

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

**Monday, June 5, 2017**

The President of Council called the meeting to order at 7:00 p.m.

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

**MEMBERS PRESENT:** 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. Christopher J. McClure (Vice President)  
Mrs. Josephine Misener (President)

**MEMBER(S) ABSENT:** Mr. Michael D. Speelman (Ward 4 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):** Mrs. Hosken moved, Mr. Pugliese seconded to excuse the Ward 4 Councilor from this meeting; motion CARRIED.

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

**AGENDA APPROVAL**

**Agenda Change**

Mr. Pugliese moved, Mr. Hamrick seconded to remove from this evening's legislation agenda ORDINANCE NO. 2017-76, AN ORDINANCE AMENDING SECTION 11 OF THE MUNICIPAL CHARTER OF THE CITY OF ASHTABULA, OHIO, SUBJECT TO THE APPROVAL OF THE ELECTORS THEREOF, FOR THE PURPOSE OF PROVIDING FOR FORFEITURE OF THE OFFICE OF CITY COUNCIL MEMBER UPON 3 UNEXCUSED ABSENCES FROM REGULAR CITY COUNCIL MEETINGS IN A CALENDAR YEAR, AND DELETING ANY FINANCIAL PENALTY FOR ABSENCES FROM COUNCIL MEETINGS. (City Council); motion CARRIED.

Mr. Pugliese moved, Mr. Hosken seconded to approve the agenda, with the above change; motion CARRIED.

**PRESENTATION(S):** None

**EXECUTIVE SESSION:** None

### **CONSENT AGENDA**

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

**PRESENTATION OF MEETING MINUTES:** None

**LEGISLATION AGENDA:** None

### **REGULAR BUSINESS**

**PRESENTATION OF MEETING MINUTES:** None

### **ADMINISTRATIVE REPORTS and COMMUNICATIONS**

- **CITY MANAGER'S REPORT**

#### **GPD Group – 2017 Paving – Design and Construction Inspection and Administration**

The City Manager requested an ordinance to enter into an agreement with GPD Group of 100 Federal Plaza East, Suite 200, Youngstown, OH 44503 for the purpose of providing engineering design and construction administration for the 2017 Paving Project in the amount not to exceed \$15,000.00. Funds for this expenditure will be taken from the Permanent Improvement, 412 Fund. Mr. Pugliese moved, Mrs. Hosken seconded, to approve the Manager's request; motion CARRIED.

#### **GPD Group – Collins Boulevard Lighting Project**

The City Manager requested an ordinance to enter into an agreement with GPD Group of 100 Federal Plaza East, Suite 200, Youngstown, OH 44503 for the purpose of providing engineering design and construction administration for the Collins Boulevard Lighting Project in the amount not to exceed \$10,950.00. Funds for this expenditure will be taken from the Community Development Block Grant, 290 Fund. Mr. Pugliese moved, Mr. Hamrick seconded, to approve the Manager's request; motion CARRIED.

#### **GPD Group – Sanitary Sewer Overflow (SSO) Elimination – Phase 2**

The City Manager requested an ordinance to enter into an agreement with GPD Group of 100 Federal Plaza East, Suite 200, Youngstown, OH 44503 for the purpose of providing engineering design and construction administration for the SSO Elimination – Phase 2 in the amount not to exceed \$40,500.00. Funds for this expenditure will be taken from the Water Pollution Control Capital Improvement Fund and paid in part through Ohio Public Works Commission, Round 31 funding. Mr. Pugliese moved, Mrs. Hosken seconded, to approve the Manager's request; motion CARRIED.

**A.P. O’Horo – Primary Settling Tank Rehabilitation – Contract F – Change Order (CO) No. 3**

The City Manager requested an ordinance to execute CO No. 3 with A.P. O’Horo of 3130 Belmont Avenue, Youngstown, OH 44504 for the purpose of providing additional parts/equipment and work as listed on the Change Order in accordance with the original unit prices of the bid in the amount not to exceed \$195,590.00. Funds for this expenditure will be taken from the Water Pollution Control Capital Improvement Fund. Mr. Pugliese moved, Mrs. Hosken seconded, to approve the Manager’s request; motion CARRIED.

**Police Department Lateral Transfer**

The City Manager requested an ordinance to change the requirements of the current legislation for Police Department Lateral Transfers, Codified Ordinance, Chapter 141 at Section 141.11. Mr. Hamrick moved, Mr. Pugliese seconded, to approve the Manager’s request. The Manager reported the Fraternal Order of Police (FOP) Union was involved in the discussions and approve of this request. He reported that laterals transfers are common in many departments across the country because it allows the acceptance of applications from candidates currently serving as a full-time police officer elsewhere, for at least for three years. The provision will only be used in the absence of a Civil Service list of candidates. The only difference is lateral transfers do not sit for Civil Service examinations, but would be subject to all other requirements entrance personnel are required to adhere to. They would also not transfer at their current rank or seniority level, but as an Entrance Patrolman. The Manager said the City of Ashtabula has step levels for patrolmen, so the lateral transfers could be hired at more than an entrance level step. The Vice President said the current Codified Ordinance Section 141.11 should be repealed; the Clerk of Council confirmed this to be correct. Mr. McClure moved, Mr. Hamrick to repeal and replace Codified Ordinance Section 141.11 Compensation. The City Solicitor reported our Municipal Charter requires amendments take place by first repealing a chapter, section or both, and enacting an entirely new chapter, section or both, rather than tacking on new verbiage to existing verbiage and have more than one piece of legislation for the same subject. The motion CARRIED.

**Codified Ordinance 1137.06 – Parking Requirements**

The City Manager requested an ordinance to change the Codified Ordinance requirements for off-street parking in the H-1 Harbor Historical District. It was explained that this request for legislation will meet the off-street parking requirements found in Codified Ordinance Chapter 1149. The Clerk of Council questioned the codified ordinance reference. The Manager said he would review the reference and make necessary adjustments later in this meeting. The Solicitor reported that: 1149 deals with various parking requirements for various uses in various zoned areas. Chapter 1137 only regulates the H-1 Harbor Historical District, and should only impact that District. The proposed legislation is to permit some variance from the number of spaces that might otherwise be required. The H-1 District “grew up” before everyone drove and before there was a need for parking spaces and parking lots. The City has addressed the over abundance of vehicle parking spaces needed by establishing public parking areas and lots. This legislation will permit the Ashtabula City Planning Commission to take the public spaces into account when determining if ample parking requirements have been met. Mr. Hamrick moved, Mr. Pugliese seconded, to approve the Manager’s request; motion CARRIED.

**Questions/Comments for City Manager**

**Speeding:** The Ward 2 Councilor, again, urged the Manager to look into borrowing the portable speed limit flasher lighting system from the Ohio Highway Patrol and to use it in our high traffic areas so motorist can see how fast they are going. The Councilor said speeding is a real problem all over the City. The Manager said he looked into it, is unable to recall the outcome, but will work with the Police Department to address this concern. The Ward 5 Councilor asked that West 58<sup>th</sup> Street be included.

- **CITY SOLICITOR'S REPORT:** No report

- **FINANCE DIRECTOR'S REPORT**

The Finance Director reported:

**Tax Budget:** The 2018 Tax Budget will be ready to discuss at the June 9 Finance & Personnel Committee meeting. A public hearing notice is required to be published one week prior to the hearing. The Tax Budget should be on City Council's July 3<sup>rd</sup> Regular Meeting agenda for a vote and to the Ashtabula County Budget Commission no later than July 20.

**Invoice Payment:** Then & Now Certifications are required for \$14,000 paid to Rocky Road Paving prior to purchase orders being secured. Mr. Pugliese moved, Mr. Hamrick seconded to approve 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 announced the committee did not meet in May. Their next meeting is tentatively scheduled for Tuesday, June 13, at 4:00 p.m., in the Municipal Building 2<sup>nd</sup> floor conference room.

**Ashtabula City Parks & Recreation Board**

The Chair announced the Board is scheduled to meet on June 13, at 6:30 p.m., at Smith Field.

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

The Chair announced the committee will meet on Friday, June 9, at 8:00 a.m., in the Municipal Building 2<sup>nd</sup> floor conference room.

**PUBLIC WORKS/PUBLIC UTILITIES/CABLE/SCHOOLS (PW/PU/C/S) - (Mr. Pugliese/Mr. McClure)**

The Chair announced the committee will meet on Friday, July 7, at 8:00 a.m., in the Municipal Building 2<sup>nd</sup> floor conference room.

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

The Chair announced the committee is tentatively scheduled to meet on Monday, June 26, at 8:00 a.m., in the Municipal Building 2<sup>nd</sup> floor conference room.

**WORK SESSION – No report**

**LEGISLATION AGENDA**

- **Formal Legislation Request(s):** None
- **Form and Correctness:** The Clerk of Council certified conformity to Council Rule 21.
- **Legislation Overview:** The President provided an overview of the Legislation Agenda.
- **Public Discussion (Legislation Portion Only)**

The Ward 1 Councilor asked for the cost to place Charter changes on the November 2017 General Election Ballot. The Finance Director reported we could expect to pay a minimum of \$10,000, which is less than what it would cost if our items were the only ones on the ballot.

- **Consent Agenda:** The President entertained a motion to dispose of the Regular Business Agenda as a consent agenda. Mr. Pugliese moved, Mr. Hamrick seconded; motion CARRIED.

**Legislation Reading**

**1<sup>st</sup> Reading**

ORDINANCE NO. 2017-72, AN ORDINANCE AMENDING THE TRAFFIC CONTROL MAP AND FILE TO REQUIRE THREE-WAY STOP SIGNS AT THE INTERSECTION OF LAIRD AVENUE WITH WEST 9TH STREET. (City Manager), was presented for its first reading. Mr. Hamrick moved, Mrs. Hosken seconded to waive the reading of the ordinance; motion CARRIED. The ordinance was placed on its first reading.

**Reading – Suspend Charter Requirement of Two Readings**

ORDINANCE NO. 2017-73, AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH GLAUS, PYLE, SCHOMER, BURNS & DEHAVEN, INC. IN AN AMOUNT NOT TO EXCEED \$15,000.00 FOR DESIGN BID ASSISTANCE AND CONSTRUCTION ADMINISTRATIVE SERVICES FOR THE 2017 STREET RESURFACING PROJECT. (City Manager)

ORDINANCE NO. 2017-74, AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH GLAUS, PYLE, SCHOMER, BURNS & DEHAVEN, INC. IN AN AMOUNT NOT TO EXCEED \$10,950.00 FOR DESIGN BID ASSISTANCE AND CONSTRUCTION ADMINISTRATIVE SERVICES FOR THE COLLINS BOULEVARD LIGHTING. (City Manager)

ORDINANCE NO. 2017-75, AN ORDINANCE AMENDING SECTION 10 OF THE MUNICIPAL CHARTER OF THE CITY OF ASHTABULA, OHIO, SUBJECT TO THE APPROVAL OF THE ELECTORS THEREOF, FOR THE

PURPOSE OF PROVIDING FOR REGULAR AND SPECIAL MEETINGS, POSTPONEMENT OF MEETINGS, AND NOTICE TO MEMBERS OF COUNCIL. (City Council)

ORDINANCE NO. 2017-77, AN ORDINANCE AMENDING SECTIONS 12 AND 15 OF THE MUNICIPAL CHARTER OF THE CITY OF ASHTABULA, OHIO, SUBJECT TO THE APPROVAL OF THE ELECTORS THEREOF, FOR THE PURPOSE OF CLARIFYING THE LEGISLATIVE PROCEDURE OF THE CITY COUNCIL, AND AUTHORIZING THE SUBMISSION OF THE QUESTION OF APPROVAL OF SAID ORDINANCE TO THE ELECTORATE OF THE CITY AT AN ELECTION TO BE HELD ON NOVEMBER 7, 2017. (City Council)

ORDINANCE NO. 2017-78, AN ORDINANCE AMENDING SECTIONS 35, 61 AND 63 OF THE MUNICIPAL CHARTER OF THE CITY OF ASHTABULA, OHIO, SUBJECT TO THE APPROVAL OF THE ELECTORS THEREOF, FOR THE PURPOSE OF ALLOWING THE CITY MANAGER TO PURCHASE GOODS AND SERVICES AND ENTER INTO CONTRACT CHANGE ORDERS UP TO \$30,000, REQUIRING THE APPROVAL OF COUNCIL IF THE TOTAL CONTRACT PRICE WILL BE GREATER THAN \$30,000, AND AUTHORIZING THE SUBMISSION OF THE QUESTION OF APPROVAL OF SAID ORDINANCE TO THE ELECTORATE OF THE CITY AT AN ELECTION TO BE HELD ON NOVEMBER 7, 2017. (City Council)

ORDINANCE NO. 2017-79, AN ORDINANCE AMENDING SECTIONS 36 AND 69 OF THE MUNICIPAL CHARTER OF THE CITY OF ASHTABULA, OHIO, SUBJECT TO THE APPROVAL OF THE ELECTORS THEREOF, FOR THE PURPOSE OF REPEALING OUTDATED AND OBSOLETE PROVISIONS AND AUTHORIZING THE SUBMISSION OF THE QUESTION OF APPROVAL OF SAID ORDINANCE TO THE ELECTORATE OF THE CITY AT AN ELECTION TO BE HELD ON NOVEMBER 7, 2017. (City Council)

Mr. Pugliese moved, Mrs. Hosken seconded to waive the reading of the ordinances; motion CARRIED. Mr. Pugliese moved, Mrs. Hosken second to waive the Charter requirement of two readings. On the roll call to waive the Charter requirement of two readings: Mrs. Hosken (yea), Mr. Hamrick (yea), Mr. Roskovics (nay), Mr. Pugliese (yea), Mr. McClure (yea), Mrs. Misener (yea); motion CARRIED by a 5 to 1 vote. On the roll call to adopt the ordinances: Mrs. Hosken (yea), Mr. Hamrick (yea), Mr. Roskovics (nay), Mr. Pugliese (yea), Mr. McClure (yea), Mrs. Misener (yea); motion CARRIED by a 5 to 1 vote.

## **NEW BUSINESS**

**Harbor Historical District Parking:** The City Manager announced the new parking regulations requested earlier in this meeting would be placed in Repealed Section 1137.06. The Clerk of Council reported on her recent conversation with our codifier, The Walter H. Drane Company, regarding the use of repealed sections. They said it has been our custom to leave the title of the section and denote it as repealed (e.g. City Treasurer, (Repealed) (5-7-13), for the purposed of charting the history of previous sections. The City Solicitor said he will review the section and determine the best place for the newly requested section and draft the legislation accordingly.

**Meeting Announcement:** The President announced the next Regular Council Meeting is scheduled for Monday, June 19, at 7:00 p.m., with Pre-Council beginning at 6:00 p.m.

**Harbor Yak:** The Vice President announced Harbor Yak is a great new business in the Harbor. He announced they are sponsoring a river clean-up on Sunday, June 18.

**Former Properties of Park Haven, Carlisle's and St. John School:** The Ward 2 Councilor reported the newspaper announced that the Park Haven property was not purchased during the recent sale and asked for an update on the three properties listed in the title of this section. The Manager reported St. John's has been acquired; the City was in contact with the new owners last week; they plan to clean it up; and have plans for something at that site, the details, for which, have not been shared. He reported we are waiting for the US Environmental Protection Agency's report from their recent visit to the former Carlisle's structure. The City has orders on the Park Haven building which we continue to try to enforce. He said he believes the structure was purchased to acquire the bed licenses, and once acquired they went elsewhere, while the building continues to deteriorate. The Manager said, as a member of The Land Bank, he has no interest in acquiring the structure because there is no funding for commercial demolition. There remains a push by the Western Reserve Land Conservancy and many land banks and municipalities across the country to have federal legislation requiring mortgage penalties that financial institutions were hit with to be used for commercial demolition. A proposal is before the House to allow commercial demolitions and for funds to be released for pay for this activity. If successful, it would still be a while before any funding would be seen. The last proposal was for Ohio to received \$50 million. This amount is nothing given it will cost tens of millions of dollars to address the former Carlisle's structure, alone.

**Clerk of Council Recognized:** The Vice President announced he was reminded by the Ward 1 Councilor that the Clerk of Council attended the International Institute of Municipal Clerks (IIMC) Annual Conference in Montreal, Quebec, Canada, last month, and was recognized for her service to the IIMC membership as the Chair of the Research and Resource Committee. The Vice President thanked her for what she does for the City of Ashtabula, including representing the City throughout the state and internationally. The President thanked the Clerk for the time she spends making sure City Council is prepared, which includes working from home; and thanked her for helping during ADDA's "Take It To The Curb" clean-ups.

**Charter Section 11 Legislation Request:** Mr. McClure moved, Mr. Pugliese seconded to have legislation drafted to remove Charter Section 11 Penalty for Absences, completely from the Charter, and place the request before the electorate at the November 2017 General Election; motion CARRIED.

**America Main Street Contest:** At the request of the Ward 5 Councilor, the City Manager reported the City of Ashtabula was not chosen as an America Main Street finalist, but finished in the top 5 out of 242 areas, and was the only Ohio location to make the top 10. He said the winning City has a population of over 27,000 and received 300,000 votes – the Manager congratulated them. He gave a "ton of thanks" to Ms. Melinda McNutt for nominating us, and her and Ms. Christine Seuffert for championing our cause, which included the regular wearing of pink t-shirts, and regularly encouraging folks to vote. The Manager said it was encouraging to see votes from inside and outside the county being cast for our City; and to see the Convention and Visitor's Bureau, Greater Ashtabula Chamber of Commerce, Team NEO, and the folks who conducted our hotel feasibility study, help promote the cause.

**Memorial Day:** The President reported the services were moving, the parade was great, and the weather was perfect. She thanked Miss Lily Simon for stepping up and organizing the parade when she heard it would not take place this year. Miss Simon has agreed to organize the Memorial Day 2018 events, as well. The President thanked participants and spectators for their support.

**Bridge Street Update:** Ms. Christine Seuffert, Chair, Lift Bridge Community Association (LBCA) reported:

- **Wine & Walleye Festival** volunteers are signing up, events are planned and tickets are on sale.
- **Burning of the Sock** is scheduled for Saturday, June 13, from 5:00 p.m. to 8:00 p.m., at Harbor Yak. This event is for the burning of winter socks in anticipation of summer. Bring your own sock.
- **Blessing of the Fleet** is scheduled for Sunday, June 11, at Noon. The Ashtabula Ministerial Association members will bless the fleets for a safe boating season for the 67<sup>th</sup> year. The event will begin with music by Celtic Rush at 11:30 a.m. Sea Scouts, are boys and girls who are members of the international Scouting movement, whose particular emphasis is on boating and water-based activities.
- The **Farmer's Market** is open on Sundays, from 10:00 a.m. to 2:00 p.m., in the Marine Bank parking lot.
- **Fitzgerald's Wine Bar's** opening is delayed due to the requirement to have a storm lateral installed.
- **Halcyon Speakeasy** is a new business on Bridge Street. She encouraged research of the name "Halcyon", which means *(denoting a period of time in the past that was idyllically happy and peaceful.)*
- **Formality Resale** is a new business located in the former Bureau of Motor Vehicles building on Lake Avenue.

## GENERAL PUBLIC DISCUSSION

**Mrs. Patricia Blum, 1540 West 17<sup>th</sup> Street:** asked that residents put their garbage cans away after they are emptied. She said someone is knocking on her door after 11:30 p.m., and that she has called the Ashtabula County Sheriff's Department about these incidents. The Manager encouraged her to call the Ashtabula Police Department. She chose not to publically say why she elected not to do so. Mrs. Blum thanked Ms. Seuffert for her work in our Harbor area.

## EXECUTIVE SESSION - None

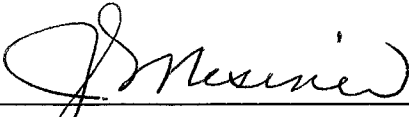
## ADJOURNMENT

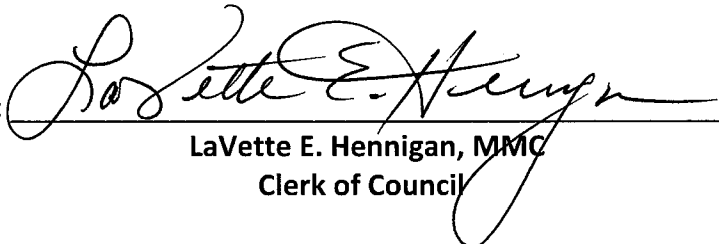
Hearing no further business to come before this Council, the President declared the meeting adjourned at 8:12 p.m.



Ashtabula City Regular Council Meeting  
Monday, June 5, 2017

DATE APPROVED: June 19, 2017

ATTESTED BY:   
**Josephine Misener**  
**President of Council**

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