

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

REGULAR MEETING MINUTES
Monday, April 2, 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 while lead by citizen, Mr. Nelson Morrison. A moment of silence was observed for the passing of Mr. Ed Bento, former Ashtabula City Manager.

MEMBERS PRESENT: 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. Christopher J. McClure (Vice President)
Mr. John S. Roskovics (President)

MEMBER(S) ABSENT: Mr. Reginald M. Holman (Ward 3 Councilor)

OFFICER(S) PRESENT: Mr. James M. Timonere (City Manager)
Mr. Michael Franklin (City Solicitor)
Mrs. Dana D. Pinkert (Finance Director)
Mrs. LaVette E. Hennigan, MMC (Clerk of Council)

OFFICER(S) ABSENT: None

EXCUSED ABSENCE(S): None

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

AGENDA APPROVAL: None

PRESENTATION(S): None

EXECUTIVE SESSION

- **Request**

The President entertained a motion to convene an Executive Session to discuss “real estate transactions” and Pending or Threatened Litigation. Mr. Speelman moved, Mrs. Harley seconded to grant the request. On the roll call to convene the Executive Session: Ms. Haines, Mrs. Harley, Mr. Pugliese, Mr. Speelman, Mr. McClure, Mr. Roskovics voted yea; motion CARRIED.

- **Reconvene**

At 7:20 p.m., the President reconvened the public portion of the meeting.

- **Action resulting from Executive Session**

The President announced a letter of resignation was received from Mr. Reginald Holman, Ward 3 Councilor. He entertained a motion to accept the resignation. Mr. McClure moved, Mrs. Harley seconded to accept the resignation. On the roll call to accept the resignation: Ms. Haines, Mrs. Harley, Mr. Pugliese, Mr. Speelman (said, "This goes against what I really believe, but in the interest of moving the City forward I will agree to it. I think this is the easy way out. I think it's a coward move. It's not holding him accountable, but I'll vote yes), Mr. McClure, Mr. Roskovics voted yea; motion CARRIED.

Note: Scheduled for a vote this evening was RESOLUTION NO. 2018-26, A RESOLUTION FINDING THAT REGINALD HOLMAN HAS VACATED AND FORFEITED THE OFFICE OF ASHTABULA CITY COUNCIL WARD 3 REPRESENTATIVE BY REASON OF NON-RESIDENCE AND BY REASON OF FAILING TO BE OR CONTINUE TO HAVE THE QUALIFICATIONS OF AN ELECTOR. In lieu of voting on the resolution, the City Council elected to accept Mr. Holman's letter of resignation.

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 March 16, Regular Council Meeting Minutes were scheduled to be presented. After the Clerk of Council's consultation with the City Solicitor regarding a portion of the minutes, the Clerk announced the minutes will be presented at the April 2 Regular Council Meeting.

ADMINISTRATIVE REPORTS and COMMUNICATIONS

CITY MANAGER

The City Manager presented the following:

Vulcan Industries – Water Pollution Control (WPC) Plant Equipment

A request for an ordinance to enter into an agreement with Vulcan Industries, Inc. with a mailing address of 212 South Kirlin Street Missouri Valley, IA 51555 as the most responsible bid for necessary equipment at the Water Pollution Control Plant in the amount not to exceed \$21,530. Funding for this

expenditure will be taken from the WPC Capital Fund. Mr. Pugliese moved, Mr. Speelman seconded to approve the request; motion CARRIED.

Ashtabula Harbor Historical District - Conditional Use Regulations – Updated

A request for legislation to enact new Codified Ordinance Section 1137.12 containing updated Conditional Use Regulations for the Ashtabula Harbor Historical District. Mr. Pugliese moved, Mr. Speelman seconded to approve the request; motion CARRIED.

Homes for Kids, Inc. Lease Agreement

A request for an ordinance to enter into agreement with Homes for Kids, Inc. to lease the first floor office of the Municipal Building. Mr. Pugliese moved, Mr. Speelman seconded to approve the request; motion CARRIED.

Yard Waste Bag Pick-Up

Pick-up will be delayed one week due to the forecast of more snow. Watch the website for a schedule modification. Bags may continue to be personally taken to the Transfer Station.

Questions / Comments for City Manager

The Ward 2 Councilor voiced his frustration with the constant placement of furniture and bulk items on treelawns, which end up remaining in sight for weeks. He said the City does not pick-up furniture during weekly garbage pick up. Furniture and bulk item pick-ups have to be scheduled and will cost a minimal fee. The City Manager concurred and asked that furniture not be removed from inside a property until the Sanitation Department gives instructions and the pick-up cost. He said it costs far less to make pick-up arrangements than it is for the City to pick the items up and issue a citation and a bill.

CITY SOLICITOR

No Report

FINANCE DIRECTOR

The Finance Director reported the following:

Outstanding Debt

At this evening's Pre-Council meeting, the City Council was given a listing of the City of Ashtabula's outstanding debt.

Police Levy Renewal

Information regarding the renewal requirements was given to City Council. The first opportunity to place the renewal on a ballot is November 2018.

New Web Portal (Billing Site) for Sewer Accounts

The City of Ashtabula has new City Sewer billing software. Invoice Cloud is our third-part software vendor whose product is much more user-friendly. Accounts may be registered online; however, online registration is not required to have the ability to pay online. Paperless billing and various

payment methods, some of which are 24/7, are now available through Invoice Cloud. Invoice Cloud is having a prize sweepstakes through the end of May for persons who register for an account, sign up for automatic payments or enroll in paperless bills. The prizes are a FitBit Charge, Amazon Echo or Amazon Dot. To enter the sweepstakes, the new customer number is required. New customer numbers will appear on the "first bill". If someone would like to register before getting their first new bill, call the Finance Department at 992.7155; the Service Billing staff will provide the new number.

Questions / Comments for Finance Director

The Clerk of Council asked what a web portal is to the general public. The Finance Director replied that it is the website for sewer accounts, which website may be accessed from the City of Ashtabula website.

CITY COUNCIL COMMITTEE REPORTS and COMMUNICATIONS

(Chair/Vice Chair)

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

(Roskovics/Speelman)

The Chair announced the committee will meet Tuesday, April 10, at 4:00 p.m. Guests will be Mr. James Mayer (Business Succession) and Mr. Eric Diamond (NEO Fund). The Ward 5 Councilor asked if Mr. Jim McKee with I'm in Amazing Ashtabula, will be invited; the Manager said yes.

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

The Chair announced the committee will meet Friday, April 13, at 8:00 a.m., in the Municipal Building 2nd floor conference room.

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

The Chair announced the committee will meet Friday, April 6, at 8:00 a.m., in the Municipal Building 2nd floor conference room. 2018 Paving will be the primary topic.

SAFETY FORCES - (SF) (Speelman/Harley)

The Chair announced the committee did not meet in March. They are scheduled to meet Monday, April 23, at 8:00 a.m., in the Municipal Building 2nd floor conference room. **Legislation Request**
Mr. Speelman moved, Mr. Pugliese seconded to draft a resolution to place the renewal of the Police Levy on the November 2018 ballot. The Vice President said this is the first step of many; another of which is the formation of a Police Levy Committee. The City Manager said "Citizens for a Better Ashtabula" was established to work on levy renewals; have a few dollars remaining from the Parks & Recreation Levy; they are ready to go; and will need help with the campaign. The motion CARRIED.

WORK SESSION: No Report

LEGISLATION AGENDA

- Formal Legislation Request(s): None
- Form and Correctness: None
- Legislation Overview

The Clerk of Council provided an overview of the Legislation Agenda, consisting of Ordinance Nos. 2018-27, 2018-28, 2018-29 and 2018-30.

- **Request Legislation Presentation by Consent Agenda**

Mr. Pugliese moved, Mr. Speelman seconded to present Ordinance Nos. 2018-27, 28 and 29 in consent agenda format; motion CARRIED.

- **Public Discussion** (Legislation Portion Only)

Mr. Tim Leehan, Historic Harbor Living, LLC, Duplex Townhomes

Mr. Leehan thanked the City Manager, Planning and Community Development Department and Ashtabula City Planning Commission for their time and assistance on his project. He reported:

- He has a pending Bridge Street project located between the service station and the Cunningham Sausage wagon parcel
- Building stakes and survey corners have been erected
- If the ordinance is able to be tweaked, digging will begin Wednesday
- The project is a \$1.3 million investment
- Goal:
 - Construct owner-occupied, single-family, attached dwellings
 - Minimal homeowner maintenance required, and
 - Want to encourage persons with good incomes, who are going to spend money and pay incomes, to live in the Harbor, by providing upscale housing
- Tonight is the first time he has seen the legislation; he apologized for not being prepared
- Voiced following concerns with section d. of legislation – Rental Prohibition
 - Main concern
 - is the potential inability of buyers to obtain financing, if renting the units is prohibited, because
 - Fannie Mae and Freddie Max financing usually ends up with the loans; their terms and conditions are extremely strict for planned unit developments (PUD) and condominium ‘declaration of covenants and restrictions’, which guidelines are used to create a PUD
 - The LLC has no intention to build rental units

- A lender may have an issue with loaning funds where the rental option is prohibited.
 - The LLC does not want to limit the ability for the homes to be financed
 - Looking at \$170,000 purchase price with razor thin margins;
 - Main concern is not to make money, but to bring upscale, premium housing to the Harbor
- 2nd concern with section d.
 - There are no comparables within the City selling within the \$170,000 price range, with the exception of parcels that begin in 50, located in Saybrook Township/Ashtabula City
 - The backup plan would be if the units do not sale at market value, and rather than sale them at a loss, he would prefer to rent them to companies like MFG, Chromoflo, Cristal, APMC, etc., as corporate housing and to professionals.
- Voiced concern with section e. – Homeowner’s Association (HOA)
 - To have a PUD with a HOA, there has to be a minimum of 4 contagious units, so it would not be a hindrance for the proposed project. He owns a lot on East 6th Street in the H-1 District. He would, someday, like to build a two unit townhouse, which does not fall under the required amount for a HOA. He would reside in one half and sale the adjacent unit. Section e. restricts the ability to build townhouses on existing vacant lots, which construction could serve to fill in the voids within the district and bring even more traffic to the district.

After much discussion Mr. Pugliese moved, Mr. Speelman seconded to remove Ordinance No. 2018-30 AN ORDINANCE ENACTING NEW CODIFIED ORDINANCE SECTION 1137.12 CONTAINING UPDATED CONDITIONAL USE REGULATIONS FOR THE ASHTABULA HARBOR HISTORICAL DISTRICT. (City Manager), from the agenda, for possible amendment reconsideration; motion CARRIED. The Clerk will schedule a public hearing on Monday, May 7, to consider the new legislation the City Solicitor will draft after consulting with the appropriate persons.

- **Legislation Reading**

The Clerk of Council presented the following legislation:

ORDINANCE NO. 2018-27, AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH VULCAN INDUSTRIES, INC., IN AN AMOUNT NOT TO EXCEED \$21,530 FOR THE PURPOSE OF PURCHASING NECESSARY EQUIPMENT FOR THE WASTE WATER TREATMENT PLANT.
(City Manager)

ORDINANCE NO. 2018-28, AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH GPD GROUP IN AN AMOUNT NOT TO EXCEED \$40,500.00 FOR ENGINEERING DESIGN AND CONSTRUCTION ADMINISTRATIVE SERVICES FOR THE SSO ELIMINATION PROJECT – PHASE 3.
(City Manager)

ORDINANCE NO. 2018-29, AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH GIANGOLA INSURANCE AGENCY, INC. FOR EMPLOYEE HEALTH BENEFITS CONSULTING SERVICES. (City Manager)

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

NEW BUSINESS

Board Reappointment

The President entertained a motion to reappoint Ms. Roberta Madar-Pruett to a 3 year term on the Architectural & Restoration Review Board. Mr. Speelman moved, Mr. Roskovics seconded the reappointment; motion CARRIED.

Tell Us Something We Don't Know: None

Members of City Council and the Administration/Officers are provided the opportunity to tell something about Ashtabula we may not know.

PUBLIC DISCUSSION/COMMENTS (General Matters)

Mr. Nelson Morrison, 325 West 48th Street, Apartment 915

Announced Ashtabula County Transportation System (A.C.T.S.) public transportation fees have increased. For more information call 992.4411.

EXECUTIVE SESSION

None

ADJOURNMENT

Hearing no further business to come before this Council, the President declared the meeting adjourned at 8:30 p.m.

DATE APPROVED: April 16, 2018

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

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