

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

**Monday, April 3, 2017**

The President of Council 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.

<b>MEMBERS PRESENT:</b>	Mrs. Kristy L. Hosken	(Ward 3 Councilor)
	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)
	Mr. Christopher J. McClure	(Vice President)
	Mrs. Josephine Misener	(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):** N/A

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

**PRESENTATION(S):** The President presented the following to Mr. Alan D. Sidbeck:

***RESOLUTION NO. 2017-48***

**A RESOLUTION OF APPRECIATION  
TO  
ALAN DAVID SIDBECK**

**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**, Alan David Sidbeck, a lifelong resident of the City of Ashtabula, a 1966 graduate of Harbor High School, a two year student at Kent State University at Ashtabula – graduating from Kent State University Kent Campus with a Bachelors Degree in Business, and retiree of Plasticolors after 15 years of service, is a citizen to be emulated; and

Ashtabula City Regular Council Meeting  
Monday, April 3, 2017

**WHEREAS**, Alan, an avid walker, noticed our community was littered with polar pop cups and began removing them from our landscape during his daily walks. Alan wrote the cup's manufacturer about the hazard of their non-biodegradable product, which has no recyclable value, and expressed to them how the litter from their product was ruining the earth; and,

**WHEREAS**, Alan, after years of polar pop pickup, turned his attention to the removal of aluminum cans throughout the community; and as told by Janice, his wife of 43 years, he daily fills the trunk of their newly purchased vehicle with aluminum cans and other recyclables, and donates the proceeds to the Harbor cat shelter; and

**WHEREAS**, Alan has served as an Ashtabula Area City Schools substitute teacher and as an officer in the Elks Club organization; and on Sunday, April 2, Alan received the honor of being named 2017 Ashtabula Elk of the Year; he currently serves as Vice President of the Ancient Mariners (an organization formed to honor the Harbor High School athletes), the Vice President of the Ashtabula, Harbor and Lakeside High School Alumni Association and the Assistant Moderator of the Second Congregational Church located at 319 Lake Avenue; and while having no biological children of his own, his residence has been filled with, and home to, many family members throughout the years;

**NOW THEREFORE, BE IT RESOLVED** that this City Council and these Public Officials of the City of Ashtabula, Ohio, do hereby show our sincere **APPRECIATION** to Alan David Sidbeck, because of his love for, service to and cleanup of our beautiful City by Lake Erie; the place he calls home.

**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 Ward 2 Councilor reported he saw Mr. Sidbeck on West 19<sup>th</sup> Street this morning picking up a polar pop, said he does a great job, and thanked him. Mr. Pugliese moved, Mr. Hamrick seconded to adopt the resolution; motion CARRIED.

The President reported how that Mr. Sidbeck did not know of this evening's recognition; that his wife was tasked with getting him to the meeting for the surprise, and that she (the President) was pleased to have Ashtabula County Commissioner J.P. Ducro IV present to also make a presentation to Mr. Sidbeck, "while we have him".

Commissioner Ducro IV told Mr. Sidbeck that it has been his privilege to serve along side of him for some of the clean-ups; and that he wished he could do half the amount of work Mr. Sidbeck does. He said it was an honor to be present and thanked the President and members of Council for the opportunity to do so, while honors were being bestowed on Mr. Sidbeck so his wife would not have to act twice. Mr. Sidbeck said he thought the City was going to give him the Litter Control job, truck included.

Commissioner Ducro made the presentation commending and thanking Mr. Sidbeck "for his tireless efforts to rid our community of litter, for setting an example of volunteerism for all citizens of Ashtabula County to follow and for literally taking many small steps that have helped make Ashtabula County, Ashtabeautiful." He noted the commendation was signed by him, the President of the Board of Commissioners, Mr. Casey Kozlowski and the Vice President Kathryn Whittington.

Mr. Sidbeck said it was, indeed, a surprise, he wondered why his wife, Janice, was asked to attend a City Council meeting, and that he was very appreciative. He said while he does not do it for the recognition, it is nice to get a pat on the back. He said he began by just walking for health, noticed the trash, and decided to carry a bag. He said his philosophy is, "If everybody does just a little bit, a lot of things can get done." He asked the Star Beacon newspaper to tell their readers that if they are going to throw trash, to do so closer to the road and not in the ditch (laughs).

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The City Manager presented the following to Mr. Jacob E. Lagoa:

RESOLUTION NO. 2017-49

A RESOLUTION OF CONGRATULATIONS  
TO  
JACOB ETHAN LAGOA

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, Jacob Ethan Lagoa, the son of Latio and Alison Lagoa and the oldest of three siblings, has talked about his desire to wrestle ever since he was a very young age; and his journey actually began at the age of six; and,

Ashtabula City Regular Council Meeting  
Monday, April 3, 2017

WHEREAS, Jacob is now a Freshman at Saint John School, in Saybrook Township, Ohio, and has placed his high school on the state wrestling map in a very exciting way; and

WHEREAS, Jacob's love for the sport of wrestling and his determination to be the best wrestler he could be prepared him for his 152 pound, Division III, State Wrestling Championship win, which took place March 9 through 11, at the Jerome Schottenstein Center, in Columbus, Ohio, and,

WHEREAS, Jacob had a 2017 post season record of 10 and 0, a regular season record of 42 and 3, and outscored his State Championship opponents by a combined record of 33 and 2, thereby bringing home St. John's first ever Wrestling Championship and their first State Title win in three decades; and,

NOW THEREFORE, BE IT RESOLVED that this City Council and these Public Officials of the City of Ashtabula, Ohio, do hereby CONGRATULATE Jacob Ethan Lagoa, on being a great example of what happens when someone dares to dream and when remaining focused on that dream the prize is he places Ashtabula County on the map by accomplishing a great victory for himself and the St John School Heralds.

"...and, the WINNER issssss, JACOB"!

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

Mr. Roskovics moved, Mr. Hamrick seconded to adopt the 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.

**PRESENTATION OF MEETING MINUTES**

None

**LEGISLATION AGENDA**

None

**REGULAR BUSINESS**

**PRESENTATION OF MEETING MINUTES**

The Clerk of Council presented the March 20, 2017, Regular Meeting minutes for Council's consideration. Mr. Pugliese moved, Mr. Hamrick 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'S REPORT**

**Ohio Department of Transportation – ATB SR 531 Paving - Consent Legislation**

The City Manager requested an ordinance to enter into an agreement with the Ohio Department of Transportation (ODOT) with a mailing address of 2088 South Arlington Rd., Akron, OH 44306 for the purpose of providing consent legislation to resurface certain portions of State Route 531 within the City of Ashtabula. Mr. Pugliese moved, Mr. Hamrick seconded to approve the City Manager's request. Discussion: The Manager said ODOT is proposing to resurface from Westminster Avenue (by to Kent State) to Norwood Avenue. The Manager is waiting for clarification as to whether the Norfolk/Southern Railroad bridge, to the east of the Bascule Lift Bridge, along Route 531, is included in this project. The project is 100% funded by ODOT. The motion CARRIED.

**Fire Truck Repair/Rebuild**

The City Manager requested an ordinance to enter into an agreement with Countryside Truck Services with a mailing address of P.O. Box 196, Montville, OH 44064 as the sole bidder for the repair/rebuild of a 1991 Grumman Fire Truck owned and operated by the City of Ashtabula in the amount not to exceed \$56,067.74. The cost of this expense will be taken from the 412 fund. Mr. Hamrick moved, Mr. Speelman seconded to approve the City Manager's request' motion CARRIED.

**Codified Ordinance Section 1133.02**

The City Manager requested:

- a) An ordinance to repeal Codified Ordinance Section 1133.02, in its entirety, for the purpose of adding professional offices as a permitted use within C-3 Commercial Districts.
  
- b) An ordinance to amend zoning within the City of Ashtabula by enacting new Codified Ordinance, Section 1133.02, for the purpose of adding professional offices as a permitted use within the C-3 Commercial Districts.

Mr. Pugliese moved, Mr. Hamrick seconded to approve the City Manager's request; motion CARRIED.

### **Codified Ordinance Section 1127.02**

The City Manager requested:

- a) An ordinance to repeal Codified Ordinance Section 1127.02, in its entirety, for the purpose of adding professional offices as a permitted use within the C-1 Commercial Districts.
- b) An ordinance to amend zoning within the City of Ashtabula by enacting new Codified Ordinance Section 1127.02, for the purpose of adding professional offices as a permitted use within the C-1 Commercial District.

Mr. Pugliese moved, Mr. Speelman seconded to approve the City Manager's request; motion CARRIED

### **Repeal Codified Ordinance Section 937.02 Levy of Charges (Sewer Rates)**

The City Manager requested an ordinance to repeal Codified Ordinance Section 937.02, in its entirety, for the purpose of enacting new rates, fees, and charges for waste water treatment. Mr. Pugliese moved, Mr. Hamrick to approve the City Manager's request; motion CARRIED.

### **Waste Water Treatment Rates, Fees, and Charges – Codified Ordinance 937.02 Levy of Charges (Sewer Rates)**

The City Manager requested an ordinance enacting new Codified Ordinance Section 937.02, Levy of Charges, for the purpose of imposing new rates, fees, and charges for waste water treatment effective June 1, 2017. Mr. Pugliese moved, Mr. Speelman seconded to approve the City Manager's request; motion CARRIED.

### **Obsolete Equipment Disposal**

The City Manager requested an ordinance to dispose of various obsolete auto parts accumulated from repairs of city vehicles. Mr. Pugliese moved, Mr. Speelman seconded to approve the City Manager's request; motion CARRIED

### **Rezone 317 and 321 West 58<sup>th</sup> Street**

The City Manager requested an ordinance to rezone 317 and 321 West 58<sup>th</sup> Street from R-2/Single Family Residence District to C-1/General Commercial District. Mr. Hamrick moved, Mr. Speelman seconded to approve the City Manager's request. Discussion: The Manager explained the lots are residential, they are located east of Main Avenue behind the used car dealership, they are under contract with Circle K, the purchase of which is contingent upon rezoning approval, and, if approved, will become a part of the new Circle K store proposed for construction on Main Avenue from West 58<sup>th</sup> Street to Fox Drive. The motion CARRIED.

### **Formal Legislation Requests**

ORDINANCE NO. 2017-38, AN ORDINANCE APPROVING AND ADOPTING AN AMENDMENT TO CURRENT COLLECTIVE BARGAINING AGREEMENTS REGARDING PAY RATES FOR UNION PERSONNEL EMPLOYED BY THE CITY OF ASHTABULA, AND AUTHORIZING SIMILAR INCREASES FOR NON-UNION PERSONNEL AS

Ashtabula City Regular Council Meeting  
Monday, April 3, 2017

PERMITTED BY LAW. (This ordinance excludes the Police Department). Mr. Pugliese moved, Mr. Speelman seconded to approve the formal request; motion CARRIED.

ORDINANCE NO. 2017-39, AN ORDINANCE APPROVING AND ADOPTING AN AMENDMENT TO CURRENT COLLECTIVE BARGAINING AGREEMENTS REGARDING PAY RATES FOR UNION PERSONNEL EMPLOYED BY THE CITY OF ASHTABULA POLICE DIVISION, AND AUTHORIZING SIMILAR INCREASES FOR NON-UNION PERSONNEL AS PERMITTED BY LAW. (This ordinance includes the Police Department). Mr. Pugliese moved, Mr. Speelman seconded to approve the formal request.

The Ward 3 Councilor requested permission to abstain from the vote. Mr. Hamrick moved, Mr. Pugliese seconded to approve the abstention request. On the roll call for the request to abstain from voting: Mr. Hamrick, Mr. Roskovics, Mr. Pugliese, Mr. Speelman, Mr. McClure, Mrs. Misener voted yea; motion CARRIED.

The motion CARRIED to approve the Manager's formal legislation requests.

#### **Yard Waste Bag Pick-up**

The City Manager announced the City's yard waste bag pick-up program will begin April 10, in the wards, with the Harbor area scheduled the following week. The scheduled is located on the right side of the City's home webpage.

#### **Questions/Comments for City Manager**

**Potholes:** The Ward 2 Councilor asked if the Public Works 3<sup>rd</sup> shift is still on. The Manager said no, but the day crew is filling potholes as they can get to them.

**Bridge Street Road Cut:** The Ward 2 Councilor reported the cut needs attention. The Manager said they are staying on top of this one.

#### **CITY SOLICITOR'S REPORT**

No Report

#### **FINANCE DIRECTOR'S REPORT**

No Report

### **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 announced the committee will meet Tuesday, April 11, at 4:00 p.m., in the Municipal Building 2<sup>nd</sup> floor conference room. The Ashtabula County Board of Realtors will be present.

Ashtabula City Regular Council Meeting  
Monday, April 3, 2017

**Parks & Recreation Board:** The Board will meet Tuesday, April 11, at 6:30 p.m., in Pre-Council Chambers.

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

The Chair announced the committee will meet Friday, April 14, at 8:00 a.m.

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

(Mr. Pugliese/Mr. McClure)

The Chair announced the committee will meet on Friday, April 7, at 8:00 a.m. Ashtabula Area City School Superintendent, Dr. Melissa Watson and a representative from Spectrum cable will be present. He said because of the problems residents are having with Spectrum (formerly Time Warner Cable), if the problems cannot be resolved, "we need to look elsewhere".

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

The Chair reported on the committee's Monday, March 27, meeting as follows:

**Body Cameras:** It has been decided to revisit the purchase of Police Department body cameras in 2018.

**Security Fencing:** The Police Chief was asked to provide the committee with an estimate to have security fencing erected on one side of the jail.

**Ladder Truck:** The Fire Department's ladder truck needs major work. We applied for a grant for a new engine truck.

**Meeting:** The committee will meet on Monday, April 24, at 8:00 a.m., in the Municipal Building 2<sup>nd</sup> floor conference room.

**Questions/Comments for PW/PU/Cable/Schools Committee**

**Police Entrance Examination:** The Ward 2 Councilor asked if the exam has been given. The Manager reported a fire entrance exam was given; 19 passed it; physicals are being scheduled; and we will be able to hire from the list. We are down one firefighter due to a resignation of someone who relocated to another district. A police exam is needed. He and the Police Chief will meet soon and will propose language for an entrance exam and for lateral transfers from other police departments. The request has to be submitted to the Civil Service Commission for their review and recommendation. He would like to give the test soon. With Lieutenant Altonen's retirement, the department is down one person.

**WORK SESSION**

None



## LEGISLATION AGENDA

### Abstention

The Ward 3 Councilor requested permission to abstain from the vote on Ordinance Nos. 2017-45, 2017-46 and 2017-47. Mr. Hamrick moved, Mr. Pugliese seconded to approve the abstention request. On the roll call for the abstention: Mr. Hamrick, Mr. Roskovics, Mr. Pugliese, Mr. Speelman, Mr. McClure, Mrs. Misener voted yea; motion CARRIED. The abstention is required because the Councilor's husband is an Ashtabula City Police Officer.

### Changes to the Legislative Agenda

The Clerk of Council announced the following ordinance shall be removed from this evening's agenda, on which the Ward 3 Councilor may cast a vote:

ORDINANCE NO. 2017-44, AN ORDINANCE REPEALING, IN ITS ENTIRETY, PAYROLL ORDINANCE NO. 2014-108(a), "AN ORDINANCE AUTHORIZING COMPENSATION, SALARIES AND WAGES FOR CERTAIN EMPLOYEES OF THE CITY OF ASHTABULA, OHIO, HEALTH DISTRICT", ENACTED ON JULY 7, 2014, FOR THE PURPOSE OF RETURNING THE POSITION OF PUBLIC HEALTH NURSING DIRECTOR (PART-TIME) TO THE GENERAL PAYROLL ORDINANCE OF THE CITY OF ASHTABULA. (Assistant Finance Director) Mr. Hamrick moved, Mr. Speelman seconded to remove these items from this evening's agenda; motion CARRIED.

The Clerk of Council announced the following legislation shall be removed from this evening's agenda, on which the Ward 3 Councilor may not cast votes:

ORDINANCE NO. 2017-45, AN ORDINANCE REPEALING, IN ITS ENTIRETY, PAYROLL ORDINANCE NO. 2017-07, ENACTED ON FEBRUARY 6, 2017, FOR THE PURPOSE OF INCREASING ALL POSITIONS 2%, WITH THE EXCEPTION OF PROBATION AND MUNICIPAL COURT EMPLOYEES, CITY MANAGER, CITY SOLICITOR AND DIRECTOR OF FINANCE; ADDING THE POSITIONS OF DRUG COURT ADMININSTRATOR AND PART-TIME BAILIFF TO THE ASHTABULA MUNICIPAL COURT STAFF; RETURN THE POSITION OF NURSE (PART-TIME) TO SECTION J. FOR THE HEALTH DEPARTMENT; AND REMOVE SECTION K. FOR THE DIVISION OF POLICE AND CREATE A SEPARATE PAYROLL ORDINANCE. (City Manager)

ORDINANCE NO. 2017-46, 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. (City Manager)

ORDINANCE NO. 2017-47, AN ORDINANCE AUTHORIZING COMPENSATION, SALARIES AND WAGES TO POLICE DEPARTMENT EMPLOYEES OF THE CITY OF ASHTABULA, OHIO. (Assistant Finance Director)

Mr. Speelman moved, Mr. Pugliese seconded to remove these items from this evening's agenda; motion CARRIED.

**Formal Legislation Request(s)**

None

**Legislation Overview**

None

**Public Discussion (Legislation Portion Only)**

None

**Legislation Reading on which the Ward 3 Councilor must abstain from voting**

ORDINANCE NO. 2017-39, AN ORDINANCE APPROVING AND ADOPTING AN AMENDMENT TO CURRENT COLLECTIVE BARGAINING AGREEMENTS REGARDING PAY RATES FOR UNION PERSONNEL EMPLOYED BY THE CITY OF ASHTABULA POLICE DIVISION, AND AUTHORIZING SIMILAR INCREASES FOR NON-UNION PERSONNEL AS PERMITTED BY LAW. Mr. Pugliese moved, Mr. Hamrick seconded to waive the reading of the ordinance; motion CARRIED. Mr. Pugliese moved, Mr. Hamrick seconded to waive the Charter requirement of two readings. On the roll call to waive the Charter requirement of two readings: Hosken (abstained), Mr. Hamrick, Mr. Roskovics, Mr. Pugliese, Mr. Speelman, Mr. McClure, Mrs. Misener voted yea; motion CARRIED. On the roll call to adopt the ordinance: Hosken (abstained), Mr. Hamrick, Mr. Roskovics, Mr. Pugliese, Mr. Speelman, Mr. McClure, Mrs. Misener voted yea; motion CARRIED.

**Consent Agenda Legislation**

Mr. McClure moved, Mr. Pugliese seconded to dispose of the remainder of the Legislation Agenda as a Consent Agenda; motion CARRIED.

**1<sup>st</sup> Readings**

ORDINANCE NO. **2017-23**, AN ORDINANCE REPEALING, IN ITS ENTIRETY, CODIFIED ORDINANCE SECTION 937.02 ENTITLED LEVY OF CHARGES, FOR THE PURPOSE OF ENACTING NEW RATES, FEES AND CHARGES FOR WASTE WATER TREATMENT EFFECTIVE JUNE 1, 2017. (Current Sewer Rates)(City Manager)

ORDINANCE NO. **2017-24**, AN ORDINANCE ENACTING NEW CODIFIED ORDINANCE SECTION 937.02 ENTITLED LEVY OF CHARGES, FOR THE PURPOSE OF IMPOSING NEW RATES, FEES AND CHARGES FOR WASTE WATER TREATMENT, EFFECTIVE JUNE 1, 2017. (New Sewer Rates)(City Manager)

Mr. Pugliese moved, Mr. Speelman seconded to waive the reading of the legislation; motion CARRIED.

The legislation was placed on its first reading. (Note: Ordinance Nos. 2017-23 and 2017-24 were initially presented for their first reading on Monday, March 20, 2017. Due to miscommunication the City Solicitor did not submit them to the Ashtabula County Board of Commissioners for their required approval. Therefore, the effective date was changed from May 1, 2017 to June 1, 2017, they were, again, placed on a first reading, and will be submitted to the Commissioners for approval before the second reading is permitted, in accordance with the City/County Regional Sewer Agreement.

**Legislation Reading – Two readings suspended**

ORDINANCE NO. 2017-37, AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR RESURFACING A PORTION OF STATE ROUTE 531. (City Manager)

ORDINANCE NO. 2017-38, AN ORDINANCE APPROVING AND ADOPTING AN AMENDMENT TO CURRENT COLLECTIVE BARGAINING AGREEMENTS REGARDING PAY RATES FOR UNION PERSONNEL EMPLOYED BY THE CITY OF ASHTABULA, AND AUTHORIZING SIMILAR INCREASES FOR NON-UNION PERSONNEL AS PERMITTED BY LAW. (Police Department Excluded)(City Manager)

ORDINANCE NO. 2017-40, AN ORDINANCE AMENDING ZONING WITHIN THE CITY OF ASHTABULA, OHIO BY REPEALING, IN ITS ENTIRETY, EXISTING CODIFIED ORDINANCE SECTION 1133.02 IN ORDER TO PERMIT PROFESSIONAL OFFICES AS A PERMITTED USE WITHIN THE C-3 COMMERCIAL DISTRICT. (City Manager)

ORDINANCE NO. 2017-41, AN ORDINANCE AMENDING ZONING WITHIN THE CITY OF ASHTABULA, OHIO, BY ENACTING NEW CODIFIED ORDINANCE SECTION 1133.02 IN ORDER TO PERMIT PROFESSIONAL OFFICES AS A PERMITTED USE WITHIN THE C-3 COMMERCIAL DISTRICT. (City Manager)

ORDINANCE NO. 2017-42, AN ORDINANCE AMENDING ZONING WITHIN THE CITY OF ASHTABULA, OHIO BY REPEALING, IN ITS ENTIRETY, EXISTING CODIFIED ORDINANCE SECTION 1127.02 IN ORDER TO PERMIT PROFESSIONAL OFFICES AS A PERMITTED USE WITHIN THE C-1 COMMERCIAL DISTRICT. (City Manager)

ORDINANCE NO. 2017-43, AN ORDINANCE AMENDING ZONING WITHIN THE CITY OF ASHTABULA, OHIO, BY ENACTING NEW CODIFIED ORDINANCE SECTION 1127.02 IN ORDER TO PERMIT PROFESSIONAL OFFICES AS A PERMITTED USE WITHIN THE C-1 COMMERCIAL DISTRICT. (City Manager)

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

**NEW BUSINESS**

**Pumps:** The Ward 2 Councilor reported reading the City of Conneaut is having problems with their wastewater treatment plant pumps because of ‘disposable’ items being placed in the toilet. He asked if we are experiencing the same. The Manager said we have issues at the plant and in the collection system. The term “rags” is used to denote a combination of toilet paper, wipes, etc. that when they reach a certain section in the collection system they come together and form a “rag”, which is many, many feet long, and that have to be removed. Even though the wipes are advertised as “flushable”, they are not.

**Downtown Laughs:** The Vice President issued a reminder about the Ashtabula Downtown Development Association (A.D.D.A.) "Downtown Laughs" event scheduled to take place at Martini's Restaurant, at 8:00 p.m., on Saturday.

**Casa Capelli Restaurant:** The Ward 2 Councilor announced the restaurant, owned and operated by Mr. Oscar Tomasio for many years, is being sold.

**"Ashtabula Initiative" Clean-Up Event – Mr. Sal Jackson:** The Ward 5 Councilor announced this group will work with the "My Neighborhood Collaborative" group to clean up various areas throughout the City. The Ward 3 Councilor said the clean up dates are: April 8, Noon to 4:00 p.m. – Clifford Kadon Presidential Park (West 58<sup>th</sup> Street and Madison Avenue); April 10 – 2:00 p.m. to 6:00 p.m. – People's Baptist Church area; April 12 – G.O. Ministries (Station Avenue, Lake Avenue, Hiawatha Avenue, West 34<sup>th</sup> and West 41<sup>st</sup> Streets). Furniture and appliances will not be pick-up; just litter, trash and yard debris. The Ward 5 Councilor said Mr. Jackson's team is trying to raise funds for dumping fees; which fees City Council could waive. The Clerk of Council, being unaware of the fundraising efforts, ask the councilors to email the information to her so she may inform the community. The Manager said he plans to call Mr. Jackson to see how the City is able to help.

**Street Sweeper:** The Ward 5 Councilor said Mr. Jackson asked if the street sweeper could operate the mornings after the scheduled clean-ups.

#### **Liquor Permit Request - NEW**

TO: Joshua Michael Gioiello, dba Jiggys, 457 Lake Avenue, Ashtabula, OH 44004

#### Designations

- D1 Beer only for on premises consumption and in sealed containers for carry out, until 1:00 a.m.
- D3 Spirituous liquor for on premises consumption only, until 1:00 a.m.
- D3A Extension of issued permit privileges until 2:30 a.m.

The Ward 2 Councilor announced the location is at the corner of West 5<sup>th</sup> Street and Lake Avenue, and was the subject of discussion a few years ago because of the lack of parking. The Solicitor said "it was a bit of a problem place. I don't recall right now if the previous owner was granted a Conditional Use Permit or if it was an actual zoning change. But, a condition was attached to it or that he had to show that he had adequate parking for his floor space. At that time the then owner had an arrangement with the owner of an empty lot on Bridge Street, nearby, to use as parking. That added the additional six or eight spaces – whatever he needed. I assume that condition still holds for the current use." The Manager said he would have to double check with our Planning and Community Development Department, but does not believe any notification has been received that the new owner has permission to use the lot for parking. The Manager said the issue of parking has been discussed with Mr. Gioiello, but he does not know if there has been a resolution yet. The President reported she attended the Architectural Restoration Review Board meeting, where this was discussed. The location is trying to be cleaned up, the new owner is catering to an older, different crowd, and it was her understanding he received consent from the owner of Tony's Dog House to use his lot for the required additional parking; but that she has seen nothing formally in writing. The Ward 2 Councilor asked if

using Tony's Dog House's parking lot is permitted. The Solicitor said there are distance requirements to be met. He said he just hopes patrons will be a little more respectful than patrons who frequented the address previously, which resulted in a lot of neighbor complaints. The Ward 2 Councilor said the business across the street from the location in question also had lots of problems with the last owners. The Ward 3 Councilor asked if something will be issued to the City in writing saying Tony's Dog House has given permission for his property to be used for overflow parking. The Solicitor said it is a requirement of the City's Zoning Code that the permission be in writing. The Clerk of Council asked if she waits for the written document before submitting a response to the State Liquor Control Board. The Manager said he does not believe the parking has anything to do with the liquor permit; and whether the establishment is permitted to open would be a decision of the Planning and Community Development Department. ACTION: The President announced there to be no objection to the request.

**Meetings**

The President announced the next Regular Council Meeting is scheduled for Monday, April 17, at 7:00 p.m., with Pre-Council commencing at 6:00 p.m., in Pre-Council Chambers.

**GENERAL PUBLIC DISCUSSION**

None

**EXECUTIVE SESSION**

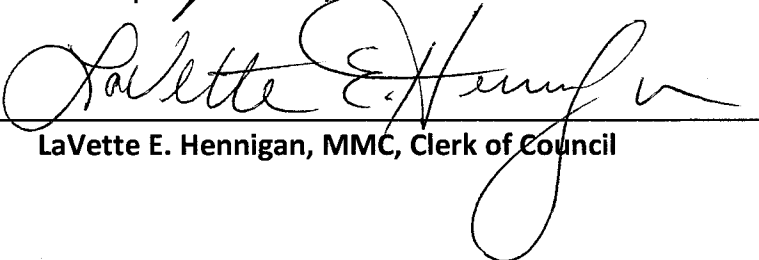
None

**ADJOURNMENT**

Hearing no further business to come before this Council, the President declared the meeting adjourned at 8:05 p.m.

DATE APPROVED: May 1, 2017

ATTESTED BY:   
Josephine Misener, President of Council

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