

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

REGULAR MEETING MINUTES
Monday, July 17, 2017

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

The Ward 2 Councilor offered the opening prayer and the Pledge of Allegiance was recited.

A Moment of Silence was observed to recognize the passing of Carmen (Lefty) Corbissero:

- A lifelong Ashtabula resident
- An Ashtabula High School graduate
- An Army Veteran
- Vice President of City Council from January 1, 1976 through November 30, 1977
- Port Authority Secretary – 33 years
- Ashtabula Little League Coach – 40 years

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

MEMBER(S) ABSENT:	Mr. Christopher J. McClure	(Vice President)
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OFFICER(S) PRESENT:	Mr. James M. Timonere	(City Manager)
	Mr. Michael Franklin	(City Solicitor)
	Mrs. Dana D. Pinkert	(Finance Director)

OFFICER(S) ABSENT:	Mrs. LaVette E. Hennigan, MMC	(Clerk of Council)
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EXCUSED ABSENCE(S):	<u>Mr. Speelman moved, Mr. Pugliese seconded to excuse the Vice President from this meeting; motion CARRIED.</u>
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SUNSHINE LAW:	The Finance Director certified conformity to the Sunshine Law.
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AGENDA APPROVAL:	<u>Mr. Pugliese moved, Mr. Speelman seconded to approve the agenda; motion CARRIED.</u>
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PRESENTATION(S):	None
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EXECUTIVE SESSION:	None
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CONSENT AGENDA

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

PRESENTATION OF MEETING MINUTES: None

LEGISLATION AGENDA

- **Formal Legislation Request(s):** None
- **Form and Correctness:** None
- **Legislation Overview:** None
- **Public Discussion (Legislation Portion Only):** None
- **Legislation Reading:** None

REGULAR BUSINESS

PRESENTATION OF MEETING MINUTES

The Finance Director presented the July 3, 2017 Regular Meeting minutes for Council's approval. Mr. Pugliese moved, Mr. Hamrick seconded to waive the reading of the minutes; motion CARRIED. Hearing no corrections, the minutes stood approved as presented.

ADMINISTRATIVE REPORTS and COMMUNICATIONS

- **CITY MANAGER'S REPORT**

Sanitary Sewer Overflow (SSO) Elimination, Phase 1 – Construction Contract Award

The City Manager requested an ordinance to enter into an agreement with Lake County Sewer Co., Inc., with a mailing address of 32900 Lakeland Blvd., Willowick, OH 44095 as most responsible bidder for the SSO Elimination, Phase 1 project in the amount not to exceed, \$129,515.00. Funding for this expenditure will be taken from the Water Pollution Control Capital Fund. Mr. Pugliese moved, Mr. Roskovics seconded to grant the Manager's request; motion CARRIED.

Ohio Public Works Commission Grant Agreement – Sanitary Sewer Overflow (SSO) Elimination, Phase 2.

The City Manager requested an ordinance to enter into an agreement with the Ohio Public Works Commission, with a mailing address of 65 East State Street, Suite 312, Columbus, OH 43215 for the purpose of providing financial assistance for the SSO Elimination, Phase 2 in the amount of \$182,000.00. Funding for the City portion of the project will be taken from the Water Pollution Control Capital Fund. Mr. Pugliese moved, Mr. Roskovics seconded to grant the Manager's request; motion CARRIED.

IT Services – Great Wave Broadband Services

The City Manager requested an ordinance to enter into an agreement with Great Wave Broadband Services with a mailing address of 224 State Street, Conneaut, OH 44003 as most responsible bidder for the purpose of providing onsite computer, internet, and network maintenance in an amount not to exceed \$2,800.00 monthly in accordance with the proposal. Funding for this expenditure will be taken from the General Fund IT Account. Mr. Pugliese moved, Mr. Speelman seconded to grant the Manager's request; motion CARRIED.

Questions/Comments for City Manager

Road Cut: The Ward 2 Councilor reported what he believes to be a water company (Aqua Ohio) road cut on East 15th Street, not too far off the west side of Columbus Avenue. He said a bicycle accident occurred there not too long ago and asked if it was a water company cut. The Manager will look into it.

Walnut Beach Sign: The Ward 2 Councilor reported the Walnut Beach sign was taken out by an automobile accident a few months ago. He reported the sign was repaired and put back up by some Walnut Boulevard residents because they wanted Wine & Walleye Festival visitors and visitors to Bands on the Beach to know where the Beach is located. He apologized for not having the names of all those who helped, thanked them all and announced those he knew to be Ms. Trudy Severino, Mrs. King, and Mr. Steve Poros. The Councilor suggested the City reimburse the residents for materials.

Illegal Trash Dumping: The Ward 5 Councilor asked if Code Enforcement Officer, John Artuso, could spend more time in the Presidential district because residents decided make their treelawn a City dump. He did not get all the addresses. He said a major pile of trash keeps growing at the northeast corner of West Avenue and West 58th Street. He said there are two or three other piles along West 58th Street. He also received several phone calls today about a mattress on West 57th Street and Adams Avenue. The Manager reported a letter has been sent to the West Avenue/West 58th Street property; and believes West 57th Street and Adams Avenue was already reported, but will double check.

- **CITY SOLICITOR'S REPORT**

Proposed Park Regulations: The Solicitor announced he would comment on the proposed park regulations when they are reported out of committee.

- **FINANCE DIRECTOR'S REPORT**

Legislation Request

The Finance Director formally requested ORDINANCE NO. 2017-94 AN ORDINANCE TO MAKE SUPPLEMENTAL APPROPRIATIONS IN THE GENERAL, POLICE GRANTS AND PERMANENT IMPROVEMENT FUNDS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF ASHTABULA, STATE OF OHIO, FOR THE PERIOD JANUARY 1 THROUGH DECEMBER 31, 2017. Mr. Pugliese moved, Mr. Hamrick seconded the Finance Director's request. The President commented that this is a normal request, but that it seems more and more of them are being requested.

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The Finance Director responded that more are being requested because the budget is so tight and is adjusted when even the smallest things come in. The Director said this request is primarily for Permanent Improvement as it relates to Safe Routes to Schools. The 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 Tuesday, July 11, meeting, as follows:

City Park Legislation

The conversation centered on the creation of legislation to protect the integrity of City parks. Because the electorate passed a levy to maintain parks, the committee's goal is to ensure the maintenance of parks is carried out.

The Solicitor reported the City Park regulations are neither lengthy nor unusual. Most of them are already unlawful and are common sense. From an enforcement standpoint, the Solicitor said the legislation is ultimately directly at people who habitually abuse our parks, and that such persons can be banned from City parks for up to one year and in certain cases the ban will be for up to five years. He said the banning is not just from the park in which the offense took place; it is all municipal parks. The Solicitor said, "As long as I'm City Solicitor, if this legislation is passed, I intend to do everything I can to enforce it vigorously. I think it's important. I'm not a big lover of additional rules, but as I say these are existing rules and they're common sense. And they're just so the investment the taxpayers are making in these parks doesn't go to waste and the people who are paying for them, if you will, can be among those who enjoy them."

The Chair announced park hours will be from sunrise to sunset, and will be posted. She said she believes this will eliminate many of unwanted activities happening after dark in our parks. The Chair thanked the Solicitor for promptly providing the "blue print" for the legislation to be voted on this evening. The Chair thanked the City Manager for already working on the signage that will be posted.

The Chair entertained a motion to formerly request ORDINANCE NO. 2017-97, scheduled for a vote of Council this evening. Mr. Roskovics moved, Mr. Speelman seconded to grant the request; motion CARRIED.

The Chair announced other matters were discussed but that there is nothing formal to report at this time.

How to Open A Business: The Chair asked the City Manager if he was able to reach Ashtabula County Building Engineer Nagy to get an update on the draft of "How to Open a Business" he is working on. The Manager responded no.

Neighborhood Improvement Program (NIP): The Manager provided the committee with an update on this program which enables demolition of blighted residential structures. The Chair commented that she is surprised at how many have been razed and how many more there are to raze. There is \$3.2 million remaining to spend by 2019. The Manager briefly commented on the Land Bank acquisitions of blighted structures, a list of which is forwarded to the City to administer said demolitions through an agreement. He said the City of Ashtabula is benefiting greatly from this program. The Chair said this activity coincides with everything else we are trying to do to attract families and business and to make our green spaces attractive.

Ashtabula City Parks & Recreation Board

The Chair reported on the Board's July 11, meeting at Smith Field, as follows:

The Board discussed expectations of City staff regarding what work should regularly be performed at City parks. Board Chair, Earl Tucker, is compiling a list of responsibilities. The Board tried to move beyond the day-to-day responsibilities and is working to create a four year vision to denote what they would want to see accomplished during the lifespan of the Parks and Recreation levy.

The Board welcomed Ms. Melinda McNutt who enrolled Ashtabula City in the Main Street/Bridge Street Contest. The City Manager has her compiling a list of the parks and will have her work with the Ashtabula City Parks & Recreation Board to establish where the Board is at the present and what their focus should be. The Manager said after Ms. McNutt meet with the Board, he met with her. They discussed some of the items that were talked about with the Board. He said he gave her a list of the City parks, and that "We are going to do some asset mapping" to show the location of the parks in relation to some of the other features, attractions, and/or population concentrations within the City, to see the connection." The Manager reported Ms. McNutt is in a Master's Degree program in Municipal Planning and works for Team NEO, in Cleveland. He said Ms. McNutt creates an opportunity for our city to have a lot of resources at our disposal. He said he appreciates that Ms. McNutt has volunteered her time towards these efforts. He said Ms. McNutt will present her project to the Parks & Recreation Board, upon its completion, and that it will give the City a better understanding of where everything is, what park property we should consider divesting ourselves of (as he had previously suggested should be done), what we should put more effort into, and maybe some park areas at which we may want to consider stepping up efforts. He said his hope is that the plan will allow us to start to get more of a vision and not get bogged down in the "weeds" of the day-to-day operations of the parks, which his staff will take care of. He said he really needs the Board to focus on the overall vision and plan of what the parks should look like.

Walnut Beach Concession Stand

Hours of Operation: The President asked if the stand operator posts their hours of operation. The Manager said he does not know if the operator has hours of operations posted but that the contract states they are to be open from 11:00 a.m. to 5:00 p.m. or 6:00 p.m., at the minimum. The hours may be extended on either end, at their discretion. The contract further states weather conditions, no lifeguards on duty or bad beach conditions are reasons they are permitted not to open.

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Cleaning: The President asked if the operator is responsible for cleaning. The Manager responded they are responsible for maintaining the cleanliness of the bathrooms and the concession stand area, the supplies, for which the City provides.

Clifford Kadon Presidential Park (CKPP): The Ward 5 Councilor announced the construction of the new pavilion is coming only. The President announced Ms. Tiffany Reid, of My Neighborhood Collaboration, provided the Board with an update. She reported it has been a challenge to coordinate weather and available workers. The President said that while it has taken some time to get the project going, she believes it is just a matter of overcoming the challenge of volunteer's availability.

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

The Vice Chair announced the committee's July meeting was cancelled; and that the committee is scheduled to meet on Friday, August 11.

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

The chair reported on the committee's Friday, July 7, meeting, as follows:

Cable, Telephone, Internet Service: GreatWave Communications (GWC) representatives, from Conneaut were present. They were asked for a progress update on being able to provide cable television services to Ashtabula City residents due to the displeasure with Spectrum, the company that took over Time Warner Cable. GWC reported:

- They are working on a section on the east side of the City (Route 20 to Smolen Covered Bridge)
- It would be a few years before the entire City could be covered.
- They are spending a lot of money on treelawn cuts and would like the City to consider waiving said fees.
- GWC will provide the City Manager with monthly progress reports.

Council members present at the meeting reported GWC is laying fiber optics in three areas of the City, none of which is on the west side of town. Their fiber optics project is slow because their construction is performed by their staff members.

The Manager reported GWC will first bring fiber optic internet and telephone service to the City and gauge the interest to determine whether it will be financially viable to offer cable television service. GWC said the new wave for television watching is called "streaming", and that other internet providers in our area are not able to come close to their 100 x 100 download speed.

The President commented on how fast technology is changing – "what's new today is obsolete tomorrow".

The committee chair commented on the loss in franchise fee revenue with the change in cable services. He said when the cable franchise fee was first enacted we received closed to \$400,000. That amount is about \$200,000 today. The President announced the revenue goes to our General Fund and that so many GF revenue sources have been reduced or cut out all together.

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Reverse Parking: ADDA / Main Avenue business owner, Ms. Jane Haines, was present. She is going to survey more of her business colleagues about Dave Clint, owner of Dublin Downs Irish Pub and Eatery on Main Avenue, request for reverse parking to be enacted on Main Avenue. She will report her findings to the committee. Ms. Haines said she was told there was only one negative incident, in 12 years, on Main Avenue, with parking the way it is currently.

Signs Honoring Ms. Connie Shultz: Ms. Dorothy Smock continued her quest to have signs erected around the City honoring Ashtabula Native, Ms. Shultz for receiving a Pulitzer Prize. The chair said she was a Plain Dealer Newspaper reporter for many years. The committee, at the suggestion of Ms. Smock, agreed to the formation of a five member Adhoc Committee, on which the Ward 3 Councilor agreed to serve. They would come up with suggestions for a City to consider when enacting a city-wide policy for renaming streets and structures and erecting signs honoring someone. Ms. Smock suggested the signs honoring Ms. Shultz be placed underneath those honoring Mr. Urban Meyer, Ohio State University Head Football Coach who grew up in Saybrook and attended St. John Schools. The chair said he suggested honoring Ms. Shultz with something dedicated at the library since that is where she spent most of her younger years.

The chair announced the Committee's Friday, August 4, meeting cancelled.

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

The chair announced the committee will meet on Monday, July 24, at 8:00 a.m., in the Municipal Building 2nd floor conference room. Representatives from Community Care Ambulance Network (CCAN) will discuss drug overdoses.

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

Legislation Reading

The Finance Director presented the following legislation for Council's consideration:

ORDINANCE NO. 2017-94, AN ORDINANCE TO MAKE SUPPLEMENTAL APPROPRIATIONS IN THE GENERAL, POLICE GRANTS, FIRE GRANTS AND PERMANENT IMPROVEMENT FUNDS FOR CURRENT EXPENSES AND OTHER

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EXPENDITURES OF THE CITY OF ASHTABULA, STATE OF OHIO, FOR THE PERIOD JANUARY 1 THROUGH DECEMBER 31, 2017. (Finance Director)

ORDINANCE NO. 2017-95, AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH GREATWAVE BROADBAND SERVICES FOR ON-SITE COMPUTER, INTERNET AND NETWORK MAINTENANCE AND RELATED SERVICES FOR A PERIOD OF 24 MONTHS AT A MONTHLY RATE OF \$2,800. (City Manager)

ORDINANCE NO. 2017-96, AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROJECT / FINANCIAL ASSISTANCE AGREEMENT WITH THE OHIO PUBLIC WORKS COMMISSION FOR THE SANITARY SEWER OVERFLOW (SSO) ELIMINATION PHASE 2 PROJECT. (City Manager)

ORDINANCE NO. 2017-97, AN ORDINANCE ENACTING NEW CODIFIED ORDINANCE SECTIONS 959.03 AND 959.04 IN ORDER TO PROMULGATE RULES AND REGULATIONS FOR USE OF PUBLIC PARKS IN THE CITY OF ASHTABULA. (Parks & Recreation Board)

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

NEW BUSINESS

City Council Committee Assignment

The President reported the Ward 3 Councilor asked to become a member of the CD/ED/Parks & Recreation Committee. The President moved, Mr. Speelman seconded to approve the appointment; motion CARRIED.

Ashtabula Downtown Development Association (ADDA)

The President announced ADDA will host a Chocolate Walk fundraiser on Friday, from Noon to 6:00 p.m. and on Saturday, 10:00 a.m. to 2:00 p.m. A chocolate fountain will be set up in Lance Cpl Kevin M. Cornelius Memorial Park. Richmond Transportation will operate the Jolly Trolley at designated stops.

Wine and Walleye (W&W) Festival Update (July 28-30)

The Manager reported festival planning is taking place. He issued an invitation to attend tomorrow's committee meeting in the Municipal Building 2nd floor conference room to hear the progress. He said it is proving to be a great event and the details are being worked out. The Boat Parade and Fireworks are still going to take place Saturday night. An expensive seven course gala dinner, paired with various wines, is planned for Friday night. There will be cruise ship river cruises and the Columbus ships, the Nina and Pinta, will return. Wine tasting classes will be offered this year. The website is wineandwalleyefestival.com for more details. Wine Tent tickets may be purchased early and at a discount; and tickets are going fast.

The President announced that it is not too late to sign up to volunteer, as well. She said it is her hope that the City Council and Administration are scheduled to help in any way that they can.

Tire Amnesty Day

The City Manager announced Tire Amnesty Day is set for Saturday, July 22, from 9:00 a.m. to Noon. Ashtabula City residents may take four tires to the Transfer Station to be disposed of free of charge. The cost to dispose of more than four tires will be \$3.00 off the rim and \$9.00 on the rim; however no more than 10 tires may be delivered at a time or else it is considered to be "hauler status", by law. Photo identification and a utility bill are required. This event is possible by a mosquito control grant, from which the City makes no profit. More details may be found on the City's website at www.cityofashtabula.com.

Broken Sidewalks – Demolition Contractors

The Ward 2 Councilor asked what happens when a contractor breaks a sidewalk. The Manager said before and after photos of the properties are taken, and sidewalks broken by the contractor are their responsibility to repair.

Sidewalk Repairs

The President reported she told a resident, who has upheaved sidewalks, about our Sidewalk Repair/Replacement Program, and where to go to begin the process. The resident visited the department and was told the City might not be able to assist because the sidewalk was not broken enough. The Manager said he would have to check, but his understanding is if you are going to replace your sidewalk it technically does not matter the condition, we still have a rebate program for that. The President will provide the Manager with the resident's information. The Ward 2 Councilor reported tree roots cause sidewalks to upheave and that the roots have to be removed before new sidewalk is laid.

Young People Harassing Neighbors

The President told the City Solicitor she is receiving calls about young people harassing the elderly in the area of Adams Avenue, Jefferson Avenue, Chestnut Avenue and West 53rd Street. The Solicitor said he has not been given those reports and probably would not be given them because the Municipal Court, in which he prosecutes, has no authority over children; they are handled at the juvenile court level.

Tree

The Ward 3 Councilor asked the Manager if the West 29th Street and Crane Avenue fallen tree she reported was taken care of. The Manager said Public Works was sent to the location today, but he has not yet received a status report.

GENERAL PUBLIC DISCUSSION: None

EXECUTIVE SESSION: None

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ADJOURNMENT

Hearing no further business to come before this Council, the President declared the meeting adjourned at 8:00 p.m.

DATE APPROVED: August 7, 2017

ATTESTED BY: Josephine Misener
Josephine Misener
President of Council

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