

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

Regular Meeting

Monday, February 6, 2017

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

The Reverend Christopher McCain of Second Congregational Church offered the opening prayer and the Pledge of Allegiance was recited.

A moment of silence was observed due to unexpected, January 27, passing of Reverend Dr. Stephen R. Long and the January 31, passing of Ms. Ann Nassief of Nassief's auto dealership.

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

MEMBER(S) ABSENT:	Mr. Christopher J. McClure	(Vice President)
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OFFICER(S) PRESENT:	Mr. James M. Timonere	(City Manager)
	Mr. Michael Franklin	(City Solicitor)
	Mrs. LaVette E. Hennigan, MMC	(Clerk of Council)

OFFICER(S) ABSENT:	Mrs. Dana D. Pinkert	(Finance Director)
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EXCUSED ABSENCE(S):	<u>Mr. Hamrick moved, Mr. Speelman seconded to excuse the Vice President from this meeting; motion CARRIED.</u>
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SUNSHINE LAW:	The Clerk of Council certified conformity to the Sunshine Law.
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PRESENTATION(S)

The Council President made the following presentations to Fran Hanselman and Christine Triozzi:

RESOLUTION NO. 2017-10

**A RESOLUTION OF APPRECIATION
TO
FRANCIS (FRAN) HANSELMAN**

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

WHEREAS, Francis Hanselman (affectionately known throughout the community as Fran), along with her business partner, Christine Triozzi, did, on July 5, 1978, open Your Special Place Uniform Apparel, a retail store whose product line was maternity and medical uniform clothing; but today they specialize solely in medical uniform apparel; and

WHEREAS, In 1980, Your Special Place Uniform Apparel relocated to Main Avenue in Downtown Ashtabula where it remained for 32 years; Fran and Christine continued their commitment as members of the Ashtabula business community when, in 2012, they relocated to a larger storefront at 2324 Lake Avenue; and,

WHEREAS, while Your Special Place serves a 50 to 60 mile radius, it is truly known as a hometown/community establishment, that continues to successfully operate today, under new ownership; and

WHEREAS, Fran has been a staff member of ABC Childcare since 1997, served on the Greater Ashtabula Chamber of Commerce Board in the 1990s, is very active in the League of Women Voters of Ashtabula County, is a member of the Ashtabula City Local Board of Review, was the coordinator of the Ashtabula Downtown Christmas Parade for 10 years, and remained active in planning the parade when the Ashtabula Downtown Development Association began to coordinate the event;

NOW THEREFORE, BE IT RESOLVED that this City Council and these Public Officials of the City of Ashtabula, Ohio, do hereby express our sincere appreciation to Fran Hanselman for nearly 40 years of dedication to the Ashtabula business community and for serving the City of Ashtabula in so many ways. Fran, we thank you and congratulate you on your January 2017 retirement.

THANK YOU for Believing In Ashtabula!

ADOPTED: _____

ATTEST: _____

Josephine Misener
PRESIDENT OF COUNCIL

LaVette E. Hennigan, MMC
CLERK OF COUNCIL

Christopher J. McClure
VICE-PRESIDENT OF COUNCIL

John S. Roskovics
WARD 1 COUNCILOR

August A. Pugliese
WARD 2 COUNCILOR

Kristy L. Hosken
WARD 3 COUNCILOR

Michael D. Speelman
WARD 4 COUNCILOR

Kris E. Hamrick
WARD 5 COUNCILOR

James M. Timonere
CITY MANAGER

Michael Franklin
CITY SOLICITOR

Dana D. Pinkert, FINANCE DIRECTOR

RESOLUTION NO. 2017-11

**A RESOLUTION OF APPRECIATION
TO
CHRISTINE TRIOZZI**

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

WHEREAS, Christine Triozzi, along with her business partner, Fran Hanselman, did, on July 5, 1978, open Your Special Place Uniform Apparel, a retail store whose product line was maternity and medical uniform clothing; but, today they specialize solely in medical uniform apparel; and

WHEREAS, In 1980, Your Special Place Uniform Apparel relocated to Main Avenue in Downtown Ashtabula where it remained for 32 years; Christine and Fran continued their commitment as members of the Ashtabula business community when, in 2012, they relocated to a larger storefront at 2324 Lake Avenue; and,

WHEREAS, while Your Special Place serves a 50 to 60 mile radius, it is truly known as a hometown/community establishment, that continues to successfully operate today, under new ownership; and

WHEREAS, Christine is also known in the community for her service as the Ashtabula County Medical Center Gift Shop bookkeeper, a service she has provided for many years;

NOW THEREFORE, BE IT RESOLVED that this City Council and these Public Officials of the City of Ashtabula, Ohio, do hereby express our sincere appreciation to Christine Triozzi for nearly 40 years of dedication to the Ashtabula business community. Christine, we thank you and congratulate you on your January 2017 retirement.

THANK YOU for Believing In Ashtabula!

ADOPTED: _____

ATTEST: _____

Josephine Misener
PRESIDENT OF COUNCIL

LaVette E. Hennigan, MMC
CLERK OF COUNCIL

Christopher J. McClure
VICE-PRESIDENT OF COUNCIL

John S. Roskovics
WARD 1 COUNCILOR

August A. Pugliese
WARD 2 COUNCILOR

Kristy L. Hosken
WARD 3 COUNCILOR

Michael D. Speelman
WARD 4 COUNCILOR

Kris E. Hamrick
WARD 5 COUNCILOR

James M. Timonere
CITY MANAGER

Michael Franklin
CITY SOLICITOR

Dana D. Pinkert, FINANCE DIRECTOR

The recipients thanked Council for their recognition.

Mr. Pugliese moved, Mr. Hamrick seconded to adopt the above resolutions; motion CARRIED

The Ward 5 Councilor made the following presentation to Mister Xavier Jackson, with his mother, sisters and Ashtabula Fire Captain/Fire Prevention Bureau Chief Steve Chase standing by his side:

RESOLUTION NO. 2017-12

**A RESOLUTION OF COMMENDATION
TO
XAVIER M. JACKSON**

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

WHEREAS, Xavier M. Jackson, was born on March 17, 2007, is nine (9) years young, and is in the fourth (4th) grade at Erie Intermediate School, in the City of Ashtabula, Ohio; and

WHEREAS, while Xavier M. Jackson may be young in age he is big in heart and action, and is a true hero to his family and the Ashtabula community; and,

WHEREAS, on Thursday, January 26, 2017, at about 8:35 p.m., firefighters from the Ashtabula City Fire Department were dispatched to Xavier's home at 1025 West 41st Street, where he and his sisters Zeamara Jackson (7) and Katuana Jackson (8), both students at Ontario Primary School, were trapped on the second floor of their home; and

WHEREAS, according to Xavier's mom, Shannon (Lillie) Manley, it was Xavier's quick and brilliant thinking that lead him to break out a second floor window, with his arm, and lead he and his sisters to safety on a porch roof; he then noticed one of his sisters was outside without anything on her upper body, at which time he immediately gave her the shirt-off-his-back so she could be warm, in what was a frigid winter evening;

NOW THEREFORE, BE IT RESOLVED that this City Council and these Public Officials of the City of Ashtabula, Ohio, do hereby **COMMEND** and **HONOR** Xavier M. Jackson for his act of bravery at a time when he was needed most.

XAVIER you are our **HOMETOWN HERO**;
THANK YOU FOR SAVING LIVES.

Ashtabula City Regular Council Meeting
Monday, February 6, 2017

ADOPTED: _____

ATTEST: _____

Josephine Misener
PRESIDENT OF COUNCIL

LaVette E. Hennigan, MMC
CLERK OF COUNCIL

Christopher J. McClure
VICE-PRESIDENT OF COUNCIL

John S. Roskovics
WARD 1 COUNCILOR

August A. Pugliese
WARD 2 COUNCILOR

Kristy L. Hosken
WARD 3 COUNCILOR

Michael D. Speelman
WARD 4 COUNCILOR

Kris E. Hamrick
WARD 5 COUNCILOR

James M. Timonere
CITY MANAGER

Michael Franklin
CITY SOLICITOR

Dana D. Pinkert, FINANCE DIRECTOR

Xavier's mom said she is grateful for the fire safety classes her children have taken in school and at the Grape Jamboree. She said she honestly didn't know how they got out and kept it together so good. She said she is grateful for everyone who has helped since the fire happened.

Ashtabula City Neighborhood Watch group member Ms. Kathy Pallaise, on behalf of the group and Game Stop presented Xavier with a bag of goodies. Xavier said thank you.

The Ward 5 Councilor asked Xavier's mom to send him GOFUNDME information for him to post.

The President said, "Thank you, Xavier; you are truly our hometown hero".

Mr. Hamrick moved, Mr. Pugliese seconded to adopt this resolution; motion CARRIED

EXECUTIVE SESSION: None

CONSENT AGENDA

The Consent Agenda is a means whereby Council is able to efficiently conduct business by grouping routine items 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 January 17, 2017 Regular Meeting Minutes for Council's consideration. Mr. Pugliese moved, Mr. Hamrick seconded to waive the reading of the minutes; motion CARRIED. The Clerk reported the word "Ward" will be corrected to read "War" in the moment of silence portion of the meeting minutes. Hearing no further corrections, the minutes were approved as presented.

ADMINISTRATIVE REPORTS and COMMUNICATIONS

CITY MANAGER'S REPORT

Nerone & Sons, Inc. – Change Order (CO) #2 Contract C, UV – Water Pollution Control (WPC) Plant
The City Manager requested an ordinance to execute CO #2 for Contract C with Nerone & Sons, Inc. of 19501 South Miles Road, Warrensville Hts., OH 44128 for the purpose of providing additional work to relocate various Sampling lines and Sludge line in an amount not to exceed \$12,941.90, for a total contract price of \$1,570,567.25. Funding for this expenditure will come from an amendment to the OWDA loan through the WPC Capital Fund. Mr. Pugliese moved, Mr. Hamrick seconded to grant the request. Discussion: At the request of the Ward 5 Councilor, the Manager reported the project has been in progress for over one year; that four project contracts are open; the Final Tanks have "pretty much been completed", work on the UV system still needs to be done; there is an electrical contract and the Primary Tanks are about halfway done; two of the four Primary Tanks are up and running with new equipment – the tear down and deconstruction of the other two has begun; once all of these are completed we will move into the Digester project with the remaining funds. Construction will continue at the plant through this year. The President reported that while the work is being performed things are being found that need to and are being addressed within the original loan amount. The Manager confirmed this to be true, said the loans had to be modified a few times, that contingency costs were built in all the loans and that dollars for extra engineering costs were put aside but have not had to be used. The motion CARRIED.

Vulcan Development LLC – Tax Agreement

The City Manager requested an ordinance to enter into a Community Reinvestment Area Tax Incentive Agreement with Vulcan Development LLC for a tax abatement at 75% for 10 years for the construction and/or renovation of PPN #68-409-00-134-00. Mr. Pugliese moved, Mr. Hamrick seconded to grant the Manager's request. Discussion: The Manager reported this is a new development that will cost over \$2 million, at the corner of Franklin Avenue and Bridge Street, which

is the former Degees site the burned several years ago. The developer was born and raised in Ashtabula County and decided it was time to invest in his home area. It will be a three-story building with office spaces, a restaurant and on the top two floors a boutique-type hotel with “what we believe will be 18 rooms”. The project’s completion is scheduled for spring 2018. The motion CARRIED.

Hotel & Leisure Advisors Agreement

The City Manager requested an ordinance to enter into an agreement with Hotel & Leisure Advisors in an amount not to exceed \$12,000 for a hotel feasibility study. The City will use Economic Development Revolving Loan Funds and an anonymous donation to fund the entire study. Mr. Pugliese moved, Mr. Hamrick seconded to grant the Manager’s request; motion CARRIED. The President announced the study will be complete within the next three months.

Harbor Anchor Properties, Ltd. – Rezoning

The City Manager requested an ordinance to change the zoning of property of Harbor Anchor Properties, Ltd., located on the southwest corner of West 10th Street and Michigan Avenue from R-2 Single Family Residence District to C-1 General Commercial District. Mr. Pugliese moved, Mr. Hamrick seconded to grant the Manager’s request; motion CARRIED.

CITY SOLICITOR’S REPORT

The City Solicitor announced he learned today that a complaint filed with the Ohio Civil Rights Commission against our City related to whether or not our traffic signals were sufficiently handicapped accessible has been dismissed by the commission for want of jurisdiction. So, that matter is no longer pending against us.

Questions/Comments for City Solicitor

The President reported that over the weekend she read someone is in custody relative to the graffiti being placed around the community for the last several months, and that our Police department was involved. She asked if restitution could be paid to the City if some of the fault is able to be tied to this person. The Solicitor said he would like to defer comment at this time. He said while he has been briefed by Police Chief Robert Stell about the arrest of the person and the circumstances leading to the arrest, and our department’s participation in that, some investigative materials are still being assembled for his office to review for charges. And, if his office determines to file charges, restitution will be sought, but we are not quite at that point yet.

FINANCE DIRECTOR’S REPORT

The Clerk of Council read the following report:

Drive up air tube

The tube was replaced last week. It should be fully functional for drive up service by the end of the week.

Income Tax

2016 Income tax forms have been mailed. Residents that didn't receive a form may call or email Income Tax at 992-7104 or email incometax@cityofashtabula.com or download the form from the City's website at <http://cityofashtabula.com>

Treasurer of State's - OhioCheckbook.com

The State Treasurer's office will make a presentation about the site and how to navigate it at the March 10, Finance & Personnel Committee Meeting, starting at 8:00 a.m.

Auditor of State Financial Health Indicators (FHI) initiative

On January 25, The Auditor of State released the Financial Health Indicators (FHI), a tool to help cities and counties better assess their financial health and make informed budgetary decisions to avoid potential future fiscal stress. Ashtabula is one of the entities with a significant number of indicators which suggest fiscal stress.

The City's three critical indicators are related to low fund balances, revenues versus expenditures and average daily expenditure or the number of days the City can operate using available carry-over funds. These are all things we have discussed at Finance & Personnel Committee meetings and have been monitoring. Keep in mind, the report does not include 2106 activity or carry over balances. I will review each critical and cautionary indicator in detail at the March Finance & Personnel meeting. In the meantime the full report can be accessed from the Auditor of States website; <http://ohioauditor.gov/FHI/> and searching for Ashtabula.

Questions / Comments for Finance Director

The Ward 5 Councilor asked the Clerk if she could explain the affects of House Bill (HB) 5 because he has received a lot of telephone calls about the statements just mailed out. The Clerk said she would answer as best she could but encouraged persons to google the House Bill for more details, ask their tax preparer, or make inquiry to the Finance Director when she returns to the office on Monday at 992.7107. The Clerk reported the bill reflects new income tax requirements mandated by the State Legislature. The statements the Councilor referred to are for quarterly estimate of income tax filings which are required to be filed by the dates specified on each form. The Clerk reported that the City's Income Tax Department will prepare city income tax filings for anyone who seeks the department's assistant, and said the staff would also have answers to these questions.

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 met on Thursday, February 2, to discuss Codified Ordinance Section 505.01 "Dogs and other animals running at large". It was their intention to make amendment

recommendations because the City Solicitor had rendered an opinion that the section is not defensible in court. The Solicitor provided sample ordinances from various communities and a proposed new ordinance for the committee's review. These items along with public input that has been received will be taken into consideration when the committee meets on Tuesday, February 14, at 4:00 p.m., to take up this matter with the Solicitor present. The goal is to agree on amendments to the legislation and bring it to the full Council, at the Tuesday, February 21, Regular council meeting, for their consideration. On the same day the committee will meet with Mr. Greg Myers, the new Director of Growth Partnership of Ashtabula County.

The Chair announced the Star Beacon has been daily announcing that the Lift Bridge Community Association (LBCA) is looking for volunteers and sponsors for the Wine and Walleye Festival, scheduled for Saturday and Sunday, July 29 and 30, on Bridge Street. The Chair said whatever citizens and most assuredly Council is able to do to assist would be helpful. The Clerk announced that Ms. Christine Seuffert, LBCA Chair, visited her this afternoon and previously sent the Clerk two emails regarding the festival. One email was specifically to members of City Council to sign up to volunteer for the festival; the other was addressed to the community for the same. The Clerk suggested Ms. Seuffert contact Lynda Annick, former Ashtabula Downtown Development Association president who used Sign-up Genius, a very user-friendly computer-aided program where volunteers could go to sign up. The Clerk said she is waiting to hear back from Ms. Seuffert before issuing the emails.

The Committee Chair announced the Parks & Recreation Board will meet at 6:30 p.m., on Tuesday, February 14.

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

The Vice Chair announced the committee did not meet in February, but are scheduled to 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 announced the committee did not meet in February, but will meet on Friday, March 3, at 8:00 a.m., in the Municipal Building 2nd floor conference room.

Questions/Comments for PW/PU/Cable/Schools

The Clerk announced this committee's Chair asked she and the Manager to see if we could get in contact with a Spectrum (formerly Time Warner Cable) representative and invite them to the committee's March meeting. She reported following up on a lead the Manager gave her and will let the chair know the outcome.

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

The Chair reported on the committee's Monday, January 23, meeting. He reported the committee reviewed 2016 Police and Fire stats.

The Fire Department had just under 2000 calls; no fire fatalities; 7 civilian injuries; 57 house fires; and minimum injuries to fire department staff.

From mid November to mid December, the Police Department had 752 calls for service; mid December to Mid January they had 1300 calls. The department will need a new dispatch center and a few other items. We are looking at purchasing body cameras. The Police Chief will have more information for the committee's consideration in March. Injuries were minor. We have 3 K-9 officers ranging in age from 3 to 7 years; usually you can get 7 to 10 years of good service. They cost in the area of \$8,500 to \$10,000 each to replace and train.

The February meeting will be cancelled; the next meeting will be in March.

Questions/Comments for Safety Forces

The President asked for the reason calls for service increased. The Chair said it is usual to get a spike during the holiday months. The Police Chief said he did not reach the reason why but could look into it.

WORK SESSION

- **Council Rules of Order:** The President announced Council will meet in a work session to review their Rules, by which they are governed, on Monday, February 13, at 8:00 a.m., in the Municipal Building 2nd floor conference room.

LEGISLATION AGENDA

- **Formal Legislation Request(s)**

The Clerk presented the following formal legislation requests for Council's consideration:

ORDINANCE NO. **2017-06**, AN ORDINANCE REPEALING, IN ITS ENTIRETY, PAYROLL ORDINANCE NO. 2016-124, ENACTED ON SEPTEMBER 6, 2016, FOR THE PURPOSE OF INCREASING THE SALARY OF THE ASHTABULA MUNICIPAL COURT ADMINISTRATOR TO COMPENSATE FOR ADDITIONAL RESPONSIBILITIES AND TO SATISFY THE STATE AND FEDERAL WAGE AND HOUR LAW, IN ACCORDANCE WITH THE JANUARY 13, 2017 JOURNAL ENTRY OF THE ASHTABULA MUNICIPAL COURT JUDGE. (Judge)

ORDINANCE NO. **2017-07**, AN ORDINANCE AUTHORIZING COMPENSATION, SALARIES AND WAGES TO ALL EMPLOYEES OF THE CITY OF ASHTABULA, THE ASHTABULA MUNICIPAL COURT AND THE ASHTABULA CITY HEALTH DISTRICT. (Judge)

ORDINANCE NO. **2017-08**, AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO CHANGE ORDER NO. 2 TO "CONTRACT C" WITH NERONE & SONS, INC., IN AN AMOUNT NOT TO EXCEED \$12,941.90 FOR THE PURPOSE OF PAYING FOR UNFORSEEN ADDITIONAL SERVICES AND MATERIALS AT THE WATER POLLUTION CONTROL PLANT. (City Manager)

ORDINANCE NO. **2017-09**, AN ORDINANCE CHANGING THE ZONING OF PROPERTY OF HARBOR ANCHOR PROPERTIES, LTD., LOCATED ON THE SOUTHWEST CORNER OF WEST 10TH STREET AND

MICHIGAN AVENUE FROM R2-SINGLE FAMILY RESIDENCE DISTRICT TO C1-GENERAL COMMERCIAL DISTRICT, AND AMENDING THE ZONING DISTRICT MAP ESTABLISHED BY CODIFIED ORDINANCE SECTION 1115.02, (City Manager)

Mr. Pugliese moved, Mr. Roskovics seconded to accept the formal legislation requests; motion CARRIED.

Council Rule 21 – Solicitor’s signature as to Form and Correctness

The Clerk of Council certified the Rule has been satisfied.

Legislation Overview

The President announced that the formal legislation the Clerk just presented and Council voted to accept is the only legislation scheduled for a vote of Council this evening.

- **Public Discussion** (Legislation Only) – None
- **Consent Agenda Format Disposal:** Mr. Pugliese moved, Mr. Hamrick seconded to dispose of the Regular Legislation Agenda in consent agenda format; motion CARRIED.
- **Reading**

The Clerk presented the following legislation for Council’s consideration:

ORDINANCE NO. **2017-06**, AN ORDINANCE REPEALING, IN ITS ENTIRETY, PAYROLL ORDINANCE NO. 2016-124, ENACTED ON SEPTEMBER 6, 2016, FOR THE PURPOSE OF INCREASING THE SALARY OF THE ASHTABULA MUNICIPAL COURT ADMINISTRATOR TO COMPENSATE FOR ADDITIONAL RESPONSIBILITIES AND TO SATISFY THE STATE AND FEDERAL WAGE AND HOUR LAW, IN ACCORDANCE WITH THE JANUARY 13, 2017 JOURNAL ENTRY OF THE ASHTABULA MUNICIPAL COURT JUDGE. (Judge)

ORDINANCE NO. **2017-07**, AN ORDINANCE AUTHORIZING COMPENSATION, SALARIES AND WAGES TO ALL EMPLOYEES OF THE CITY OF ASHTABULA, THE ASHTABULA MUNICIPAL COURT AND THE ASHTABULA CITY HEALTH DISTRICT. (Judge)

ORDINANCE NO. **2017-08**, AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO CHANGE ORDER NO. 2 TO “CONTRACT C” WITH NERONE & SONS, INC., IN AN AMOUNT NOT TO EXCEED \$12,941.90 FOR THE PURPOSE OF PAYING FOR UNFORSEEN ADDITIONAL SERVICES AND MATERIALS AT THE WATER POLLUTION CONTROL PLANT. (City Manager)

ORDINANCE NO. **2017-09**, AN ORDINANCE CHANGING THE ZONING OF PROPERTY OF HARBOR ANCHOR PROPERTIES, LTD., LOCATED ON THE SOUTHWEST CORNER OF WEST 10TH STREET AND MICHIGAN AVENUE FROM R2-SINGLE FAMILY RESIDENCE DISTRICT TO C1-GENERAL COMMERCIAL

DISTRICT, AND AMENDING THE ZONING DISTRICT MAP ESTABLISHED BY CODIFIED ORDINANCE SECTION 1115.02, (City Manager)

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

UNFINISHED BUSINESS

The Ward 2 Councilor announced the Pot Hole Hotline telephone number is 992.7100. He reported crews are out at night filling holes.

NEW BUSINESS - None

MISCELLANEOUS

- **Regular/Pre-Council Meetings:** The 3rd Monday of this month is a holiday, therefore the City Council will meet in a Regular meeting on Tuesday, February 21 at 7:00 p.m.; Pre-Council at 6:00 p.m.
- **Boards and Commission Vacancies:** The President announced Council has to make appointments or reappointments to the Architectural Restoration Review Board, Local Board of Tax Review, Civil Service Commission, Community Reinvestment Act Housing Council, Parks & Recreation Board and Planning Commission. Under Boards and Commissions on the City's website (www.cityofashtabula.com) is a "Notice of Intent to Service" tab. The public was encouraged to visit the site and complete and submit an application.

GENERAL PUBLIC DISCUSSION

Mr. Edward Drum, 5025 Dunsmore Avenue

Reported the law prohibiting parking on all city roads from 3:00 a.m. until 6:00 a.m., in order for street sweeping and snowplowing to occur was repealed. He suggested a seasonal parking prohibition be enacted so plows can access roads without vehicle hindrance. He reported other cities will have the police ticket vehicles and tows vehicles parked on their roads during snow bans.

The Manager reported the snow ban takes the place of banning people from parking during an entire season, and the City does ticket and tow.

Mr. Drum commented on seeing vehicles parked on the roads for three and four days during snow bans. The Manager reiterated the City tickets and tows. Mr. Drum said he was told vehicles are ticketed and then given 48 hours before they have to be moved.

The Solicitor challenged the 48 hour rule. He said such practice has never come to his attention, neither has he ever had an officer say they permitted such a timeframe; but has had officers tell him

the person came out while the vehicle was being ticketed and they permitted the vehicle to be moved which is done at the officer's discretion.

Mr Drum reported today and tomorrow the weather is scheduled to be nice. He suggested third shift crews work with day crews to get roads cleaned, and noted this is what the Ohio Department of Transportation does. The Manager said the City does not have the latitude to move shifts around, that 6 to 8 crew members are out during the day, and that night crews are doing the same amount of work as day crews, including scraping roads.

Mr. Drum suggested that Council as the Legislative Branch and the Solicitor as the Judicial Branch of government create an overnight parking ban from November 1 to April 1, to keep vehicles off roads, whether or not there is snow on the road, versus a year-round ban. He said he understands and respects why the street sweeper would not operate at night. The Manager reported the sweeper is operated at night; the President noted that is mostly during summer months therefore questioned why overnight parking would be permitted during April 1 through October 31. Mr. Drum then suggested reinstating the year-round ban. The Solicitor stated he is not the Judicial Branch of government, but as the legal advisor to the City he would suggest such legislation would be over-broad and potentially harmful, especially in a City where a significant number of the older homes and older neighborhoods do not have off-street parking, and that a number of them have a shared driveway, no driveway or alley parking behind the home. The Solicitor further commented that just because City Council can enact legislation does not mean they should if it does not speak to a special need. And issuing tickets for vehicles parked on roads overnight, when the temperature is in the 40s and 50s, such as tonight, and when there is no snow, unless the street sweeper is going down that street that night, he questions why we would say no overnight parking in such circumstances. He would question what legitimate objective is being met, at that point.

The Ward 2 Councilor reported that in the late 50s, early 60s, 70s and up to the 80s, there was a night sweeper operating from 11:00 p.m. until 7:00 a.m., and from 3:00 a.m. to 6:00 a.m., parking was prohibited year-round.

CLOSING REMARKS – None

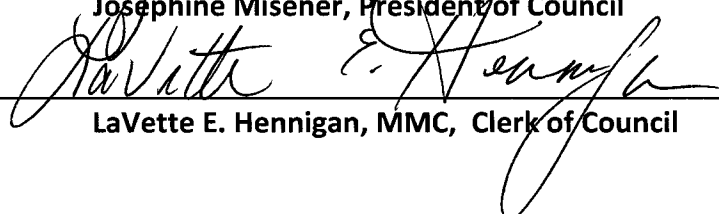
EXECUTIVE SESSION - None

ADJOURNMENT

Hearing no further business to come before this Council, the President declared the meeting adjourned at 8:03 p.m.

DATE APPROVED: February 21, 2017

ATTESTED BY: 
Josephine Misener, President of Council

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