

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

Monday, January 25, 2010

Council met in a **SPECIAL MEETING**. The Council President called the meeting to order at 5:30 p.m., the Clerk of Council offered the opening prayer and the Pledge of Allegiance was cited.

Member(s) Present: **Mr. James M. Trisket** (Ward 5), **Mr. Joseph L. Rose** (Ward 1)
Mr. August A. Pugliese (Ward 2), **Mrs. Ann I. Stranman** (Ward 3)
Ms. Betty S. Kist (Vice President), **Mr. Charles P. Brockway** (Council President)

Member(s) Absent: **Mrs. Julie A. Lattimer** (Ward 4)

Officer(s) Present: **City Manager Anthony J. Cantagallo**, **City Solicitor Michael Franklin**
City Auditor Michael A. Zullo, **Clerk of Council LaVette E. Hennigan**

Officer(s) Absent: **NONE**

SUNSHINE LAW CERTIFICATION: The Clerk of Council certified that the requirements of the Sunshine Law were met.

PURPOSE: The President announced the purpose of this Special Meeting was to permit the City Council to vote on legislation pertinent to the operations of the City of Ashtabula, including the 2010 budget.

WELCOME: The President extended a welcome to all in attendance.

DISCUSSION

The Council President announced the City Manager has requested that agenda item No. 4 titled, **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL #165**, be removed from tonight's agenda, because he is still in negotiations with the other two unions and feels the legislation should be placed on hold until discussions with the other two groups are concluded.

The President asked Council to meet with the Manager, Solicitor (or the President and Vice President, as has been the case), to get the budget resolved.

The Vice President asked if all three unions will be present, "so we'll know what's going on. At this point we've heard from 1197 and the Fire unions, but have not had any discussions with the Police union", or is this only with the Police union.

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(DETAILED TRANSCRIPTION BEGINS)

President: I don't think that's necessary because there's somewhat of an agreement with the firefighters. He then distributed the attached document titled 2010 Budget Changes, first proposed on January 11, and stated, This is what we originally had come to agreement for...all of Council. We came to this agreement in negotiations with the unions and department heads, Ms. Kist, and I was probably at two different meetings; I know I was probably at four or five, and this is the figure that we came up with – what we needed to meet. And, somewhere along the line through my misunderstanding or whatever, I didn't give this to Council because I understood that the Police union did not go for this; and so hence you did not get this. But this was the original figures that we came up with – a tentative agreement; and Council's part in this and the court. So, I want you to look that over; and that was the figure we needed to raise – we were \$862,000.00 short. So, I want to work off that original one at some point this week and get this matter resolved. Let me defer to the Manager. Do you want all of them at one time, or...

Manager: It makes no difference to me; it really doesn't. It probably would make more sense to have all three unions there.

Auditor: My recollection of history says when we have all three [unions] together we don't seem to get much accomplished. It seems to be it becomes a you, against you, against you, against us or upstairs, whatever. Seems like we do much better when we have each individual union individualized and we can focus on their group; on their needs; on their budget. It just seems to work out better.

Manager: That's fine with me.

President: Thank you Mr. Zullo. Any comments on that? Alright, then we'll set up three different meetings with the unions this week. Are there any other comments from Council.

Ward 2: When we set up these meetings can we have them, say maybe, an hour and a half limit, maybe two hours for each union.

President: Good idea; yes.

Ward 2: At least two hours per union probably would be helpful.

Clerk: Mr. Chair I have a questions and a comment. The question is...you stated for the meeting to be with all members of Council or the President and Vice President. There's going to be three meetings; how do you move forward with all members of Council at those three meetings or the President and Vice President representing the members of Council.

President: That's my question to Council. How would you like to do it. I'm at the point where I've been to six meetings and we're back to square one. So if Council wants to designate the Vice President and myself to go then I'll be there. If not then you can all come and we'll set up three different meetings.

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Ward 2: If we have all Council then don't we have to abide by the Sunshine Law.

President: Yes sir. If you're willing to let us come to some agreement and then bring it back to Council, I'd be most happy to do that, with the hopes that the Administration, Council and the unions are all on the same page.

Ward 5: Mr. President.

President: Mr. Trisket.

Ward 5: I would recommend so.

Ward 3: I just want assurance that they're in agreement because every other time we've come to an agreement somebody complains about it. When we had the 5% cut for all department heads I got a call from one of the department heads, and I'm sure everybody else did too, that they weren't happy about it. Then when the two furlough days came up people weren't happy with that. Every time we come to these meetings it's kind of presented as if the people it affects are in agreement with it and then we find out after the fact they're not. So I want some assurance, they are in agreement with the cuts. I just hope everything is done in a fair way.

President: I hear what you're saying. Then the bottom line, or I guess the top line is, and I presume our Auditor – we're still on track with the shortage of \$862,000.00? If we don't do something I presume that's going to change because we're going to lose a month in January without any cuts. That's the bottom line; we've gotta reach that figure.

Auditor: I don't think the number's going to change, I just think the action we take has to change by one-twelfth (1/12). One other thought has been there...there has been a group of individuals who offered to help the City on several occasions – Ashtabula Business Alliance (ABA), and I'm certainly open to them coming here and being part of our meeting. They're some smart business people; they know contracts; they know what's going on; they know numbers; and I welcome them to be part of our discussions if we need to get that far.

President: Thank you. Any other comments.

Clerk: I did have a statement. It's been stated twice (once today and once in the last meeting) that all department heads were a part of the meeting; and they weren't. The department heads under Council met with the President and Vice President, gave a list of 13 or 14 suggestions, and then something was put on the table. What was put on the table was not something those six people had agreed to; not that I'm saying it had to be. I just want to say, for the record, that the salaried personnel under Council are not a part of the discussions when the three unions are at the table.

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And, going forward that speaks to Mrs. Stranman's point; that something is put on the table as an agreement, and there isn't an agreement. So, if the unions are going to be allowed to come together and meet with the President and Vice President then I would respectfully ask that the six salaried personnel under Council be allowed to come back to the table also.

Vice President: I think that would be a good idea. Now would you want that at a separate meeting, LaVette; we'd be having four meetings then.

Clerk: Correct.

Vice President: I have no problem with that.

President: Any other comments.

Ward 2: Mr. President, I just have one comment; and I know this has been ongoing back and forth for a couple of months and we're getting to the point where something drastic needs to happen. But, I just want to say to the Administration and to the Council people that are representing Council, we need to take one thing into consideration; and it's a big thing as far as I'm concerned, and I think it's a lot of people's concern, that's seniority. We definitely have to look at seniority. That's all I have to say.

President: Thank you Mr. Pugliese. Any other comments
(DETAILED TRANSCRIPTION CONCLUDED)

The President moved to the Legislation Reading. The Clerk announced that agenda item No. 4 still needs to formally be removed from the agenda. Mr. Trisket moved, Mr. Pugliese seconded, to remove from the agenda item No. 4 titled, AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL #165; motion CARRIED.

PUBLIC COMMENT

Mr. Tony Martino, 1015 Westshore Drive: questioned the City Auditor on his 2008, 2009 and 2010 comparative numbers; verified that the shortfall is \$862,000.00; commented on revenues versus expenditures; the Auditor commented on the number of variables he considers (e.g. EQ Basin, individual funds being their own checking account; government accounting);

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cuts in safety forces was discussed (e.g. Fire union concession was to drop minimum manning from 6 to 5 thus reducing overtime from \$180,000 to \$85,000); Auditor watching income tax revenue and will have a better handle on the income tax revenue numbers come April 30; and commented on his daily monitoring of the budget and his monthly reporting of the same to Council.

Mr. Martino asked if \$862,000.00 shortfall constitutes a fiscal emergency. The Auditor replied that it is determined by how many months we are in the negative, and the balance of cash on hand. He said fiscal emergency is not good because the state comes in and runs the show and at that point no one is allowed to “move” without their permission.

Mr. Martino announced is he a member of the Ashtabula Business Alliance (ABA); that they are made up of present and retired CEOs (Chief Executive Officers), of companies in the area and are more than willing to help; and said cost reduction is their business. He said they will not tell the City what to do, but will give guidance. He reported ABA met recently with the County Commissioners for the exact same reason.

Mr K. Rodger Altier, 3654 West 19th Street (Immediate Past Council President): said: he does not envy those having to make the decisions; the President of Council and the City Manager have to work together; the policy of the City for years has been take from one and give to the other, which will catch up with you; what the City is experiencing is a national problem; change has to be made because things are not going back to the way they were; the City should hire a consultant to evaluate the efficiency of all departments; he offered continued encouragement to move forward with the reorganization of departments for better efficiency; suggested ABA’s services/expertise be utilized; and suggested City officials consider the advantages of a regionalized fire district (e.g. why do we need 3 fire chiefs, 3 ladder trucks, all the same equipment), this would also create a fire district through which more income tax dollars could be realized; he is sorry the City and citizens are in this predicament; it is hard to raise revenue and that revenue is going to have to come from other sources, which equates to change within the City. He wished the body politics luck.

The Ward 3 Councilor reported she attended Growth Partnership of Ashtabula County’s quarterly trustees meeting last week, at which time a representative from Efficient Gov Now program said one of the grants they awarded last year was to Cuyahoga and Lorain Counties for having a regional fire district. She believes it is something the City of Ashtabula should seriously look at; just like a health insurance coop with other communities struggling just as we are in order to see if funds can be saved.

The President announced, “We’ve been discussing items for a couple months, but one of the things we fail always to bring forth is that our City Income Tax is down over \$300,000.00. Mr. Zullo... (the Auditor reported the number to down \$512,000.00 from last year). I been around here many, many years and I never remember taking a hit like that.

But, on the other hand business and industry...their business earnings are probably now too. But, if it was down 10, 15, 20 thousand we wouldn't be here today. But, that's quite a bit of money over a one years time to actually loose. When you put a budget in the year before and then it doesn't happen, that's one of the reasons we're here discussing it. I agree with Mr. Altier, the economy is probably not going to change, if at all. If it does it won't be for sometime."

LEGISLATION READING

ORDINANCE NO. 2010-10 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERAGENCY AGREEMENT WITH THE ASHTABULA CITY PORT AUTHORITY FOR THE PURPOSE OF COOPERATION IN A GRANT AGREEMENT THROUGH THE OHIO DEPARTMENT OF NATURAL RESOURCES FOR THE CONSTRUCTION OF PUBLIC RESTROOMS ON MORTON DRIVE, was presented for its second reading. Ms. Kist moved, Mr. Pugliese seconded, to waive the reading of the ordinance; motion CARRIED. Ms. Kist moved, Mr. Pugliese seconded, the adoption of the ordinance. The Council Vice President asked if the deplorable condition of the Walnut Beach (WB) restrooms will be addressed with these dollars. The Solicitor replied no and spoke to the specificity of grants. The Vice President expressed concern with the conditions of the WB restrooms; commented on photographs Mrs. Donnie Peet shared with the dais last year, which showed the deplorable condition of Smith Field restrooms and asked how the City is going to also maintain the new restrooms if they are not able to maintain the existing ones.

Housing & Community Development Director Jason Strong: "We're working on a plan for Walnut Beach. This week we meet with the Steering Committee for the first time on Thursday – Mr. Pugliese and Mr. Trisket are on the Steering Committee for it. So we are going to work on all the possible grants for it – the ODNR grant (Mr. Strong was asked to state his name and address for record and to speak from the podium). "We are working on a design plan for WB; in particular we're going to start there. It's going to be for the Historic Harbor area. And I do plan on applying for \$300,000.00 revitalization grant for WB and the adjacent area; we're also going to use our Formula Grant. If we apply for that particular grant, which is competitive, we have to use our Formula Grant in conjunction with it which is \$130,000.00 or so. I did apply, on behalf of the City and the Harbor district, to the CDC (Civic Development Corporation), for \$250,000.00, as well, which would go as match money and seed money for these grants, because the ones that are competitive if we show that we have other monies of our own going into them it gives us more points in the grant application, therefore making us have a greater chance of success. So, we will look at ODNR grants. The design team we've hired from Columbus – Bird Houk Collaborative; they're going to assist us in grant applications as well. What I can't do on my own, they're going to assist us. So, we're going to look at the whole thing. We're going to try and make the Harbor a walkable neighborhood; make it a destination for people to come to; which includes Bridge Street, as well, and the River." On the roll call to adopt the ordinance: Mr. Trisket, Mr. Rose, Mr. Pugliese, Mrs. Stranman, Ms. Kist, Mr. Brockway voted yea; motion CARRIED.

ORDINANCE NO. 2010-11 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE BROWN'S RIVER COMPANY FOR THE PURPOSE OF PROVIDING RECORDS PRESERVATION SERVICES, was presented for its second reading. Ms. Kist moved, Mr. Pugliese seconded, to waive the reading of the ordinance; motion CARRIED. Ms. Kist moved, Pugliese seconded, the adoption of the ordinance. The Ward 3 Councilor asked from what fund these services will be paid. The City Auditor replied Permanent Improvement. On the roll call to adopt the ordinance: Mr. Trisket, Mr. Rose, Mr. Pugliese, Mrs. Stranman, Ms. Kist, Mr. Brockway voted yea; motion CARRIED.

ORDINANCE NO. 2010-12 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE WALTER H. DRANE COMPANY FOR THE PURPOSE OF PROVIDING CODIFIED ORDINANCE UPDATE SERVICES, was presented for its second reading. Ms. Kist moved, Mr. Pugliese seconded, to waive the reading of the ordinance; motion CARRIED. Ms. Kist moved, Pugliese seconded, to adopt the ordinance. The Clerk of Council reported she is working with the codifier to determine how some of the funds may be used to begin the process of the codifier hosting our codified ordinances on the worldwide web. It will also include a quarterly update of the code. These measures are in an effort to reduce our codification cost. On the roll call to adopt the ordinance: Mr. Trisket, Mr. Rose, Mr. Pugliese, Mrs. Stranman, Ms. Kist, Mr. Brockway voted yea; motion CARRIED.

RESOLUTION NO. 2010-13 A RESOLUTION REQUESTING AN ADVANCE OF \$200,000.00 ON THE 2009 PROPERTY TAX SETTLEMENT FROM THE ASHTABULA COUNTY AUDITOR, was presented for its second reading. Ms. Kist moved, Mr. Pugliese seconded, to waive the reading of the resolution; motion CARRIED. Ms. Kist moved, Pugliese seconded, the adoption of the resolution. On the roll call to adopt the resolution: Mr. Trisket, Mr. Rose, Mr. Pugliese, Mrs. Stranman, Ms. Kist, Mr. Brockway voted yea; motion CARRIED.

Mr. Trisket moved, Mr. Pugliese seconded; to adjourn the Special Meeting at 6:28 p.m.; motion CARRIED.

DATE APPROVED: _____

ATTESTED BY: _____

Charles P. Brockway
President of Council

ATTESTED BY: _____

LaVette E. Hennigan, MMC
Clerk of Council

1/11/10
1/25/10

2010 Budget Changes

	Shortage
	<u>\$862,000.00</u>
<u>Two (2) Furlough Days/month</u>	
Council Clerk	
Treasurer	
IT	
Deputy Auditor	<u>\$44,000.00</u>
Income Tax – Amnesty	<u>\$50,000.00</u>
Leachate	<u>\$75,000.00</u>
AFD – OT/Furlough	<u>\$115,000.00</u>
Furlough days 1197	<u>\$141,000.00</u>
APD – OT/Furlough	<u>\$110,000.00</u>
Non-Union Furlough	<u>\$29,784.00</u>
<u>Furlough</u>	
Auditor - \$4,164	
Manager - \$4,116	
Solicitor - \$3,936	
Total	<u>\$12,216.00</u>
Muni Court	<u>\$32,000.00</u>
Muni Court Clothing	<u>\$4,000.00</u>
Clothing – three (3) non-union)	<u>\$1,200.00</u>
Workers Comp Fund Transfer	<u>\$250,000.00</u>
Total	<u>\$864,200.00</u>