

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

Regular Meeting

Monday, April 18, 2016

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

Elder Christopher McCain of People's Baptist Church, offered the opening prayer, the Pledge of Allegiance was recited, and a Moment of Silence was observed for the unexpected passing of City of Ashtabula Public Works Department Foreman, Reginald McHenry, due to natural causes.

MEMBERS PRESENT: Mr. John S. Roskovics (Ward 1 Councilor)
Mr. August A. Pugliese (Ward 2 Councilor)
Mrs. Josephine Misener (Ward 4 Councilor)
Mrs. Alice T. Cook (Ward 3 Councilor)
Mr. Kris E. Hamrick (Ward 5 Councilor)
Mr. J. P. Ducro IV (President)

MEMBER(S) ABSENT: Mr. Christopher J. McClure (Vice President)

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

OFFICER(S) ABSENT: Mr. Michael Franklin (City Solicitor)

EXCUSED ABSENCE(S): Mr. Hamrick moved, Mrs. Cook seconded to excuse the Vice President from this meeting; motion CARRIED.

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

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, and disposing of or enacting them by one motion, a second, and one vote.

APPROVAL OF MEETING MINUTES - None

FORMAL LEGISLATION REQUESTS - None

PUBLIC DISCUSSION (Consent Agenda Legislation Only) - None

LEGISLATION READING - None

REGULAR BUSINESS AGENDA

MEETING MINUTES READING & DISPOSAL

The Clerk of Council presented the April 4, 2016 Public Hearing and Regular Meeting minutes. Mr. Pugliese moved, Mrs. Cook seconded to waive the reading of the minutes; motion CARRIED. Hearing no corrections, the minutes stood approved as presented.

CITY MANAGER'S REPORT

Coast Guard Station

The City Manager requested a resolution opposing the proposed limited operations of the U.S. Coast Guard located within the City of Ashtabula. Mr. Pugliese moved, Mr. Hamrick seconded to grant the City Manager's request; motion CARRIED.

Downtown Revitalization Grant – Downtown District

The City Manager requested an ordinance to file an application and execute documents for a Downtown Revitalization Grant, Neighborhood Revitalization Grant and an Allocation Grant for the Downtown District as well as the adjacent neighborhood. Mrs. Misener moved, Mrs. Cook seconded to grant the City Manager's request; motion CARRIED.

Emergency Sanitary Sewer Line Work – Justice Center

The City Manager requested an ordinance to enter into an agreement with Roto-Rooter with a mailing address of Post Office Box 524 Ashtabula, OH 44004 on an emergency measure to replace the sewer line located at the Justice Center. Funds for this expenditure will be taken in part from the Water Pollution Control Department's Capital Fund and in part from the General Fund for an amount not to exceed \$10,650.00. Mrs. Cook moved, Mr. Pugliese seconded to grant the City Manager's request; motion CARRIED.

Obsolete Equipment

The City Manager requested an ordinance to deem two vehicles obsolete. They are as follows: one 1993 Mercury VIN 2MELM75W8PX675693, assigned to the Probation Department and one 2004 Ford Sedan VIN 1FAFP53U24A14521, assigned to the Municipal Court. Mr. Pugliese moved, Mrs. Cook seconded to grant the City Manager's request. The Manager reported the vehicles will not be replaced. They have already been supplemented with other vehicles where newer vehicles have been purchased. The motion CARRIED.

Fair Housing Month

The City Manager announced April is Fair Housing month. Residents may contact the Planning & Community Development Department at (440) 992-7118 with any concerns regarding Fair Housing and/or with Landlord/Tenant inquiries.

Questions and/or Comments for City Manager

West 58th Street Road Cuts: At the President's request, the City Manager reported the cuts are too big to Kol/mac, so crews have repeatedly been refilling them with gravel. When the asphalt plant opens the permanent repairs will be performed.

CITY SOLICITOR'S REPORT – No Report

FINANCE DIRECTOR'S REPORT

Legislation Request: The Finance Director requested AN ORDINANCE TO MAKE SUPPLEMENTAL APPROPRIATIONS IN THE FIRE GRANTS, CDBG, PERMANENT IMPROVEMENT AND WORKERS COMPENSATION FUNDS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF ASHTABULA, STATE OF OHIO, FOR THE PERIOD JANUARY 1, 2016 THROUGH DECEMBER 31, 2016. Mr. Pugliese moved, Mrs. Cook seconded to grant the Finance Director's request; motion CARRIED.

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 on the Committee's April 12 meeting, as following:

Growth Partnership for Ashtabula County – Don Iannone, CEO

Most of the conversation centered on the Ashtabula County Dashboard. This is Growth Partnership's latest project designed to explore and assemble county economic development data. The first data reveal took place three months ago. In attendance were government and school officials, the business community, and service groups and agencies. In the two subsequent meetings the groups prioritized and identified what they felt were the most important challenges our facing our County. The better the data collected, the better decisions may be made independently and collectively. The Dashboard also identifies trends. For example, 500 people per year are moving out of Ashtabula County, which has this committee's chair concerned. It also identified trends where in the 1990s growth was experienced. By 2000 there were structural changes, less growth, and some expansions. After 2010, fewer new companies located in the County. The Dashboard's success is predicated on being a collective effort in order to improve our quality of life and to entice people to move back to, or into, the City and to work and play here. So we have to create jobs, establish a hireable work force to support those jobs, and develop safe and habitable neighborhoods. We have lots of work to do. The data collected, to date, may be used for grant applications. The data will periodically be updated for trend tracing and determining where the greatest needs are. The next Dashboard meeting is scheduled for the beginning of next month; the date for which is to be announced.

Harbor Historical District Proposed Sign Regulations

Some months ago, Architectural & Restoration Review Board Chair, Mrs. Ann Rapose, presented for the committee's review, suggested changes to the HH District sign regulations. One amendment has been presented since the meeting, that being to allow three signs per storefront instead of three signs per business. The Chair requested a motion to repeal and replace Codified Ordinance Section 1155.04 entitled District III, Mr. Roskovics seconded. The President asked if the motion is to repeal and replace or to ask the City Solicitor to draft an ordinance to repeal and replace, or is there no a difference. The Clerk said there is no difference.

The Clerk of Council sought clarification on the change which occurred since the committee's meeting and received such. The motion CARRIED.

Ashtabula City Parks & Recreation Board

At the Board's April 12 meeting, Mr. Fargo, who has spread headed the Lance CPL Kevin M. Cornelius Memorial Park fountain restoration. He showed the design and explained the work that will be performed. A lot of the work has been completed, and more will be performed through in-kind services. When completed, the fountain it is going to be a beautiful feature in the park. Donations may be made through gofundme or directly to the Ashtabula Downtown Development Association (ADDA).

East 45th Street Cleanup

The cleanup is scheduled for Saturday, May 7, from 9:00 a.m. until 1:00 p.m. The Chair will go door-to-door to distribute flyers that will explain the work to be performed. The Chair said it is time to cleanup yards in order to make the neighborhood look presentable. She said pruning of overgrown yards and alleyways and removal of trash will be performed. Volunteers are needed.

ADDA

The ADDA will sponsor "Art in the Alley", on September, September 3, from 3:00 p.m. until 10:00 p.m. It will be located in the alleys around Dublin Down restaurant. It will feature the work of twenty area artist. There will be raffle drawings and live music. It will be a free event and more information is forthcoming.

Questions and Comments for CD/ED/P&R Committee

Harbor Historic District Proposed Legislation: The Ward 1 Councilor asked for and received clarification regarding the number of signs permitted per storefront.

Downtown Laughs: When asked for the results of this event, the Chair reported no official report has been provided. The Chair reported the event was set up differently than in past years. Food and beverages were sold in the lobby versus a buffet dinner. It was for one night rather than two. The stage was set up at the west end of the restaurant with rows of seating to the east end, and was well attended.

Walnut Beach Cleanup: In response to the President's inquiry, the City Manager reported there are a few groups scheduled to clean the beach to ready it for the Memorial Day opening. The Manager will provide specifics when the events are firmed up.

My Neighborhood Cleanup: The Chair reported this organization will host a cleanup on Saturday, April 30, in their target area of West 58th Street to Main and West Avenue to Bunkerhill Road. The President reported that in previous years the area of concentration has been West 52nd Street to West 58th Street and from Main Avenue to a designated point.

Take it to the Curb: ADDA will sponsor the annual Take it to the Curb cleanup of Main Avenue on Saturday, May 14, from 9:00 a.m. until 1:00 p.m.

FINANCE & PERSONNEL (F&P) - (Mr. Ducro IV/Mr. Pugliese) - The Chair announced the committee did not meet in April. He said the Finance Director informed him that financials were the only agenda topic, which Council has the ability to review at any time, and that budget projections are on target. The Chair reported that, this evening, the Finance Director presented a supplemental appropriations request, which request is in the form of an ordinance to be considered this evening. The Chair announced the committee is scheduled to meet on Friday, May 13, at 8:00 a.m. There are no agenda items at present, therefore at the next Council meeting it will be determined if the May meeting is required.

PUBLIC WORKS/PUBLIC UTILITIES/CABLE/SCHOOLS (PW/PU/C/S) - (Mr. Pugliese/Mr. McClure)
The Chair announced the committee's next meeting is scheduled for Friday, May 6, at 8:00 a.m. He asked the City Manager if information on possible paving activity will be ready by the meeting date. The Manager said he is not sure, but will keep the Chair posted.

SAFETY FORCES (SF) - (Mr. Hamrick/Mrs. Misener)
The Chair announced the committee is scheduled to meet on Monday, April 25, at 8:00 a.m.

LEGISLATION AGENDA

- **Formal Legislation Request(s)**

The Finance Director requested AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$410,000 OF NOTES OF THE CITY OF ASHTABULA TO PAY COSTS OF CERTAIN PENSION OBLIGATIONS OF THE CITY (for previous early retirement buyouts). Mr. Pugliese moved, Mr. Roskovics seconded to grant the Finance Director's request. The President reported that in 2014 the beginning amount was \$710,000, last year it was \$560,000, and that we are paying down the note each year at a rate of \$150,000 and rolling over the principal. The Finance Director reported this year's interest rate is not yet known but historically they have been about 1.25%. The President said the Finance Director has the City on a good pay down plan and that we have been able to budget the payment each year. The motion CARRIED.

The Clerk of Council reported the City Solicitor approved all legislation as to form and correctness.

- **Legislation Review:** The President provided an overview of the Legislation Reading.
- **Public Discussion** (Legislation Only) - None
- **Consent Agenda Format:** The President entertained a motion to dispose of the Legislation Reading in a Consent Agenda Format, excluding Resolution No. 2016-61. Mr. Pugliese moved, Mr. Roskovics seconded the President's request; motion CARRIED.
- **Legislation Reading:** The Clerk of Council presented the following legislation for Council's consideration:

RESOLUTION

2016-60 A RESOLUTION OPPOSING THE PROPOSED LIMITED OPERATIONS OF THE UNITED STATES COAST GUARD STATION – ASHTABULA. (City Manager)

ORDINANCE

2016-62 AN ORDINANCE TO MAKE SUPPLEMENTAL APPROPRIATIONS IN THE FIRE GRANTS, CDBG, PERMANENT IMPROVEMENT AND WORKERS COMPENSATION FUNDS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF ASHTABULA, STATE OF OHIO, FOR THE PERIOD JANUARY 1, 2016 THROUGH DECEMBER 31, 2016. (Finance Director)

ORDINANCE

2016-63 AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$410,000 OF NOTES OF THE CITY OF ASHTABULA TO PAY COSTS OF CERTAIN PENSION OBLIGATIONS OF THE CITY. (Finance Director)

ORDINANCE

2016-64 AN ORDINANCE AUTHORIZING THE CITY MANGER TO ENTER INTO AN AGREEMENT WITH GPD GROUP TO PROVIDE DESIGN ENGINEERING FOR THE ODOT ROUTE 20 PAVING PROJECT – PID 94073, IN AN AMOUNT NOT TO EXCEED \$236,726. (City Manager)

ORDINANCE

2016-65 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH ROTO-ROOTER TO REPLACE THE SANITARY SEWER LINE AT THE JUSTICE CENTER, IN AN AMOUNT NOT TO EXCEED \$10,650.00. (City Manager)

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

ORDINANCE

2016-61 AN ORDINANCE GRANTING PERMISSION TO THE GREATER ASHTABULA CHAMBER FOUNDATION FOR NON-EXCLUSIVE USE OF THE REGISTERED TRADE NAMES “ASHTABULA WINE & WALLEYE FESTIVAL” AND “WINE & WALLEYE FESTIVAL” AT AND FOR AN EVENT CURRENTLY SCHEDULED TO BE HELD AT LAKESHORE PARK IN AUGUST, 2016.

Mr. Pugliese moved, Mrs. Cook seconded to waive the reading of the legislation; motion CARRIED. Mrs. Cook moved, Mrs. Misener seconded to waive the Charter requirement of two readings. On the roll call to waive the Charter requirement of two readings: Mr. Roskovics (nay), Mr. Pugliese (nay), Mrs. Misener (yea) Mrs. Cook (yea), Mr. Hamrick (nay), Mr. Ducro IV (yea). The Clerk of Council declared the motion LOST due to a 3-3 tie vote, and the legislation DEAD.

After some discussion on the outcome of the vote Mr. Ducro IV moved, Mrs. Cook seconded to Reconsider ORDINANCE NO. 2016-61. On the roll call to Reconsider ORDINANCE No. 2016-61: Mr. Roskovics (nay), Mr. Pugliese (nay), Mrs. Misener (nay) Mrs. Cook (yea), Mr. Hamrick (nay), Mr. Ducro IV (yea). The Clerk of Council declared the motion to Reconsider FAILED due to a 2-4 vote.

In a text the City Solicitor sent the City Manager after the Vote to Reconsider failed, he said “a tie vote is a FAILED vote not a LOST motion as the Clerk of Council declared; therefore the legislation was placed on its first reading and will be read a second time at the next Regular Council Meeting.

Because the opinions of the City Solicitor and Clerk of Council differed, a new Motion to Reconsider ORDINANCE No. 2016-61, was permitted, as requested by Councilor Roskovics. Mr. Roskovics moved, Mr. Pugliese seconded to Reconsider ORDINANCE NO. 2016-61. The President announced that a no vote to Reconsider the legislation will place the legislation on its first reading, with the second reading to take place at the next Regular Council Meeting. A majority vote in favor of Reconsideration will permit the legislation to, again, be Reconsidered. On the roll call to Reconsider ORDINANCE NO. 2016-61: Mr. Roskovics (yea), Mr. Pugliese (yea), Mrs. Misener (nay) Mrs. Cook (yea), Mr. Hamrick (yea), Mr. Ducro IV (nay). The Clerk of Council declared the motion to Reconsider CARRIED by a 4-2 vote.

The Clerk of Council presented, for Reconsideration, ORDINANCE NO. 2016-61, AN ORDINANCE GRANTING PERMISSION TO THE GREATER ASHTABULA CHAMBER FOUNDATION FOR NON-EXCLUSIVE USE OF THE REGISTERED TRADE NAMES “ASHTABULA WINE & WALLEYE FESTIVAL” AND “WINE & WALLEYE FESTIVAL” AT AND FOR AN EVENT CURRENTLY SCHEDULED TO BE HELD AT LAKESHORE PARK IN AUGUST, 2016. Mr. Pugliese moved, Mrs. Cook seconded to waive the reading; motion CARRIED. Mr. Pugliese moved, Mrs. Cook seconded waive the Charter requirement of two readings. On the roll call to waive the Charter requirement of two readings: Mr. Roskovics (yea), Mr. Pugliese (yea), Mrs. Misener (nay) Mrs. Cook (yea), Mr. Hamrick (yea), Mr. Ducro IV (nay). The Clerk of Council declared the motion to waive the Charter Requirement of two readings FAILED by a 4-2 vote; noting that the Charter requires a super majority (5) for passage. The legislation was placed on its first reading.

The Ward 1 Councilor sought confirmation that the ordinance did not pass. The City Manager and Clerk of Council confirmed this to be true. The Councilor then said the names “Ashtabula Wine & Walleye Festival” and “Wine & Walleye Festival” should not be used by anyone except the City of Ashtabula. The President suggested the question be posed to the City Solicitor. The Councilor then said his understanding of ORDINANCE NO. 2016-61 is that because it has not been enacted the trademarked names should not be used by anyone other than the City of Ashtabula. The President asked if the Ward 1 Councilor’s suggestion was that the Chamber Foundation change the name of the Festival they intend to host in order to proceed with promoting it. The Councilor said he is suggesting the names not be used until the legislation is passed or yes, change the name. The City Manager said we do not know what the Chamber Foundation scheduled and purchased for the Festival prior to the City Solicitor trademarking the names. Therefore, it is possible something will be seen with the names being used. He said the names have been used in publications that were scheduled for release prior to the names being trademarked, and said, “I don’t know how we would police that”.

The City Manager said he will not proceed with forming a committee (*tasked with addressing the Chamber Foundation's concerns voiced when the Festival was held on Bridge Street, and to work to return the Festival to Bridge Street in 2017*) because by not voting this evening to grant the Chamber Foundation permission to use the trademarked names things may take a very different direction. He said if Council votes to retain the name, a plan should also be presented on what Council intends to do with it.

Ward 2 Councilor: "I know this topic is not very popular, what's going on right now. And, it kind of upsets me that some Council – some public officials here are not voting for the people of Ashtabula. I know I was at that meeting where the Lift Bridge Community Association (LBCA) did say they would go along with it (*permitting the Chamber Foundation to use trademarked names*) for this year; and I know they probably will. It's to the point where it should be done for the merchants. And, whatever the merchants want to do down there I'm sure everyone up here's going to go along with. Now, there were three merchants down there (*at the meeting*) of the 22 that said they would still like to see it on Bridge Street. I haven't heard anything back. Have you heard anything back from the other residents down there, about the meeting that we had that they were all for bringing it back.

President: The LBCA has an elected board. It is no different when we have a vote of Council we represent 19,000 citizens and we surely don't ask every single citizen what their input is. I think they, as their elected representatives of their board, have an obligation to voice the majority of the opinion of their board, or else they would not be representing their board.

Ward 2: Has the board gotten back to anybody and said the rest are in favor of what was discussed at the meeting.

President: A letter from an LBCA member who was not at the meeting was given to Council today.

Ward 2: Is a majority of the LBCA members for the plan.

Manager: Didn't we receive communication from the LBCA on their letterhead that stated they were in favor of the name being used.

President: That's the one I read. Mr. Pugliese is questioning whether I received a response from each individual merchant that is a member of the LBCA.

Clerk: During my review of the April 15 meeting notes today, in order to draft the document that I presented to member of Council and the City Manager this evening... LBCA was urged to conduct a survey of their merchants. Mary Pepperney, the facilitator of the April 15 meeting with representatives in attendance from the City of Ashtabula, the Chamber Foundation, and the LBCA, made it clear that "data matters". She said it would be incumbent upon the LBCA to go to all their members and the other merchants who are not their members. The Chamber representatives said they surveyed [their] members. But, not all Bridge Street merchants are their members, so those folks were not surveyed. That was Friday, April 15; this is Monday, April 18. The only thing I know we received is the LBCA memo stating they were in favor of granting permission for the trademarked names to be used.

Ward 2: That's what I was asking.

President: The three representatives of the LBCA who attended the meeting made it very clear that they thought it was critically important that we try to maintain the integrity of the trademarked names and avoid the risk of the names potentially changing, to the detriment of any future festival under that name, or certainly the merchants and community, in general. That's what I feel is at risk here.

Ward 4: I'd like to ask Mr. Pugliese or Mr. Roskovics, either one, what's your Plan B. Do you have a Plan B?

Ward 2: Do I have a Plan B?

Ward 4: Yes.

Ward 2: No, do you?

Ward 4: I'm not the one that's going to vote against the ordinance. But, if you vote against the ordinance we retain a name. What is your Plan B? Do you have a Plan B?

Ward 2: Well, Plan B, I think, Mrs. Misener, is that the LBCA will have a Plan B – they'll be doing something down there. I think that's what the Plan B will be. You were at that meeting.

Ward 4: Yes, I was. And, I understood that when we left that meeting there was a consensus that we would pass this ordinance. You were there.

Ward 2: There wasn't consensus; I said no during the first part of the meeting.

President: Consensus is probably an inaccurate word – that would be 100% agreement. There was a majority agreement.

Ward 4: The people who it concerned – the three reps that were there from the LBCA – there was a consensus with them. And since they are the people that are mostly involved, I would think that would hold some weight. Because what I'm concerned about is we're going to have a name and the name is going to be worthless because that event will go on whether it's at Lakeshore Park, Geneva-on-the-Lake, or wherever. They can hold it and they may hold it by a different name. But, I don't know anybody who collectively has the time to put that function on. And, as it has grown it becomes even more cumbersome. And we're asking for a spirit of cooperation amongst the Chamber, the City officials, and the LBCA. You may think you're representing those people, but if we're going to cut ties and build walls... I'll tell you, this is such a reflection on when I was on Council previously, that it's unbelievable. And, I'd hate to see us go back to that time when I can remember the Lighthouse Restoration – there were people who got together, they wanted to have a festival to restore the Ashtabula Lighthouse - to raise funds. They had it down at Walnut Beach.

The City put up such a big to do that they are now holding it at Lakeshore Park, and they're happy as larks. So, yes, we can continue down that road – and we're going to have a name and it's going to be trademarked, but I want to know how much business you're going to bring to the Harbor Association with that name – if you have nobody to sponsor and put that event on. We have to think pass this legislation. And, I took offense, Mr. Pugliese, when you said there are people up here that aren't representing the community. I work very hard and worked very hard when I was on Council previously.

Ward 2: Yes, you sure did.

Ward 4: Right! And I'm seeing flashbacks of that happening now. And, I think it's too bad because it's just not conducive to building working relationships. And, you know, there is enough blame to go around - on the City; to blame it all on the Chamber, I think, is a mistake, also.

Ward 1: I don't know what word would be appropriate, but in review, the Chamber was using the Wine & Walleye name. Our legal counsel trademarked the name and suggested that we keep it. Although he's not here to review, I remember he said we shouldn't give the name away without some discussion. Somebody on this Council made a resolution to give the name away, which went against the advice of what we were being told, which is fine. That's fine if that's what somebody wanted to do. Some of us don't feel that's the thing to do. I'd rather wait to see what Mr. Franklin feels more about this, and then we'll go from there. Like I said, they were using the name. And, I didn't run around saying they can't use the name. They were using the name, somebody made a resolution to give them the name, and Mr. Franklin said let's hold off on that, whatever the case may be, and that's what we're doing. And, so, like I said, I don't know what else to say.

President: Let me make one correction, Mr. Roskovics. I made the request for that resolution. So, it was me. And, I did not make a recommendation to give the name away. I made the recommendation that we permit them to use the name for one year – during which period of time we can address the concerns and issues of the Chamber, of the LBCA, and return the Festival to the City, and have it be stronger and better than it ever was before. That is a cooperative position. It is not a position anti-City or against the City, in any way. And, I feel, Mr. Pugliese like you feel – you said Councilors up here are not for the City. I think there's a perception of different ways that we may feel that we are for the City. That doesn't mean that we're against the City if we don't feel that we're for the City in the same way. I've never questioned your fervor and commitment to the City. I don't think we agree on the best way to go about it, but I would never question your commitment and dedication, Mr. Pugliese.

Ward 2: Thank you.

President: Nor you, Mr. Roskovics, on this particular issue. Mrs. Misener, I appreciate your question and concern. It is a concern of mine. If we retain a name, we win the battle and we've lost the war, in my opinion, for the benefit of the community, as a whole. And, I think it's a very fair question. I don't think there's anybody at this dais that has the ability, the time, and the resources to take responsibility for the coordination of this event. Representatives of the LBCA that were present at the last City Council meeting said to us, as a body, that they didn't have the resources to do it.

At the April 15 meeting we had, that was collaborative - had they said, "Look we don't need the Chamber; we can run this Festival on our own". They could have come right out and said that as well. They could have also said, "Look, we're take over possession of this, Chamber, you can go and do your own thing and we'll go about our business", and we could've agreed to let that happen. They didn't have any desire, at least those that the organization elected to represent them as a body, had no discussion, interest, willingness, desire, presentation to us that that was something they even wanted to consider. And, if it's not going to be the LBCA and if it's not going to be representatives from the City, I just believe that it's short-sighted to think that there'll be somebody that will mystically appear that can run this Festival and have it be as successful as it once was. The placement of vendors on Bridge Street, you mentioned, is something the Chamber had envisioned all along. They still wanted to drive business to Bridge Street even though they wanted to hold the winery venue location somewhere else. They've been very clear about that. So, I would hope that Bridge Street merchants would have things on the street side and open up their doors and utilize a lot of tools to bring activities down to Bridge Street, even if the wine garden wasn't going to be held there. So, I think that that's great that they're going to do that. I would strongly encourage them to.

Ward 2: Before all this started the Chamber never said they were going to put booths on Bridge Street. All they were going to do is have the boat parade and a trolley come back and forth from Lakeshore Park. But, I never heard mention of the merchants being able to put out their supplies. I didn't hear that. So, I think now after that Friday meeting we had (April 15), they did mention that. But, before that I don't think that was mentioned. I think they intended to have the Wine & Walleye Festival at beautiful Lakeshore Park. I love Lakeshore Park, believe me - the rest of us do. But, that was never said at the beginning. We could go through this all night. Let's maybe wait until we talk to the Solicitor or something else, okay.

President: They did share that with me when I went to the Chamber and discussed it with the members. They did tell me that that was part of what their intention was.

Ward 2: Well, that wasn't relayed to us; that's the thing. Okay, thank you.

Ward 1: And, if I could just say, Mr. Ducro and Mrs. Misener... I still respect everybody on Council. I think we're still going to work on many things. On this particular issue we disagree. I don't think that's a harbinger of things to come. It's just that on this one issue we disagree. But, I think we'll still do well as a Council. I've been on other governing bodies that have disagreed and we all kept our respect for each other, and our friendship, and I think that's what we will do here.

President: That's a nice way to close the discussion, Mr. Roskovics. Thank you.

UNFINISHED BUSINESS - None

NEW BUSINESS - None

MISCELLANEOUS - None

GENERAL PUBLIC DISCUSSION

Ruth Wolfgang, 4203 Ann Avenue: Mrs. Wolfgang reported the following:

Homeless: There are two homeless people living in the former Bow Socket building across the street from her home. She said she is unable to help them because she is on Section 8. The two people told her the Samaritan House is full. She would like someone to help them. She said another homeless shelter is needed in our community.

Large Hole in Road: When walking home with her seeing impaired husband, they came upon a big hole in the street right by Ann Avenue and Prospect Circle, that someone could fall in if they are walking or in a wheelchair.

Demolition Needed: Her husband's aunt and uncle's residential structures located at 1116 and 1117 West 41st Street need to be demolished. The basement on one of the structures is collapsing; the door is open on the other. The President asked if the properties are still owned by the family members. Mr. Wolfgang said no. The Manager said there are several homes on West 41st Street the City is paying attention to. He will find out if these addresses are on the watch list. The aunt and uncle, Sandy and (?) Candela, live at 1119 West 41st Street.

(Clerk of Council was ill; therefore left the meeting at this time)

Kenneth Wolfgang, 4203 Ann Avenue: Mr. Wolfgang reported the following:

Sidewalk Repairs: At the last council meeting he told council he had addresses of sidewalks in need of repair. He gave the list to the Finance Director and asked the Clerk of Council to provide each person on the dais with copy of the list. The sidewalk on the West Avenue overpass is so bad you would need a tank to traverse it. The sidewalks on the Route 20 overpass, between Station Avenue and Center Street, are on the list of sidewalks he provided. He said two of the addresses on the list are that of Arby's and Perkins Restaurant, who should easily be able to get their sidewalks repaired.

Snow: He spoke with Mr. Ducro earlier today and has photographs of snow piled up on the Route 20 overpass, causing pedestrians to have to walk in the street in the middle of winter. The snow banks are as high as the Council chamber's podium, and that it is not right. There have been discussions about how to make the community safer. One way to do so is proper snow removal. Mr. Gerald Cox, a seeing and hearing impaired citizen, has a seeing-eye dog that is trained to guide him to the street if a sidewalk is not passable. What good are the curb cuts at either end of the overpass if the sidewalks in between are not passable. If the City of Ashtabula is not going to adhere to the laws, he can see why others are not going to.

Audible Traffic Signals

When is the City going to address audible traffic signals he discussed at the last Council meeting. The City Manager said he and GPD Engineering were at the intersection of West Avenue and Route 20, to evaluate the signals.

They found that the vibrating signal on the button located at the southwest corner (in front of O' Reilly's) is not working. It is scheduled to be repaired. He said all the other buttons are working.

The City Manager said Mr. Wolfgang also reported there were no audible or vibratory buttons when crossing east and west on West Avenue. He said the lights were designed and installed correctly. The reason they were done this way is the button vibrates and changes the chirp when activated to cross Route 20. When crossing West Avenue it is interpreted that if the signal is saying DO NOT WALK crossing Route 20, that it is a walk signal coming across West Avenue because of the way everything is triggered.

What I then said to GPD was – and when it actually does show a WALK sign going east and west across West Avenue, the chirping for those that are seeing impaired is different when they are able to walk across West Avenue.

The issue then raised was, we have situations where we have both deaf and blind, so how do they somehow know they are able to cross West Avenue. Again, it comes back to if the button is a DO NOT WALK for Route 20; it is a WALK for West Avenue.

ACTION: What we're trying to devise is if there is a way that when the signal permitting you to cross east and west across West Avenue can somehow be put into a button that vibrates that allows you to know you are able to walk across east and west on West Avenue. The only other way to do it is to remove all the trip signals now in place, so the traffic pattern will not flow correctly, and it puts it on an automatic recall for all the stations, if we cannot figure out a way to somehow bypass that circuitry to allow a button to be pushed.

It would cost close to what was spent on Station Avenue which was around \$7,000. We will continue to explore the options and come up with what we can to improve the intersection. But, it was designed and functions correctly, with the exception of the equipment that failed which will be replaced, which ODOT has already approved.

Mr. Wolfgang asked if anything is being considered for Woodman Avenue or Five Points (intersection of Lake Avenue/Park Avenue/Route 20). The Manager said he believes 5 Points has all the signalization, but he would double check, and that Woodman Avenue would be the same as West Avenue and Route 20.

The President thanked Mr. Wolfgang for bringing the issue to our attention. He said many of us who do not need traffic signal aides would not be aware of how or if they are functioning. He encouraged more reporting if required.

Mr. Douglas Winters, 5831 Washington Avenue

Reported Mr. Wolfgang was not using the signalization when walking to this meeting. The President said he encourages all pedestrians and motorists to use the signals for their intended purpose - SAFETY.

CLOSING REMARKS

Next Regular Meeting: The President announced the next Regular Council Meeting is scheduled for Monday, May 2, at 7:00 p.m.; Pre-Council is at 6:00 p.m.

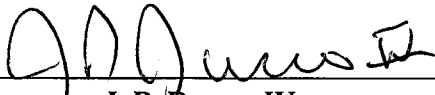
Traffic Signalization: The Ward 2 Councilor said he mentioned this to the City Manager previously, and noted that the east/west traffic signal on Lake Avenue and West 24th Street is very long. The City Manager said they were looked at. Vehicles must stop behind the stop bars. The little squares in the road are actually magnetic and senses your vehicle is over them, which triggers the lights to readjust. If someone moves too much past the light bar it will think you are going through the light and making a turn, and think you are not there; therefore it does not call that signal. You have to be stopped where the signs say "Stop Here to Activate Signal", or at stop bar. We have the same issue on West 9th Street and Lake Avenue. The President reported the traffic signal at Center Street and Route 20 is the very same. The Manager said we have tried to adjust the sensitivity of the magnetic to make it higher. The issue then becomes if you have two of the loops in either lane, they pick up each other - it is a fine balance. The new technology's goal is to keep the main thoroughfares moving unless they are recalled by a vehicle waiting to travel in the opposite direction. It is much like what happens at West 32nd Street and Lake Avenue. The light will always be green on Lake Avenue unless there is someone waiting to turn onto Lake Avenue from West 32nd Street.

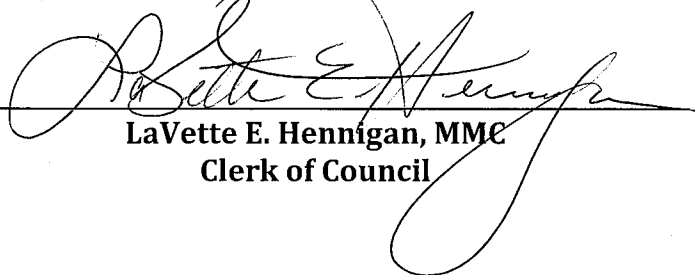
Painting Lines in Road: The Ward 2 Councilor suggested painting wider stop bars in the road. The Manager said crews will begin painting, at which time the lines will be brightened up.

Preemption Traffic Signalization: The President said he noticed a fire truck coming from Main Avenue to a preemption intersection and it did not freeze all the traffic signals. The Manager said it does not freeze them all. The preemption lights cause the following: from the direction that the emergency vehicle is travelling it turns that light green and gets everyone out of the intersection that is in its path so it can travel through the intersection. Safety Forces used to go through those intersections blowing the horn. They have been instructed not to do that anymore because when the sensor does not pick up the siren it does not trigger preemption. So we were having situations where the emergency vehicle was through the intersection, the siren was turned back on, and preemption either would not come on until they were in the middle of the intersection or through it. The signal senses the sound wave; it picks it up and triggers the preemption. So, we've had to stress to them to leave the sirens on approaching and going through those intersections so the preemption works correctly.

ADJOURNMENT: Hearing no further business to come before the Council, the President extended a reminder to "Remember to Keep Believing in Ashtabula", and adjourned the meeting at 8:40 p.m.

DATE APPROVED: MAY 2, 2016

ATTESTED BY: 
J. P. Ducro IV
President of Council

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