Points of most importance to the City Manager include:

1. providing electric to Kadon Park
2. renewal of the City’s Parks and Recreation Levy. It should be added for consideration on the May 4, 2021 Primary Ballot.

Ms. Haines moved, Ms. Harris seconded to renew the Parks & Recreation Levy; motion CARRIED. This matter will be presented to full Council for consideration.

3. improvements to Smith Field – parking lot maintenance and exercise equipment around the walking track

The Metroparks contacted the City Manager about adding benches along the newest portion of the bike trail.

Miscellaneous Business –

Council members would like to welcome new businesses to Ashtabula. In order for Council to welcome new businesses, Council needs to know when a new business arrives to the City. The Councilors at any time can write their own letter of welcome. We currently receive notification from the Greater Ashtabula Chamber of Commerce when there is a ribbon cutting for businesses in the City of Ashtabula. The Clerk also explained other municipalities use procedures such as asking the new business to provide the Office of Council their information. There is a form available in the Clerk of Council’s office used for honoring individuals or organizations. It can be used to gather the information needed in order to send a personalized letter of welcome to the new business from the Council members. This form could be made available on the City website. The City Manager expressed his willingness to share new business applications to this committee monthly and the Clerk of Council will create sample letters for the Council’s review.

To prepare for the November meeting, the Committee requests information on the implications of renaming a street.

Next Meeting –

The next meeting is Tuesday, November 10th at 4:00 p.m. Special Guests Patrick Haywood, Steve Sargent and Liz Penna wish to present their request to rename Station Avenue to R. W. Shelby Avenue.

Adjourn –

The Chair adjourned meeting at 5:01 p.m.
Scribe: Stacy H. Senskey, Clerk of Council

Proposed Changes:

919.01 ACTION WITH OR WITHOUT PETITION.

(a) When, in the opinion of the City Council, there is good cause for vacating or narrowing a street or alley, or any part thereof, and that such vacation or narrowing will not be detrimental to the general interest, it may, by ordinance and without petition, vacate or narrow such street or alley or any part thereof. However, review by the Planning Commission and either public notice or written consent by all adjoining owners as required in this Chapter shall precede such action. The City Council may include in one ordinance the change of name, vacation, or narrowing of more than one street, avenue, or alley.

(b) The City Council, on petition by a person owning a lot in the City praying that a street or alley in the immediate vicinity of such lot be vacated or narrowed, or the name thereof changed, upon being satisfied that there is good cause for such change of name, vacation, or narrowing, that it will not be detrimental to the general interest, and that it should be made, may, by ordinance, declare such street or alley vacated, narrowed, or the name thereof changed. Said petition shall be in writing, signed by all petitioners, and shall include all of the following:

- (1) The names and addresses of all owners of real property abutting the portion of the street or alley proposed to be renamed, vacated or narrowed;
- (2) An acknowledgement that a survey by a registered surveyor, including plat or map and legal description, of the portion of the street or alley to be renamed, vacated or narrowed, will be required before any ordinance vacating or abandoning the street or alley becomes effective, and that such survey must be obtained within 90 days of passage of the ordinance;
- (3) A statement of the cause(s) or reason(s) for the proposed change of name, vacation or narrowing.

919.02 PLANNING COMMISSION REVIEW.

(a) The petition for vacation, narrowing or renaming of a street or alley shall be filed with the Department of Planning and Community Development, which shall forward a copy to the City Planning Commission for review and comment or recommendations.

(b) The Planning Commission shall forward its written comments or recommendations, if any, to the Department of Planning and Community Development within thirty (30) days after receipt. The Department of Planning and Community Development shall thereupon provide the Clerk of Council with a copy of the petition, and the comments or recommendations of the Planning Commission, if any, for consideration by City Council.

(c) In the event City Council is proceeding without a petition in accordance with Section 919.01(a), a copy of the proposed ordinance vacating or narrowing the street or alley shall be forwarded to the Planning Commission for such review, comment and/or recommendations. The City Council may include in one ordinance the change of name, vacation, or narrowing of more than one street, avenue, or alley.

919.03 NOTICE REQUIRED UNLESS ALL OWNERS CONSENT.

(a) Notice of the intention of the City Council to vacate any street, alley, avenue, or part thereof shall be given as provided in this Chapter except when written consent to such vacation is filed with the office of Planning and Community Development by the owners of all the property or properties abutting the part of the street or alley proposed to be vacated, in which case such notice shall not be required.

(b) Except as provided in Paragraph (a) of this Section, no street or alley shall be vacated or narrowed unless notice of the pendency and prayer of the petition, or of the ordinance, under this Chapter is given by the Clerk of Council by publishing the same in a newspaper of general circulation in such City once a week for three (3) consecutive weeks preceding action on such petition. Action by City Council thereon may take place three (3) days after the date of the last publication, and shall in all events take place within ninety (90) days after the completion of publication.

(c) The notice published by the Clerk of Council shall state the name or names of the petitioner(s), identify the street or portion thereof to be vacated or narrowed, and set forth the earliest date upon which Council could take action as set forth in Paragraph (b) of this Section. The notice shall state that a copy of the petition is on file with the office of Planning and Community Development and may be examined during regular business hours. In the event Council is proceeding without a petition, the notice shall state that a copy of the ordinance is on file with the Clerk of Council. The notice shall include the following statement: "Any person objecting to the vacation of the above public street may file written objections with the Clerk of Council including any reasons for such objection. Objections must be filed before the date after which it is indicated the City Council may take action as set forth above."

919.04 HEARING; WHEN NECESSARY.

(a) If no objections are filed pursuant to Section 919.03 (c), Council may approve the petition or ordinance at any regular meeting without a hearing.

(b) If one or more objections is/are filed within the time specified in the notice, Council shall hold a hearing prior to acting on the petition or ordinance. Notice shall be mailed to all persons filing objections, and to the petitioners if applicable. At the hearing, proponents for and against the proposed action shall be given a reasonable opportunity to address Council.

919.05 PERMANENT EASEMENT IN VACATED STREET FOR PUBLIC UTILITY PURPOSES.

When any street, alley, or public highway, or a portion thereof, is vacated or narrowed by City, Council pursuant to the provisions of this Chapter or any section of Chapter 723 of the Revised Code, and the relocation of any conduits, cables, wires, towers, poles, sewer lines, steam lines, pipelines, gas and water lines, tracks, or other equipment or appliances of any railroad or public utility, whether owned privately or by any governmental authority, located on, over, or under the portion of the street, alley, or highway affected by such vacation or narrowing, is not required for purposes of the municipality, including urban renewal, any affected railroad or public utility shall be deemed to have a permanent easement in such vacated portion or excess portion of such street, alley, or highway for

the purpose of maintaining, operating, renewing, reconstructing, and removing said utility facilities and for purposes of access to said facilities.

919.06 EFFECT OF VACATION OF STREET OR ALLEY.

(a) The enactment of an ordinance by City Council vacating or narrowing a street or alley which has been dedicated to public use by the proprietor thereof, shall, to the extent to which it is vacated or narrowed, operate as a revocation of the acceptance thereof by the City Council, but the right of way and easement therein of any lot owner shall not be impaired by such order.

(b) The vacation of a street or alley shall operate as a conveyance of title to the vacated portion to the abutting property owner or owners. If the street or alley is vacated rather than narrowed, each abutting owner shall be deemed to own the vacated portion from the former right-of-way line abutting his or her property to the center of the former right-of-way, unless the affected owners all consent in writing to a different division of the vacated portion, in which event Council may include such agreed division in its ordinance.

ASHTABULA CITY COUNCIL COMMITTEE REPORT

Name of Committee: Finance & Personnel

Date: Friday, October 16, 2020

Time & Place of Meeting: 8a, Council Chambers

Members Present: Mrs. Kym Foglio (Chair/Ward 1 Councilor)
Mr. John Roskovics (Member/President)

Officers Present: Mr. James Timonere (City Manager)
Ms. Traci Welch (Finance Director)
Mrs. Stacy Senskey (Clerk of Council)
Mr. Michael Franklin (City Solicitor)

Members Absent: Ms. Jane Haines (Vice Chair/Ward 5 Councilor)

Department Heads & Staff none

VISITORS & MEDIA: none

REPORT OF BUSINESS CONDUCTED

Finance Director Report:

The Finance Director reviewed the Statement of Cash Position report as of September month end with the Committee. She is optimistic the City will have substantial carry-over into 2021 due to receiving the CARES Act Funds. The Unexpended Balance of \$1.14 million includes some current encumbrances. Shortly after the close of September, she was able to transfer \$641,101 of General Fund expenses to the Local Coronavirus Relief Fund 260 and reversed expense figures of \$495,736 for the Fire Department’s health insurance costs, raising the unexpended balance shown on the September report by about \$1 million. The City Manager explained the total net revenue shown for the Local Coronavirus Relief Fund 260 of \$1.18 million does not include the third round of CARES Act Funds of \$649,256 received earlier this week. On September 23rd, the Department of Treasury issued an update on how CARES Act funds can be spent. They made 100% of police and fire department wages and related expenses can be considered substantially dedicated to fighting coronavirus. Originally, they accounted for 50% in an effort to decrease unnecessary administrative processes involved in tracking dedicated coronavirus hours. The Finance Director will request an appropriation ordinance during Monday’s Regular Council meeting. She specifically addressed the Housing Code Enforcement Fund 291. 2020 revenue was expected to be \$40,000, but the \$25 inspection fees could not be collected since coronavirus kept the staff from inspecting houses. Additionally, Ordinance No. 2019-49 set a \$2,000 fee limit per structure for structures with ten or more residential units. This amounts to about \$30,000 less revenue than years past.

The Finance Director went on to discuss Finance Department personnel. The Sanitation Administrative Assistant retired in May, leaving a vacancy in the department. The duties of the position have been absorbed by Finance Department staff, creating a workload burden. The Finance Director generalized

the Accounting Assistant job description to include the duties of Sanitation Administrative Assistant which will enable her to hire an additional staff member and cross-train the entire staff on the departmental functions. In 2012, a study researched wages of municipal employees. It was determined anyone hired after May 1, 2012 would receive a rate of pay 10% less than the rate of pay for the position prior to May 1, 2012. A payroll ordinance including these changes will be requested at Monday's Regular Council meeting.

City Manager Report:

Also included in the payroll ordinance being requested on Monday are changes the City Manager made to positions in the Sanitation, Public Works, and Finance departments as approved by Local #1197. In these departments, the City Manager redefined the job descriptions for the Administrative Assistant in Public Works and created an Office Attendant/Light Equipment Operator to include some duties of Sanitation. One person overall will be hired, while other responsibilities are shared. All three revised job descriptions are attached to these minutes.

Further reporting on the CARES Act funding, the City Manager explained the current rules specify funds should be encumbered by November 15, 2020 and spent by December 30, 2020. Lawmakers are attempting to shift the dates to first quarter of 2021 or later. He is researching mortgage and rental assistance and utilities assistance. The City has a template for similar programs. Another CARES Act allowable expense is for turn-out gear for the Fire Department. The outfits have a ten-year life span, and many are approaching end of use. CARES Act funds allow for two sets each staff member. Demand for the gear is high and supplies low. With current restrictions, unless the vendor can guarantee delivery by December 30, 2020, the \$50,000 expense cannot fall under CARES Act funds.

New Business:

The Committee requests the Assistant Finance Director/Human Resources specialist, Mrs. Sheldon or Department Heads inform the Council President whenever a City employee retires. This practice allows Council to give recognition for an employee's years with the City.

City Solicitor Report:

The City Solicitor is involved in ongoing discussions about the Municipal Court and budget issues. He explained the Ohio Supreme Court offers a free service to mediate disputes between any two units of government and recommends the parties involved to use this method to resolve the ongoing budgetary conflicts. The City Solicitor explained the City of Ashtabula serves as a host to the Municipal Court; the two are separate governmental units. The City provides the facilities, payroll services and appropriate a lot of their budget but the management of the court and their personnel decisions are entirely the responsibility of the Court. In an October 7 communication, the Municipal Judge agreed the Government Conflict Resolution Services (GCRS) offered through the Ohio Supreme Court "most certainly cannot hurt". Until then, there are two ongoing issues needing swift attention. The first deals with an August 4 Journal Entry giving two employees raises exclusively using the Court Special Project Fund. An administrative order was issued directing the August 4 Journal Entry be fulfilled. This step is a legal procedure in case she decides to file a petition for writ of mandamus (a court order compelling someone to execute a duty that they are legally obligated to complete). The second issue

concerns William Niemi's move to Acting Chief Probation Officer and his rate of pay for the new title. There are two journal entries related to this change. The first described by the City Solicitor as a nunc pro tunc entry (a ruling that applies retroactively to correct an earlier ruling) that states Mr. Niemi's previous pay as a Chief Probation Officer/Deputy Bailiff. The second is an amended judgement entry related to his move to Acting Chief Probation Officer/Deputy Bailiff. The City Solicitor advised the Finance and Personnel Committee to recommend the GCRS process. He explained the Court Special Project Fund is supported by Court Costs and is solely under the Judge's discretion. The Court is not collecting the revenue originally projected therefore, the fund does not have sufficient monies to cover all the raises the Judge ordered. The City Solicitor explained he believes CARES Act funds could be used to alleviate some of the deficiency since the staff is conducting some COVID related duties. Further research is needed according to the Finance Director. The City Solicitor is suggesting the City accept the latest administrative orders from the Judge and attempt to comply with them and commit to GCRS for the 2021 budget and suggests Council pass a balanced "place-holder" Court budget for 2021. The City Manager stated there were three separate and different reasons stated for the raises ordered by the Judge. Though he appreciates the City Solicitor's efforts, there have been many opportunities to meet and discuss the conflicts between the City and the Court. The City Solicitor plans to ask for an Executive Session at Monday's Regular Council Meeting.

The next Finance & Personnel Committee Meeting will be held November 20th at 8a in Council Chambers.

ADJOURN: The meeting ended at 856a.

Scribe: Stacy H. Senskey, Clerk of Council

(Attachments)

Job Descriptions 5 pages

Job Description

Office Attendant/Light Equipment Operator

Department: Sanitation

Hours: 7:00 a.m. to 3:00 p.m.
Monday through Friday
(other shifts possible)

Immediate Supervisor: Superintendent of Public Services
(or his/her designee)

Rate of Pay: Hired Before 5/1/12 - \$20.55/hr.
Hired After 5/1/12 - \$18.50/hr.

General Statement of Duties:

This position requires employee to perform general office duties such as telephone communications, receiving payments and secretarial work as well as Sanitation yard /Recycling organization and maintenance.

Examples of Duties and Responsibilities:

- general secretarial work including but not limited to telephone communications, electronic communications, receiving payments and record keeping of sanitation operations.
- coordinating work/reporting issues to Sanitation Foreman or Superintendent of Public Services
- operation of Sanitation scale
- cleaning of Sanitation rest rooms, break areas and general office environment.
- Maintenance and organization of Sanitation yard and recycling building.
- light maintenance work for the Sanitation Department
- Laborer/Light/Heavy Equipment Operator as needed, or in an emergency situation.
- other duties as assigned by Superintendent or his/her designee

Knowledge of and Demonstrated Skills Required:

- customer service
- basic computer skills
- basic record keeping
- basic cleaning skills
- basic maintenance skills
- knowledge of Sanitation equipment and ability to operate Sanitation equipment
- effective working relationships with subordinates, City officials and general public

Physical Requirements of Positions:

- Lift (approx. 30") and place approx. 1500 bags/cans (approx. 25 lbs. each) into garbage truck each day
- Walk prolonged distance over refuse collection route
- Must be able to lift heavy objects over his/her head
- Push containers of 600 to 1000 lbs. to the truck
- Work outside in all weather conditions
- Must be in excellent health and physical condition
- Must be able to walk through rough terrain
- Must have good sight and hearing

Minimum Qualifications

- Must have high school diploma or equivalent
- Must have valid Ohio Class B Commercial Driver's License (CDL)

Job Description
ADMINISTRATIVE ASSISTANT

Department: Public Works, Motor Maintenance,
Sanitation, Traffic

Hours: 8 hours a day, 5 days a week
7:00 a.m. to 3:00 p.m. Monday - Friday

Immediate Supervisor of the Position: Superintendent of Public Services

Rate of Pay: Hired Before 5/1/12 - \$22.85
Hired After 5/1/12 - \$20.57

General Statement of Duties:

Under the Supervision of the Superintendent of Public Services, the Administrative Assistant is responsible for all aspects of the office duties, departmental payroll, and personnel record keeping determining vacation/personal/sick time for the departments. This individual will also maintain accounting and inventory records for the departmental, as well as public service requests.

Examples of Duties and Responsibilities:

- Support the professional image of the City to internal and external customers (tasks that support this responsibility may include).
 - Maintain a professional appearance and demeanor with the public
 - Maintain positive relationships with other city department/divisions.
- Assists the Superintendent of Public Services in preserving the fiscal responsibility of the Department (tasks that support this responsibility may include)
 - Maintaining account balances and providing supporting information to the Department's budget.
 - Assuring compliance with City Accounting.
 - Custodian of petty cash.
 - Provides information to manage grant awards.
- Improves the efficiency of the Department's communications (tasks that support this responsibility may include)
 - Answers telephones, electronic, facsimile and writing correspondence as needed.
 - Processes electronic media to support training, pre-planning and development of work orders.
 - Complies with the commercial, local, state, and federal reporting requirements of the Department.
 - Schedules and coordinates public and media relations activities.
- Generally supports efficient operations of the Department (tasks that support this responsibility may include)
 - Special tasks assigned by Superintendent of Public Services
 - Maintains the Department records according to city, state
 - Attends meetings as required.

Qualifications:

- Must have valid Ohio Driver's License
- Completion of Associate Degree in Business Administration, Management Science, Communications or Public Administration. Or equivalent experience of three (3) years in related field.
- Self motivated
- Ability to assess needs, plan programs, and execute plans without excessive amount of direct supervision.
- Excellent verbal and non-verbal communications skills.
- Experience in Municipal Finance and EDP Environment is desirable.
- Working knowledge of Microsoft Office, particularly Excel and Word

City of Ashtabula Job Description

Position Title: Accounting Assistant **Department:** Finance

Hours: 8:00 a.m. – 4:30 p.m.; Monday through Friday

Rate of Pay: Hired Before 5/1/12 – \$22.85 Hired After 5/1/12 - \$20.57 per hour

Department Supervisor: Finance Director

Minimum Requirements:

- Associate Degree in accounting
- 3 years experience in municipal finance/ service billing and/or fund accounting
- An equivalent balance of experience and education

General Statement of Duties: Assists with the day-to-day operations of the finance department; carries out responsibilities in some or all of the following functional areas: Billing, Accounts Receivable, Accounts Payable, Purchasing, Assessments, Cash Handling, Department support, Customer Service, Banking, Accounting and Data Entry and Retrieval.

Primary Objectives

- Enhance and promote the integrity of the functions of the finance department
- Contribute to the safeguarding of the public funds
- Maintain the integrity of the finance and accounting software
- Effective and accurate billing for City services
- Implement best practices in the functional areas of public finance
- Implement internal controls, separation of duties, productivity, quality, and customer-service standards
- Timely completion of departmental duties

Specific Responsibilities

Billing

- Process bills
- Billing point of contact
- Maintain the integrity of billing software
- Annual Assessments

Accounting / Bookkeeping

- Enter all budgetary information finance and accounting software
- Maintain documentation for data entry functions of the finance and accounting software
- Produce, distribute and post financial reports from the finance and accounting software

City of Ashtabula Job Description

Accounts Receivable/Cash Handling

- Balance the cash drawer
- Prepare department deposit & pay-in
- Review bank activity for ACH Deposits
- Download ach payments
- Process customer credit card payments

Purchasing/AP

- Create requisitions as needed
- Request purchase order adjustments as needed
- Process accounts payable as needed
- Process payroll as needed

Customer Service /Department Support

- Department equipment maintenance & supplies; requisition through request for payment
- Maintain annual maintenance and software agreements
- Assist with the preparation of the CAFR work papers
- Back-up phones and customer window
- Provide department support as directed

Required Knowledge, Skills, and Abilities

The individual should be self motivated, discerning and adaptable with the ability to access need, plan programs and execute plans without an excessive amount of supervision.

Job Requirements

These requirements are representative, but not all-inclusive, of the knowledge, skill, and ability required performing this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

- Working knowledge and/or experience in municipal finance, billing and operations
- Working Knowledge and/or experience in fund accounting and government purchasing methods
- Experience with finance and accounting software, Microsoft Office, email and voice mail
- Excellent written and verbal communication skills
- Ability to operate a computer, printer, fax machine, adding machine and other standard office equipment

Physical Demands

While performing the responsibilities of the job, the employee is required to talk and hear. The employee is often required to sit and use their hands and fingers, to handle or feel.

The employee is occasionally required to stand, walk, reach with arms and hands, climb or balance, and to stoop, kneel, crouch or crawl. Vision abilities required by this job include close vision.

City of Ashtabula Job Description

Work Environment

General office environment; work is generally sedentary in nature, but may require standing and walking for up to 10% of the time. The working environment is generally favorable. Lighting and temperature are adequate, and there are no hazardous or unpleasant conditions caused by noise, dust, etc. Work is generally performed within an office environment, with standard office equipment available.

Conclusion

This job description is intended to convey information essential to understanding the scope of the job and the general nature and level of work performed by job holders within this job. But, this job description is not intended to be an exhaustive list of qualifications, skills, efforts, duties, responsibilities or working conditions associated with the position.