

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

**REGULAR MEETING MINUTES**  
**Monday, February 5, 2018**

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. A moment of silence was observed for the passing of Mr. Bob Denzel Young, who worked in the City's Forestry Department for over 30 years. The Ward 2 Councilor said he was one of the best tree trimmers he had ever seen in his life. A moment of silence was also observed for the Honorable Judge Charles (Chuck) G. Hague. He was an Ashtabula City lawyer, served as Ashtabula Municipal Court Judge for several years and retired as the Judge for the Ashtabula County Court of Common Pleas Probate/Juvenile Division.

<b>MEMBERS PRESENT:</b>	Ms. Jane E. Haines	(Ward 5 Councilor)
	Mrs. Kym Harley	(Ward 1 Councilor)
	Mr. August A. Pugliese	(Ward 2 Councilor)
	Mr. Michael D. Speelman	(Ward 4 Councilor)
	Mr. Reginald M. Holman	(Ward 3 Councilor)
	Mr. Christopher J. McClure	(Vice President)
	Mr. John S. Roskovics	(President)

**MEMBER(S) ABSENT:** None

<b>OFFICER(S) PRESENT:</b>	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):** None

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

**AGENDA APPROVAL:** None

**PRESENTATION(S):** None

**EXECUTIVE SESSION:** None

**CONSENT AGENDA**

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

**PRESENTATION OF MEETING MINUTES:** None

### **LEGISLATION AGENDA**

- **Formal Legislation Request(s):** None
- **Form and Correctness:** None
- **Legislation Overview:** None
- **Public Discussion** (Legislation Portion Only): None
- **Legislation Reading:** None

### **REGULAR BUSINESS**

#### **PRESENTATION OF MEETING MINUTES**

The Clerk of Council presented the January 16, 2018 Regular Meeting Minutes. Mr. Pugliese moved, Mr. Speelman 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 presented the following:

##### **Route 20 Paving – ODOT Project – PID 94073**

An ordinance to authorize entering into an agreement with the Ohio Department of Transportation (ODOT) with a mailing address of 1980 West Broad Street, Columbus, OH 43223 for the purpose of providing funding in the amount not to exceed \$8,842.42 for the reconstruction of Route 20 between Seymour Drive and Lake Avenue, Ashtabula, Ohio. Funding for this expenditure will be taken from Fund 412, Permanent Improvement. Mr. Pugliese moved, Mr. Speelman seconded to approve the request; motion CARRIED.

##### **Water Pollution Control Loan Fund (WPCLF) Application – Water Pollution Control (WPC) Digester Rehabilitation Project**

An ordinance for authorization to apply for a WPCLF loan and enter into an agreement with the Ohio EPA/Ohio Water Development Authority to fund the WPC Digester Rehabilitation Project in the amount of \$1,130,000.00. Mr. Pugliese moved, Mr. Speelman seconded to approve the request. Discussion: The Ward 2 Councilor asked if the digester will be “like new” once this project is completed. The Manager responded, “Unfortunately, sort of”. We have three digesters. This is rehabilitation for one. Depending on how the quotes come in we may be able to do two. All the piping in the basement which connects the three (*digesters*) will be repaired, along with the methane lines and pumps. We will have at least one digester completely cleaned, the lid removed and inspected and repaired and then put back on. We’re hoping we’re going to be able to clean a second one and address its lid. The plant could technically operate on one digester. Plans have been submitted to OEPA to look at the possibility of doing so. We prefer to operate on two, so the hope is there will be enough money in [this] last round to do both. The last bid resulted in a \$300,000 tab just to clean the digester. The plant handles up to 12 million gallons per day. We can handle up to 24 million. The motion CARRIED.

**Animal Protective League Agreement (APL) – 2018**

An ordinance to enter into an agreement with APL with a mailing address of 5970 Green Road, Ashtabula, OH 44004; for the purpose of animal intake in the amount of \$85.00 per dog. Funding for this expense will be taken from the Fund 101, General Fund. Mrs. Harley moved, Mr. Pugliese seconded to approve the request; motion CARRIED. The contract has not changed.

**Lake County Sewer Co., Inc. – Sanitary Sewer Overflow (SSO) Elimination, Phase 2**

An ordinance to enter into an agreement with Lake County Sewer Co., Inc. with a mailing address of 32900 Lakeland Blvd., Willowick, OH 44095 as the most responsible bid for the SSO Elimination, Phase 2 project in the amount not to exceed \$105,875.00. Funding for this expenditure will be taken from the Water Pollution Control Capital Fund. Mr. Pugliese moved, Mrs. Harley seconded to approve the request; motion CARRIED.

**Nassief Ford/Mercury/Toyota/Hyundai – Water Pollution Control Van Purchase**

An ordinance to purchase and enter into an agreement with Nassief Ford/Mercury/Toyota/Hyundai with a mailing address of 1059 State Route 46 N, Jefferson, OH 44047 for the purchase of one 2018 Ford Transit Van in the amount not to exceed \$35,000.00 in accordance with State Purchasing funding. Funding for this expenditure will be taken from the Water Pollution Control Capital Fund. Mr. Pugliese moved, Mr. Speelman seconded to approve the request; motion CARRIED.

**Obsolete Equipment Disposal**

An ordinance for authorization to deem obsolete and dispose of one Gibson Gold Refrigerator, Model #RT14F7WM, purchased in 1982; Ashtabula City Fixed Asset tag #1734. Mr. Pugliese moved, Mrs. Harley seconded to approve the request; motion CARRIED.

**Garbage Pick up**

With the observance of the President's Day Holiday on Monday, February 19, garbage pick-up will remain the same.

**Questions/Comments for City Manager**

The Ward 2 Councilor reported receiving a call of concern regarding the display of an asbestos sign on a house on West 11<sup>th</sup> Street and Myrtle Avenue. The Manager said it is most likely a demolition scheduled through the County Land Bank's Neighborhood Improvement Program (NIP) grant funding. Every house, before going out to bid, requires an asbestos assessment. If asbestos is found it is remediated in accordance with stringent guidelines. Signs have to be posted announcing the activity.

**CITY SOLICITOR**

**No Report**

**FINANCE DIRECTOR**

The Finance Director requested a supplemental appropriation ordinance. Mr. Pugliese moved, Mrs. Harley seconded to approve the request; motion CARRIED.

The Finance Director reported 2017 yearend ended with healthy fund balances overall and more than \$671,000 in the general fund. The general fund balance is due to the receipt of more estimated taxes that would normally have been filed the subsequent year. The complete yearend report will be given at the March Finance & Personnel Committee meeting.

**CITY COUNCIL COMMITTEE REPORTS and COMMUNICATIONS start**  
(Chair/Vice Chair)

**COMMUNITY DEVELOPMENT/ECONOMIC DEVELOPMENT/PARKS & RECREATION (CD/ED/P&R)**

(Roskovics/Speelman)

The Chair announced the committee will meet Tuesday, January 13, at 4:00 p.m. The Ashtabula County Convention and Visitor's Bureau will show a PowerPoint presentation on Ashtabula County.

**FINANCE & PERSONNEL - (F&P)** (McClure/Pugliese)

The Chair announced the committee did not meet this month, and is scheduled to meet Friday, March 9, at 8:00 a.m.

**PUBLIC WORKS/PUBLIC UTILITIES/CABLE/SCHOOLS - (PW/PU/C/S)** (Pugliese/Holman)

The Chair announced the committee did not meet this month, and is tentatively scheduled to meet Friday, March 2, at 8:00 a.m.

**SAFETY FORCES - (SF)** (Speelman/Harley)

The Chair reported on the committee's Monday, January 22, meeting, as follows:

Fire Chief Shawn Gruber told the committee

- The new fire engine has been ordered, with delivery expected in October or November of this year
- New fire house kitchen countertops and cabinets were installed by Lowe's employees
- The department's annual report will be distributed by the next Safety Forces Committee meeting (February 26); and
- Two grant applications have been submitted - one for the purchase of an ambulance; the other for radio equipment upgrades.

Traffic Control Map and File Changes

- The committee voted to have the City Manager draft an internal written procedure for addressing traffic control map and file changes. The procedure will include the committee's review of the letters returned from residents and of staff recommendations. The City Manager has drafted the policy.

Police Chief Robert Stell reported:

- More automobile accidents happen in the winter
- A portion of the body camera equipment has been delivered
- A body camera policy is being created, which the committee will review prior to its enactment

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- The dispatch remodel is in the last stages; the radio equipment was installed last week; essential staff members will be trained on the new system by February 5; secondary staff members will be trained a week later; the project should be complete by the end of February; and inmates were transferred to jail facilities located in Jefferson, Geneva, Conneaut, Lake and Cuyahoga Counties; and
- The discussion began about renewing the Police Levy (last time to place on a ballot is November, 2019).

Staffing at the Fire Department is good; the Police Department is down one and soon may be down two.

**WORK SESSION – No report**

**LEGISLATION AGENDA**

- **Formal Legislation Request(s):** None
- **Form and Correctness:** None
- **Legislation Overview:** The Clerk provided a brief overview of the legislation agenda.
- **Public Discussion (Legislation Portion Only):** None

**Request Legislation Presentation by Consent Agenda**

Mr. Pugliese moved, Mrs. Harley seconded to dispose of the legislation in consent agenda format; motion CARRIED.

**Legislation Reading**

ORDINANCE NO. 2018-09 AN ORDINANCE TO MAKE SUPPLEMENTAL APPROPRIATIONS IN THE GENERAL AND SELF INSURANCE FUNDS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF ASHTABULA, STATE OF OHIO, FOR THE PERIOD JANUARY 1 THROUGH DECEMBER 31, 2018.  
(Finance Director)

RESOLUTION NO. 2018-10 A FINAL RESOLUTION – ODOT PROJECT - PID NO. 94073 – US ROUTE 20 BETWEEN SEYMOUR DRIVE AND LAKE AVENUE, LYING WITHIN THE CITY OF ASHTABULA, OHIO.  
(City Manager)

RESOLUTION NO. 2018-11 A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR, ACCEPT AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND (WPCLF) AGREEMENT ON BEHALF OF THE CITY OF ASHTABULA FOR THE DIGESTER PROJECT AT THE WATER POLLUTION CONTROL PLANT.  
(City Manager)

Mr. Pugliese moved, Mrs. Harley seconded to waive the reading of the legislation; motion CARRIED.  
Mr. Pugliese moved, Mr. Speelman second to waive the Charter requirement of two readings. On the roll call to waive the Charter requirement of two readings: Ms. Haines, Mrs. Harley, Mr. Pugliese, Mr. Speelman, Mr. Holman, Mr. McClure, Mr. Roskovics voted yea; motion CARRIED. On the roll call to

adopt the legislation: Ms. Haines, Mrs. Harley, Mr. Pugliese, Mr. Speelman, Mr. Holman, Mr. McClure, Mr. Roskovics voted yea; motion CARRIED.

## **NEW BUSINESS**

### **1. Liquor Permit Request – NEW**

Donald E. Andrus, 2231 West Avenue, Ashtabula, OH

Permit Types: C1/C2

C1: Beer only in original sealed containers for carry out only until 1:00 a.m.

C2: Wine & certain prepackaged mixed drinks in sealed containers for carry out only until 1:00 a.m.

### **2. Liquor Permit Request – TRANSFER**

FROM: James Edward Andrus dba West Avenue Bar, 2321 West Avenue & Patio

TO: Evangela Moore dba Nave Lounge & Entertainment, 2321 West Avenue & Patio

Permit Type: D5

D5: Spirituous liquor for on premises consumption only, beer and wine for on premises and off premises in original sealed containers, until 2:30 a.m.

ACTION: Neither the Ward 3 Councilor nor anyone else requested a hearing.

### **“Tell Us Something We Don’t Know” Segment**

This is a segment under New Business recently suggested by the Council President to give persons at the dais the opportunity to tell something about Ashtabula we may not know.

#### **1. Ward 1 Councilor**

She attended the January 25, Ashtabula City Planning Commission meeting. The drawing for the new River Bend Hotel, proposed for West 6<sup>th</sup> Street and Goodwill Drive, was previewed. She said it is absolutely beautiful, is conducive to the Harbor area and she would like to get Mr. Borsukoff here to show the drawing. The President said he believes the tax abatement for this project was approved last year. The Manager said the details are still being worked out and will be presented to City Council at the appropriate time.

#### **2. Ward 5 Councilor**

She is attending the NEO Fund class, which is geared towards helping entrepreneurs. They have graduated 100, resulting in the start of 17 businesses.

#### **3. Ward 4 Councilor**

He announced that during this evening’s Pre-Council meeting he asked the Ward 3 Councilor to resign because he believes he is setting a bad example for the City, the City Council and our youth. He believes the City Council and city governance has become a laughing stock because of the lack of action taken. “I don’t believe drug use has any place on the City Council. I believe we should hold ourselves to a higher standard.” He said the City’s Drug Free Workplace Policy (*now called Drug Free Safety Program*) does not require the firing of an elected official for drug use. He (*Ward 3 Councilor*) would either have to resign or be recalled by the electorate.

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After the Ward 3 Councilor read the statement below, this Councilor noted his request for his colleague's resignation is based solely on the failed drug test, which test is a public record. He said Council discussed what rules may be enacted to prevent someone from using drugs as a member of City Council. In order for the City Council to act in cases such as this, we have been told that language addressing the issue would have to be placed in the Charter, by placing said language on a ballot for a vote of the electorate.

4. Ward 3 Councilor

Read from a prepared statement and said, To all the citizens, and Council and Administration of Ashtabula. I have given this much thought – this plaque that has affected me and my election as Ward 3 Councilor. The newspaper has reported false information, blurred the lines by associating me with the city inspector and some of you seem to believe the stuff that is written without evidence to substantiate these claims. It has been a challenging few months, but I'm not resigning. And, I'm determined to serve the community and uphold the oath that I made. Given the unfairness of it all, I have to deal with it and all that I am faced with, including the affect it has had on my City Council colleagues and the citizens of Ashtabula. So, I'd like to take this opportunity the City of Ashtabula has given the employees and elected officials... the substance abuse program as part of the Drug Free Safety Program. I realize that I have to set a good example. With this opportunity, I agree to comply with all that I need to do to take care of this and become a better councilman. Thank you.

5. City Manager

The Civil Service Commission will conduct a patrolman entrance examination on Saturday, March 3. The application deadline to sit for the test is Tuesday, February 20, by 4:00 p.m. Applications may be obtained from and returned to the Civil Service Commission Chair, Mr. Brett Cimorell, at his law practice, located on the second floor of the Huntington Bank building on Main Avenue. Two officers will be hired. This information is posted on the City's website under "Employment Opportunities". He asked that the information is shared in an effort to get several applicants.

The Ashtabula City Parks & Recreation Board has been conducting a survey to find out what citizens would like to see relative to our parks. Several persons have taken the survey, but only twenty-five percent of them have children. He encouraged more people to take the survey who have children. A link to the survey may be found at [www.cityofashtabula.com](http://www.cityofashtabula.com).

6. President

He participated in the kick off of "The Last Plastic Straw in Ashtabula" campaign on Bridge Street on Saturday. The Ashtabula Area City Schools elementary students were very informative and did a great job. He purchased two stainless steel straws, for the cause, at Carlisle's Home Store, also located on Bridge Street.

7. Ward 2 Councilor  
Reminded residents to call the Pothole Hotline at 992.7100. He reported a pothole located on Myrtle Avenue between West 11<sup>th</sup> and West 13<sup>th</sup> Streets. AND, on a light note he asked when the Cleveland Browns are going to win the super bowl.
8. Council Vice-President  
A Free Remote Area Medical "RAM" Clinic will be in town April 20 through 22. Volunteers are needed, including health care providers and nurses.

He told the Ward 3 Councilor he is glad he is getting help, that he admires his candor and is glad he came forward. He said he, too, believes the Councilor should resign. "You came up hot before the oath and you should have resigned." He said what may not be known is that, City Council, as a body, is unable to do anything to remove an elected official; that decision is up to the individual or the electorate may seek to recall the Councilor, which cannot be initiated until November 2018 – a year after the election at which the Councilor was elected.

9. Ward 4 Councilor  
Ashtabula Area City Schools Superintendent Dr. Melissa Watson sought volunteers to speak with students during the schools "Kindness Challenge Week". He spoke with a 9<sup>th</sup> grade health class about kindness, enjoyed his time with them, and hopes the students took something away. "My involvement with Dr. Watson has been nothing but positive. I like her; I like some of her ideas; I think it's a shame that she's not going to be the city schools superintendent; I don't know what went on in that meeting; but, I like her."

**PUBLIC DISCUSSION/COMMENTS (General Matters)**

The Clerk of Council acknowledged Edgewood High School students in the audience, as a requirement for their civics course.

**EXECUTIVE SESSION**

None

**ADJOURNMENT**

Hearing no further business to come before this Council, the President declared the meeting adjourned at 7:45 p.m.

DATE APPROVED: February 20, 2018

ATTESTED BY: John S. Roskovics

John S. Roskovics  
President of Council

ATTESTED BY: LaVette E. Hennigan

LaVette E. Hennigan, MMC  
Clerk of Council