

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

REGULAR MEETING MINUTES
Monday, August 7, 2017

The President of Council called the meeting to order at 7:00 p.m. and offered the opening prayer, and the Pledge of Allegiance was recited.

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

MEMBER(S) ABSENT: Mr. August A. Pugliese (Ward 2 Councilor)

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, Mr. Speelman seconded to excuse the Ward 2 Councilor from this meeting; motion CARRIED.

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

AGENDA APPROVAL: Mr. Speelman moved, Mr. Hamrick seconded to approve tonight's meeting agenda; motion CARRIED.

PRESENTATION(S)

The President presented the following resolution to Conner Brunken:

RESOLUTION NO. 2017-100

**A RESOLUTION OF COMMENDATION
TO
CONNOR R. BRUNKEN**

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, lifeguards are crucial to the safety and well being of visitors to public beaches; and,

WHEREAS, lifeguarding is a challenging and important occupation; to be an effective lifeguard takes commitment, hard work and skill; and

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WHEREAS, one of the most important personal benefits of being a lifeguard is the satisfaction of knowing that a lifeguard's actions can save a life; and a related benefit is the self-confidence built by meeting the many physical and mental challenges of the profession; and

WHEREAS, our very own Walnut Beach Lifeguard, Connor R. Brunken, at age 18, is proof of this very thing, in that on Saturday, June 24, at 2:55 p.m., at Walnut Beach; three boys were playing close to the breakwall when they realized they were in trouble, and called for help; Lifeguard Brunken aided his fellow Lifeguard, Ciarra Horton who had jumped in to the water to rescue two swimmers who became stuck in the breakwall, by evacuating all remaining bathers from the water and by pulling the third boy from the water as Lifeguard Horton brought him to shore; and,

NOW, THEREFORE, BE IT RESOLVED that this City Council and these Public Officials of the City of Ashtabula, Ohio, do hereby COMMEND Lifeguard Connor R. Brunken for his alertness to danger, quick reaction and skilled maneuvering, which ultimately saved many lives!

ADOPTED: _____

ATTEST: _____
Josephine Misener
PRESIDENT OF COUNCIL

LaVette E. Hennigan, MMC
CLERK OF COUNCIL

APPROVED: _____
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

Connor thanked the body politic for the honor and said he was just doing his job, which is to keep people alive. Mr. Trevor Sprague, CEO, Ashtabula County YMCA, said he began his career as a lifeguard, he thanked Connor for doing a "great job", said Connor is considered "a hero", and he presented Connor with a gift of appreciation from the CEO of YMCA USA.

The President presented the following resolution to Ms. Lauri Soval, on behalf of her daughter Ciarra Horton:

RESOLUTION NO. 2017-101

**A RESOLUTION OF COMMENDATION
TO
CIARRA M. HORTON**

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, lifeguards are crucial to the safety and well being of visitors to public beaches; and,

WHEREAS, lifeguarding is a challenging and important occupation; and to be an effective lifeguard it takes commitment, hard work and skill; and

WHEREAS, one of the most important personal benefits of being a lifeguard is the satisfaction of knowing that a lifeguard's actions can save a life; and a related benefit is the self-confidence built by meeting the many physical and mental challenges of the profession; and

WHEREAS, our very own Walnut Beach Lifeguard, Ciarra M. Horton, at age 18, is proof of this very thing; in that on Saturday, June 24, at 2:55 p.m., at Walnut Beach, three boys were playing close to the breakwall; they realized they were in trouble as Lifeguard Horton was approaching them to ask them to move away from the breakwall and called for help, at which time Lifeguard Horton jumped in to the water to rescue them; when two of the swimmers became stuck in the breakwall adult citizens who were at the beach aided in their rescue, along with her fellow Lifeguard Connor Brunken who evacuated all remaining bathers from the water and pulled the third boy from the water as Lifeguard Horton brought him to shore; and,

NOW, THEREFORE, BE IT RESOLVED that this City Council and these Public Officials of the City of Ashtabula, Ohio, do hereby COMMEND Lifeguard Ciarra M. Horton for her alertness to danger, quick reaction and skilled maneuvering, which ultimately saved the lives of three swimmers and potentially many more!

ADOPTED: _____

ATTEST: _____

Josephine Misener
PRESIDENT OF COUNCIL

LaVette E. Hennigan, MMC
CLERK OF COUNCIL

APPROVED: _____

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

Ms. Soval thanked the body politic, said it is an honor to accept the recognition for her daughter, said Ciarra will be very happy about the recognition, and said Ciarra is in her 3rd week of US Navy basic training. Mr. Trevor Sprague, CEO, Ashtabula County YMCA, presented Ms. Soval with a gift of appreciation from the CEO of YMCA USA, for Ciarra. He said, "We are very proud, Ciarra "has been a great lifeguard for us, and thanks for letting us have her from time-to-time; we really appreciate her service to the community."

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

- **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 Clerk of Council presented the July 17, 2017 Regular Council Meeting minutes for Council's approval. Mr. Speelman 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

Appropriation Request

The City Manager requested an ordinance to appropriate from unappropriated funds, \$16,000.00, to the Code Enforcement account to supplement the additional cost of two demolitions. Partial funding for the demolitions will be taken from the 2016 Community Development Block Grant Allocation Grant. Mr. Roskovics moved, Mr. Speelman seconded to approve the Manager's request; motion CARRIED.

Demolition of Structures – Adams Services, Inc.

The City Manager requested an ordinance to enter into an agreement with Adams Services, Inc. of Route 45 S., Austinburg, OH 44010 for the demolition and asbestos abatement of two structures in the amount of \$48,600.00. Funds for this expenditure will be taken from the 290 and 291 Funds. Mr. Roskovics moved, Mr. Speelman seconded to approve the Manager's request; motion CARRIED. The Manager announced the a property at the corner of West Avenue and West 43rd Street, and Lake Avenue almost directly across from West 38th Street, will be demolished.

Medical Marijuana Regulations

The City Manager requested an ordinance for the purpose of enacting a new Codified Ordinance Chapter 729 entitled Medical Marijuana Regulations, with the inclusion of 729.04 (16) Bridge Street and 729,04 (17) Main Avenue as areas in which dispensaries and processing centers are permitted to locate. Mr. Roskovics moved, Mr. Speelman seconded to approve the Manager's request; motion CARRIED.

Ashtabula Metropolitan Housing Authority

The City Manager announced the reappointment of Betty Jackson to the Ashtabula Metropolitan Housing Authority effective immediately with a term to expire January 31, 2022.

Wine & Walleye Festival Overview

The Manager said the event was very successful. He gave kudos to the Lift Bridge Community Association (LBCA), especially Ms. Christine Seuffert, President, for all the hard work and dedication she put in. There was lots of action and activity, the fireworks were phenomenal, the boat parade was great and it was a wonderful and fun event that showcased Bridge Street. A survey will be conducted to see how merchants, vendors and wineries fared. The Tuesday following the festival the committee met to begin 2018 festival planning. He thanked the numerous community volunteers who came out, helped and did a great job. A drone video has been posted to YouTube. More videos and photos will soon be posted to the festival website.

Questions/Comments for City Manager

Wine and Walleye Festival

- The President reiterated the Manager's sentiments regarding the committee, merchants and volunteers. She said it was nice to be a part of it and noted the Ward 1 Councilor was there, as well.
- The Ward 1 Councilor said when he saw the Flash Mob event, he said to himself, "a festival like this belongs here – it felt like it was the right place." He said his comment is not meant to "be controversial" and hopes it is not taken as such.
- The Clerk of Council said when it was suggested that the festival return to Bridge Street, it was a given that it was going to take a lot of work. The City Manager asked that all members of Council and the Administration participate since the festival belongs to the City. She said also present, as volunteers, were the President, the Vice President and his wife, the Wards 3 and 4 Councilors and their spouses, along with her and the Finance Director. The Ward 5 Councilor said he had to work.

CITY SOLICITOR'S REPORT – No Report

FINANCE DIRECTOR'S REPORT

The Finance Director announced she will out of the office, in training, Thursday and Friday of this week.

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 tomorrow's meeting cancelled. The committee will meet on Tuesday, September 12, at 4:00 p.m.

The Chair announced the Ashtabula City Parks & Recreation Board will meet tomorrow at 6:30 p.m., at Clifford Kadon Presidential Park.

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

The Chair announced the committee will meet Friday, August 11, at 8:00 a.m. State Representative John Patterson will be present to provide information and field questions about the recently passed State budget. He announced he will not be present, but believes it will be very informative because Representative Patterson stays connected with local officials, knows our concerns and is very engaging.

Questions/Comments for F&P Committee

State Budget

- The President announced City Council meeting are open to the public. She encouraged visitors to the Friday, August 11, meeting and bring questions.
- The Finance Director announced the State budget items of interest to the City are Income Tax Net Profit collections and Local Government Fund calculations.

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

No report

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

The Chair reported he was unable to attend the committees Monday, July 24, meeting. He provided the following meeting report from the Clerk of Council's meeting transcription:

- **Body Cameras:** A representative for Motorola body cameras presented the product. The cameras will be used on a 30 day trial basis, after which time a purchase decision will be made.
- **Community Care Ambulance Network (CCAN):** Representatives reported that since January they have had 84 opioid overdose deaths and 44 unconscious overdoses. Ashtabula Fire Chief Shawn Gruber reported his department administered 104 Narcan shots.

Questions/Comments for SF Committee

Body Cameras

- The Manager said it comes down to funding. He said the subject was presented to the committee now because we (he and Police Chief Robert Stell) have always said if an opportunity arises to secure funds through a grant or a program, we would. Right now Motorola is offering the cameras for free; the Cloud service and software would be at a yearly cost, which he believes the City is able to bear. He said once everything is finalized we will enter the trial period, with the final decision required by October 31, in order to take advantage of the Spaulding/Motorola free camera offer.
- The Committee Vice Chair said he was encouraged to learn of the good working relationship of CCAN and our Fire Department.
- The President said the body cameras will be a welcomed addition to our department given the litigious day and age we are in.

WORK SESSION – No report

LEGISLATION AGENDA

- **Formal Legislation Request(s):** None
- **Form and Correctness:** While the City Solicitor's signature was not affixed to this evening's legislation before being considered by Council, because the Solicitor drafted each item this Clerk of Council certifies conformity to Council Rule 21, as to the legislation's form and correctness.
- **Legislation Overview:** The President provided a brief overview and said they will be considered separately.
- **Public Discussion (Legislation Portion Only)**
- **Consent Agenda:** Not Applicable

Legislation Reading

The Clerk of Council presented the following legislation for Council's consideration:

ORDINANCE NO. 2017-98 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH LAKE COUNTY SEWER CO., INC, IN AN AMOUNT NOT TO EXCEED \$129,515 FOR THE SANITARY SEWER OVERFLOW ELIMINATION PROJECT – PHASE 1 (City Manager), was presented. Mr. Roskovics moved, Mr. Speelman seconded to waive the reading of the ordinance; motion CARRIED. Mr. Roskovics 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. Speelman, Mrs. Hosken, Mr. Hamrick, Mr. Roskovics, Mr. McClure, Mrs. Misener voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mr. Speelman, Mrs. Hosken, Mr. Hamrick, Mr. Roskovics, Mr. McClure, Mrs. Misener voted yea; motion CARRIED.

ORDINANCE NO. 2017-99, AN ORDINANCE ENACTING NEW CODIFIED ORDINANCE CHAPTER 729, ENTITLED MEDICAL MARIJUANA REGULATION (City Manager), was presented. Mr. Roskovics moved, Mr. Speelman seconded to waive the reading of the ordinance; motion CARRIED. Mr. Roskovics 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. Speelman, Mrs. Hosken, Mr. Hamrick, Mr. Roskovics, Mr. McClure, Mrs. Misener voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mr. Speelman, Mrs. Hosken, Mr. Hamrick, Mr. Roskovics, Mr. McClure, Mrs. Misener voted yea; motion CARRIED.

NEW BUSINESS

1. **Liquor Permit Request – Transfer – Permit Class – D1, D2, D3; Receipt No. F18825**
FROM: TCB13 LLC, 1st Floor & Patio, 1119 Bridge Street, Ashtabula, OH 44004
TO: Luhta Ventures, LLC, dba Halcyon Speakeasy, 1119 Bridge Street, Ashtabula OH 44004
Location: **Ward 2**

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Permit Designations:

- D1 Beer only for on premises consumption and in sealed containers for carry out, until 1:00 a.m.
- D2 Wine and certain prepackaged mixed drinks 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.

ACTION: No comments or objections were voiced.

2. Liquor Permit Request – Transfer – Permit Class – D3; Receipt No. F18826

FROM: Rockin Johnnys LLC, dba Grindhouse Gourmet Burgers, 1001 Bridge Street, Ashtabula, Ohio 4 4004
TO: Luhta Ventures LLC, dba Halcyon Speakeasy, 1st Floor & Patio, 1119 Bridge Street, Ashtabula, OH 44004
Location: Ward 2

Permit Designation:

- D3 Spirituous liquor for on premises consumption only, until 1:00 a.m.

ACTION: No comments or objections were voiced.

3. Liquor Permit Request – Transfer – Permit Classes: C1, C2; Receipt No. F18920

FROM: MACS Convenience Stores LLC, dba Circle K 5209, 5825 S. Main Street, Ashtabula, OH 44004
TO: MACS Convenience Stores LLC, dba Circle K 5715, 5758 Main Avenue, Ashtabula, OH 44004
Location: Ward 5

Permit Designations

- C1 Beer only in original sealed containers for carry out only until 1:00 a.m.
- C2 Wine and Certain prepackaged mixed drinks in sealed containers for carry out only until 1:00 a.m.

ACTION: It was noted that the transfer is from the Circle K now located on the west side of Main Avenue, to the new location planned to be constructed kitty corner to the current location on the east side of Main Avenue. No objections were voiced.

High Grass: The Ward 5 Councilor reported just receiving notice of high grass at 5525 Washington Avenue.

Next Meeting: The President announced the next Regular Council Meeting is Monday, August 21, with Pre-Council at 6:00 p.m. and the Regular Meeting at 7:00 p.m.

Events

- The Ashtabula Downtown Development Association (ADDA) is glad to present a new Main Avenue business, “Framed on Main”, owned by Mr. Chris DiGiacomo. The Association will host a Meet and Greet, Wednesday, August 23, from 6:00 p.m. to 8:00 p.m., at the new business located in the former Anderson Jewelers building.
- “TABS” (The Arts on Bridge Street), is scheduled for Saturday and Sunday, August 26 and 27, from 10:00 a.m. to 5:00 p.m.

- The 2nd Annual “Arts in the Alley” will take place Saturday, September 2, from 3:00 p.m. to 10:00 p.m., in the alley adjacent to Dublin Downs Irish Pub and Eatery. Several new additions are planned, one of which is a wine garden.

Parks: The President commended the City Manager on doing his part to ensure attention is being paid to our parks with the use of Parks & Recreation Levy dollars. She said Lance Cpl Kevin M. Cornelius Park and South Park have undergone big facelifts. She said old fencing has been removed from and the new pavilion is almost completed at Clifford Kadon Presidential Park (CKPP). She said it the City’s responsibility to expend levy funding wisely.

GENERAL PUBLIC DISCUSSION

Mr. Alan Sidbeck, 2212 Pleasantview: Showed a large bag of “polar pop” cups he picked up in a two hour period, from Walnut Beach to Ohio Avenue. He said he had another 100 in his vehicle. He provided information on his continued efforts to rid his neighborhood of “polar pops”. He said so many good things are happening in the City, including the efforts of the ADDA and the LBCA, which are being overshadowed by the mess people are leaving on our roads. He suggested that if the City has funding or could get businesses to sponsor the creation of informational brochures and vehicle litter bags, both of which he said might lessen the trash being deliberated thrown on our roads. He would like to speak with Ashtabula Area City Schools Superintendent, Dr. Melissa Watson, to see about starting an elementary school litter education program to begin litter-free habits. He also suggested speaking with Circle K, where the “polar pops” are purchased, to see if they could be a good “corporate neighbor” and give an incentive to their customers that would prevent them from disposing of the cups on roads. He said when they get ran over they crumble, at which time no one will pick them up and they could go into our sewers.

The President of Council commented on slogans she grew up with that reminder the public to “prevent forest fires” as stated by Smoky the Bear and “Pitch In”, which was a slogan put on trash cans to try and educate the public not to litter. She said a change in the culture has seen the public not looking at cleanliness as a priority. She said the same is true for recycling; if students are educated they will remind their parents, so she agrees with taking the education component into the schools.

The City Manager said the issue is not the businesses. The issue is there are members of the public who think it is acceptable to throw a cup out their vehicle window; to go to Ohio Avenue Extension and illegally dump their stuff; and there are people who come from out-of-town to dump in our City and other parts of our County because they do not want to pay their hauler to remove their trash. And, they believe it is an acceptable behavior and they believe they are entitled to have someone else remove their garbage, at no cost to them. He said he gets upset when city government is asked why trash that is illegally dump is not being picked up; when his question would be “why are you throwing it there in the first place”. He said the suggestion to educate kids would actually be “educating them not to do what their parents do. “Some people just don’t respect anything and they bring our community down.”

Mr. Sidbeck said he picked up polar pop cups at Walnut Beach, some of which were within five feet of a garbage can that was not full. The Manager said there are 20 garbage cans at the beach. He said there was a downtown study conducted that said if you want to eliminate the trash in your downtown, take away the garbage cans, which forces people to keep the trash in their vehicles. He said the study showed this has worked in some areas, not ours.

Mr. Sidbeck suggested enacting “Neighborhood Trash Watches” or “Adopt a Road” programs where residents make it a point to remove the litter in their neighborhoods. He commented on a few Walnut Boulevard residents who daily walk their street removing the trash.

Mr. Sidbeck said, “My philosophy is if everybody does a little bit, you get a heck of a lot done!”

The President and the Vice President thanked Mr. Sidbeck for what he is doing to rid his neighborhood of trash. The Vice President said the City’s Sanitation and Public Works crews go beyond what they are required to do to rid the City of illegal dumping.

Mrs. Patricia Blum, 1540 West 17th Street: Thanked crews for keeping the grass mowed. She said her street is littered with garbage, and that her vehicle has been hit with some of it. She suggested the EPA be contacted so the former Ashtabula Iron and Metal (A.I.M.) property on West Avenue could be cleaned up. The Manager said the property has been in foreclosure and receivership for quite some time. There are two entities involved: the business that was above ground (A.I.M.) and the property owner Hercules. Both are defunct. The EPA has performed some testing on and removal of hazardous material from the site. What is seen above ground is scrap metals, which is not dangerous. He agrees the property looks bad. He reported the City removed one building that looked like it was going to fall into West Avenue. Public Works crews will replace the eight-foot fence to hide some of the unsightliness. He said the site will be a Brown Field site, that a couple funding agencies have been identified to help clean it up, that an end-user business has to be secured in order to get the funding, and it is being worked on.

Mrs. Blum said, and the Manager agreed, that the City ends up paying for the messes created by others.

Former Carlisle’s Property: The President asked if the EPA has submitted a report from their visit to the decapitated property. The Manager responded no.

Mr. Thomas DiPascale, Blair Avenue: said the honors given to the lifeguards was nice; reminded the dais to speak louder so the television viewing audience may hear; said the “polar pop” cups could be made out of biodegradable materials; commented on voting fraud that was reported to take place at a local polling place during the November 2016 elections, and shared his thoughts about the lack of care he believes is displayed in local government.

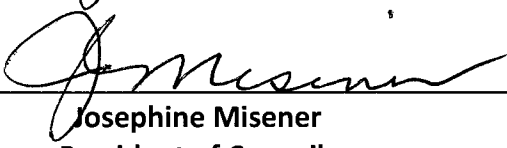
EXECUTIVE SESSION: None

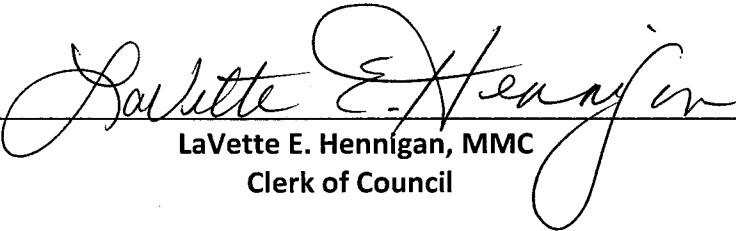
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ADJOURNMENT

Hearing no further business to come before this Council, the President declared the meeting adjourned at 8:02 p.m.

DATE APPROVED: August 21, 2017

ATTESTED BY: 
Josephine Misener
President of Council

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