

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

REGULAR MEETING MINUTES
Monday, November 6, 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 for the following persons:

- Mr. Perry G. Johnson, Sr.
 - (City of Ashtabula Retired Police Captain 1959 through 1999 and Acting Bailiff)
- Mr. Bill Tobias (Owner Tobias Salon, Main Avenue)
- Ms. Marlene Murphy (Founding Member, Lake Erie Dog Park @ Smith Field), and
- 26, including an unborn child, who lost their lives, yesterday, in the Sutherland Springs, Texas mass church shooting.

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. Michael D. Speelman	(Ward 4 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)
	Mrs. LaVette E. Hennigan, MMC	(Clerk of Council)

OFFICER(S) ABSENT:	None
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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 Clerk of Council certified conformity to the Sunshine Law.
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AGENDA APPROVAL:	<u>Mr. Pugliese moved, Mr. Hamrick seconded to approve this meeting's agenda; motion CARRIED.</u>
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PRESENTATION(S):	None
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EXECUTIVE SESSION

The City Manager requested an Executive Session to discuss the Disposition of Real Estate. Mr. Pugliese moved, Mr. Hamrick seconded to convene an Executive Session, for the stated purpose, after the open meeting business concludes. On the roll call to convene an Executive Session: Mrs. Hosken, Mr. Hamrick, Mr. Roskovics, Mr. Pugliese, Mr. Speelman, Mrs. Misener voted yea; motion CARRIED.

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 Monday, October 16, 2017, Regular Council Meeting minutes for Council's approval. Mr. Speelman moved, Mr. Pugliese 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

The Manager presented the following legislation requests:

Northeastern Communication – Change Order No. 1 Police Dispatch Room Remodel

An ordinance to execute Change Order No. 1 with Northeastern Communications for the purpose of decreasing their contract by \$40,623.05 as allocated for furniture; for a total contract price of \$46,622.29. Mr. Roskovics moved, Mr. Speelman seconded; motion CARRIED.

Xybix Systems, Inc.

An ordinance to enter into an agreement with Xybix Systems, Inc., for the purpose of providing furniture for the Ashtabula Police Department Dispatch Room Remodel, in the amount not to exceed

\$41,352.92. This project is being coordinated with Ashtabula County and will receive funding from the Ashtabula County Emergency Management Association in the amount of \$20,000.00. Funding for this expense will come from the 412 Permanent Improvement Fund. Mr. Roskovics moved, Mr. Speelman seconded. Discussion: The Manager reported a decision was made to bundle the furniture purchase with the County (who is also performing a remodel on their dispatch), to receive more of a discount. The furniture is not the standard desk and chairs. It is custom designed for the dispatch center, the new CAD systems, radios, telephones, monitors and will make the stations ADA assessable for staff, if such accommodations are required in the future. The Manager thanked the County offices for their contributions. The motion CARRIED.

Ohio Public Works Commission (OPWC) Application – Round 32

An ordinance for authorization to apply and execute all documents for the OPWC Round 32 application for a total amount of \$260,000, of which \$100,000 will be in the form of a grant, \$82,000 will be in the form of a loan, and the remaining balance of \$78,000 will be the local share n of the project (the City). The selected project for Round 32 for the City of Ashtabula will be Phase 3 Sanitary Sewer Overflow Elimination. Mr. Pugliese moved, Mr. Roskovics seconded. Discussion: At the request of the Ward 5 Councilor, the Manager offered the following explanation: In the past municipalities were allowed to have Sanitary Sewer Overflows (SSOs) in sewer lines. When the flow gets so high, rather than it backing up in places, it would dump out into a storm system that would go directly to the lake, or some other tributary or bypass so it did not all remain in the sewer line. The Environmental Protection Agency (EPA) has said this is no longer permitted. We now have to conduct flow studies, flow monitoring, and inspection of the SSOs to make sure the ones that are sealed off continue to be sealed off. The ones the EPA has instructed us to seal off, when they are sealed, it is not going to flood entire areas. There are some SSOs that he knows we will not be able to be eliminated because the city would back up, as well as townships we service; but, eventually it will have to be done. Without the SSOs, last night's major rain event would have been worse. The million gallon Equalization Basin (EQ Basin) filled up in less than one hour. We also went from a 2.8 million gallons a day flow to 22 million gallons within an hour at the Waste Water Treatment Plant. The motion CARRIED.

Ohio Department of Transportation (ODOT) U.S. Rout 20 Consent Agreement

An ordinance to enter into a Consent Agreement with ODOT for the repair of U.S. Route 20 between Lake Avenue and Seymour Drive. The City of Ashtabula agrees to participate in the balance of construction costs after all ODOT Small Cities funds, in the amount of \$1,680,312.00 and ODOT District Preservation funds in the amount of \$420,078.00, have been exhausted. Funds for the balance of the project are estimated to be in the amount of \$7,605.00 and would be paid from the 412 Permanent Improvement Fund. Mr. Pugliese moved, Mr. Speelman seconded. Discussion: Customarily partnerships between ODOT and a municipality (townships do not have to contribute to these types of projects) the breakdown is 80% ODOT, 20% cities; and the cities have to pay for all the project engineering. So far we have contributed a little over \$300,000 in engineering. The last two years we applied for Small Cities Funds to off-set our 20% project cost. When it is all said and done, the actual project cost we will pay will be about 5% compared to the normal 20%. Phase 3 plans have been submitted to ODOT for approval. We are on track to let the project for bid sometime in 2018. We are

hopeful construction will begin at the beginning of ODOT's fiscal year in July 2018. The motion CARRIED.

Ashtabula County Solid Waste Management Plan

A resolution to adopt a Solid Waste Management Plan for the Ashtabula County Solid Waste Management District. Mr. Pugliese moved, Mr. Speelman seconded. Discussion: Every five years the OEPA mandates each Solid Waste District (SWD) submit a plan. The plan has to include how the SWD is going to manage the funds it receives, the programs it will implement and how it is going to sustain its operations for the next five years. During the last plan period a plan was tossed around but never truly accepted, so the EPA ended up writing the plan. This time the SWD has come up with a good plan. It shows some stability over the plan's five year period and it includes recycling for all of Ashtabula County. In order for the plan to be submitted to the EPA, 60% of the County's population has to approve it; so, many of the townships would have to approve it. The City of Ashtabula, being the largest municipality in the County, and the Ashtabula Board of County Commissioners must approve it, in order for it to be sent to the EPA for final approval. The motion CARRIED.

Last Night's Rain Event

The Manager said we got hit hard; a lot of streets and basements were flooded; a lot of the street flooding was due to leaves covering catch basins; once removed the water subsided. He strong reiterated that leaves and grass clippings should not be placed in the streets, because it clogs our sewer system; crews are out cleaning again today. West 9th Street and Thayer Avenue flooded quite a bit, but motorist drove over the caution cones, dragged the cones with them and then flooded out their own vehicles. He asked motorists to abide by caution signs.

Questions/Comments for City Manager

The Ward 1 Councilor said he witnessed the City Manager clearing leaves from storm drains last night and thanked him.

Medical Marijuana: The Ward 1 Councilor reported he has learned the State has awarded licenses for medical marijuana growing centers. He asked if the State has "done anything with the pharmacy centers". The Manager said nothing has been done with dispensaries because the applications period is still open. He said he just signed a state document today pertaining to zoning and if we have placed a moratorium on zoning. He said we have had three companies inquiry about locating in our community, and that one is going to make application to locate their dispensary operations inside the City. Properties to show the other two parties are still being considered.

New Tim Horton Restaurants: The Ward 1 Councilor reported reading a Plain Dealer newspaper article that said there will be 18 new Tim Horton franchises and that one will be in Ashtabula. He suggested approaching them to see if one could be located in the Corporate Limits of our City. The Manager said article said they would be located from between [here] and Ashtabula, but will reach out to them.

Police Dispatch Furniture: The Ward 4 Councilor made mention that the itemized list of the dispatch furniture is attached to the legislation to be voted on this evening. It shows that the money will be well spent.

Holiday Trash Pickup: The Manager reported Veteran's Day Holiday will be observed on Friday. The trash pick-up schedule will not change.

CITY SOLICITOR

No Report

FINANCE DIRECTOR

The Finance Director reported the following:

Billing

All six billing cycles have been completed using the new procedures. Thirty accounts were found not to have been billed for over one year and that complaints are expected. The Finance Department continues to adhere to City Council's summer directive; therefore reductions or credits are not being offered. If City Council reconsiders this directive, the Director suggested it not be on a case-by-case basis, but that the entire Code be reviewed and the City Solicitor be consulted. It is believed that all the non-billed accounts have been located. City Council will remain informed while the Finance Department goes through every billing.

The main comment the Finance Department hears is that residents say they did not know they had a separate sewer bill because they are paying their water bill. If someone lives in the City and has Aqua Ohio water, but is not receiving a sewer bill from the City of Ashtabula, they are to call her office at 440.992.7197, because they should be.

Finance Health Indicators

We reduced our cautionary and critical indicators from 5 and 3 to 2 and 1. The critical indicator that remains is because our expenditures are exceeding our revenues, which we will want to keep an eye on. The cautionary indicators are based on the number of days our carryover can sustain the City. Questions are welcomed.

Income Tax and Customer Service Billing Windows

These windows will be closed Friday, November 24, the day after Thanksgiving. The department will be minimally staffed because it is a slow day.

The President thanked the Finance Director for an informative written report.

CITY COUNCIL COMMITTEE REPORTS and COMMUNICATIONS

(Chair/Vice Chair)

COMMUNITY DEVELOPMENT/ECONOMIC DEVELOPMENT/PARKS & RECREATION (CD/ED/P&R)

(Mrs. Misener/Mr. Roskovics)

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The Chair announced the committee will meet Tuesday, November 14, at 4:00 p.m., in the Municipal Building 2nd floor conference room. It will be followed by the Ashtabula City Parks & Recreation Board meeting at 6:30 p.m., in Pre-Council Chambers.

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

The Vice Chair announced the committee did not meet in November; and are scheduled to meet on Friday, December 8, at 8:00 a.m., in the Municipal Building 2nd floor conference room.

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

The Chair announced the committee did not meet in November and are scheduled to meet Friday, December 1, at 8:00 a.m., in the Municipal Building 2nd floor conference room.

Questions/Comments for PW/PU/C/S Committee

Safe Routes to Schools Sidewalks: The Clerk of Council asked the committee chair if he has received comments about the new sidewalks that were installed on Wade Avenue through the SRTS grant program. He said he has had a few – the first being why the City spent so much money on sidewalks in that area. He said a couple people reported seeing students using the sidewalks. The Clerk reported that during her phone conversation with the Vice President today, he asked who was going to snowplow the newly installed sidewalks – the City or Ashtabula Area City Schools. The committee chair said this very question was the reason the project was held up and that he has not heard who that will be. The Manager said the City Code says property owners are responsible for keeping their sidewalks clean; however he will work with the school district to see what we can come up with because a lot of sidewalk is on unimproved township property.

SAFETY FORCES (SF) - (Mr. Hamrick/Mr. Roskovics)

Legislation Request: Mr. Hamrick moved, Mr. Pugliese seconded to have legislation drafted to repeal Ordinance No. 2017-115, prohibiting parking on one side of Westwood Drive; motion CARRIED.

Meeting: The committee is scheduled to meet Monday, November 27, at 8:00 a.m., in the Municipal Building 2nd floor conference room.

WORK SESSION – No report

LEGISLATION AGENDA

- **Formal Legislation Request(s)**

The President reported the following requests are a result of this afternoon's Public Hearing:

Mrs. Misener moved, Mr. Pugliese seconded to formally request ORDINANCE NO. 2017-133, AN ORDINANCE VACATING OR ABANDONING THE CITY'S INTEREST IN A PORTION OF TAYLOR STREET EXTENDING WEST FROM UNION AVENUE; motion CARRIED.

Mr. Pugliese moved, Mr. Speelman seconded to formally request ORDINANCE NO. 2017-134, AN ORDINANCE VACATING OR ABANDONING THE CITY'S INTEREST IN AN ALLEY EXTENDING BETWEEN EAST 18TH AND EAST 19TH STREETS UPON CERTAIN CONDITIONS; motion CARRIED.

- **Form and Correctness:** The Clerk of Council certified conformity to Council Rule 21.
- **Legislation Overview:** The President provided a brief overview of the legislation agenda.
- **Public Discussion** (Legislation Portion Only): None

Request Presentation by Consent Agenda: Mr. Pugliese moved, Mr. Speelman seconded to dispose of the Regular Business Legislation Agenda by consent agenda; motion CARRIED.

Legislation Reading

The Clerk of Council presented the following legislation:

ORDINANCE NO. 2017-130, AN ORDINANCE AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT AN APPLICATION FOR FINANCIAL ASSISTANCE WITH THE OHIO PUBLIC WORKS COMMISSION (OPWC) AND TO EXECUTE AGREEMENTS AS REQUIRED FOR THE SANITARY SEWER OVERFLOW ELIMINATION PROJECT, PHASE 3. (City Manager)

ORDINANCE NO. 2017-131, AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR REPAIR OF U.S. ROUTE 20. (City Manager)

RESOLUTION NO. 2017-132, A RESOLUTION APPROVING THE SOLID WASTE MANAGEMENT PLAN FOR THE ASHTABULA COUNTY SOLID WASTE MANAGEMENT DISTRICT. (City Manager)

ORDINANCE NO. 2017-133, AN ORDINANCE VACATING OR ABANDONING THE CITY'S INTEREST IN A PORTION OF TAYLOR STREET EXTENDING WEST FROM UNION AVENUE.
(Ms. Amanda Mills/Planning Commission/City Council)

ORDINANCE NO. 2017-134, AN ORDINANCE VACATING OR ABANDONING THE CITY'S INTEREST IN AN ALLEY EXTENDING BETWEEN EAST 18TH AND EAST 19TH STREETS UPON CERTAIN CONDITIONS.
(Mrs. Catherine Lefik-Coffield/Planning Commission/City Council)

ORDINANCE NO. 2017-135, AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH XYBIX SYSTEMS, INC., FOR FURNITURE FOR THE POLICE DISPATCH/COMMUNICATIONS CENTER REFURBISHING PROJECT. (City Manager)

Mr. Pugliese moved, Mr. Speelman seconded to waive the reading of the legislation; 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: Mrs. Hosken, Mr. Hamrick, Mr. Roskovics, Mr. Pugliese, Mr. Speelman, Mrs. Misener voted yea; motion CARRIED. On the roll call to adopt the

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legislation: Mrs. Hosken, Mr. Hamrick, Mr. Roskovics, Mr. Pugliese, Mr. Speelman, Mrs. Misener voted yea; motion CARRIED.

NEW BUSINESS

The President announced the following:

Meeting Announcements

- The next Pre-Council and Regular Council Meetings are scheduled for Monday, November 20, at 6p and 7p, respectively. The public is encouraged to attend.
- Council will meet in a Public Hearing on Monday, December 4, at 5:15p, to hear a request to vacate an alley located between West 12th and West 13th Streets, and to present the 2018 City of Ashtabula Appropriations. The public is encouraged to attend.

Community Events

- **Trunk-or-Treat**

Signature Health's Trunk-or-Treat event was another huge success. The Ward 5 Councilor appeared as Batman and volunteered his time. About \$10,000 worth of candy was distributed. The City appreciates Signature Health putting on this event for the community.

- **Greater Ashtabula Chamber of Commerce**

The Chamber's Annual Awards Ceremony is Friday, November 10, from 8:00 a.m. to 9:30 p.m., at the Saybrook Banquet Center. Mr. Larry Fargo, owner of Fargo Machine, lead on the LCpl Kevin Cornelius Memorial Park Fountain Restoration Project and Co-Chair of Arts-in-the-Alley on Main Avenue will be the recipient of the Community Outreach Award. It is a much deserved award in that Larry donates his time, resources, money and talents wherever he is needed.

- **Parade**

The Downtown Christmas Parade is set for Friday, November 17, at 7:00 p.m. Main Avenue merchants are having a window display contest. The tree lighting in LCpl Kevin Cornelius Memorial Park is scheduled for 5:30 p.m. Mrs. Claus will make an appearance on Main Avenue. The parade theme is Suzy Snowflake; the parade organizer is Suzy Kist, an Ultimate Appearance Salon technician.

The Ward 4 Councilor announced the following:

- **Happy Birthday:** November 10 is the 242nd birthday of the United States Marine Corps. He gave a shout out to his Marine brothers and sister – Semper Fi (always faithful or always loyal).
- **Veteran's Day:** November 11 is Veteran's Day - Thank a Veteran.
- **Day of Difference:** On October 28, the Ashtabula Area City Schools (AACS) had their Day of Difference, even though it rainy. AACS Superintendent Dr. Melissa Watson reported 125

people participated; they met at the Ashtabula County District Library on West 44th Street, volunteers cheered, cooked, fed the homeless, painted, demolished, cleaned, made cards for veterans, planted flowers, raked leaves, picked up litter and made a difference. “Kudos to the 125 people who came out”, including Ashtabula Board of County Commissioner J.P. Ducro IV. Lakeside High School students, Luis Guevara and Madalaine McCrone helped him pick up trash on Main Avenue.

Collins Boulevard Lighting Project

At the request of the President for a project update, the Manager reported the majority of wire has been pulled overhead; the LED lights are in and they have begun replacing the heads along the railroad tracks directly across the street from the municipal building. The project is all along Collins Boulevard even by the Justice Center, but not over the Spring Street Bridge because that is a different system. Hopefully they will be completed by parade day.

Spring Street Bridge

The President reported the lights along the south side of the bridge and one light on the north side of the bridge at the east end are out. The Manager said they belong to Cleveland Electric Illuminating and he would make a report.

GENERAL PUBLIC DISCUSSION

Mr. J. P. Ducro IV, 430 West Prospect Road

Thanked the City Manager for accommodating the Juvenile Court office space needs inside the Municipal Building. He said it is great to partner with the City.

He said he is excited about the City’s new dispatch center. One of the goals of the joint furniture purchase is because the City’s dispatch center will be the backup for the Centralized PSAP (9-1-1) answering center. So, if the County’s system goes down County staff will be able to seamlessly operate from the City’s department because the systems are being remodeled to be as identical as possible.

He reported he will continue to work with Ms. Janice Switzer from the Ashtabula County Solid Waste District to secure commitments on getting the recycling containers dispersed and assisting with the expense.

He commented on how amazing it was that so many students were on hand to participate in the Ashtabula Area City Schools Day of Difference event; and what a difference was made.

He reported another business is opening in the former J. T. Bagels shop after the November 17 downtown parade; which he was excited about. He said the business owner is very excited having just completed the go.Biz.GROW program put on by Mr. Eric Diamond and Mr. David Miller with the NEO Fund. His hope is that they continue to foster additional entrepreneurs.

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He reminded citizens to exercise their right to vote and not to take the right to do so, lightly. Lastly, he wished all the candidates good luck.

Mr. Doug Winters, 5831 Washington Avenue

Mr. Winters said he was told to give a compliment to the Ward 1 Councilor from his uncle. He also encouraged residents to vote.

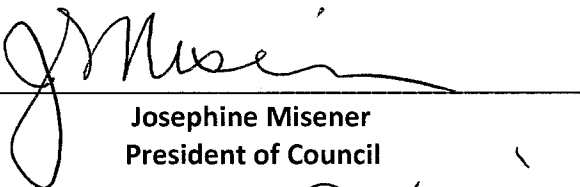
EXECUTIVE SESSION: The President announced Council and the Administration would now convene the Executive Session and return to the public meeting to adjourn.

Reconvened Open Session: The President announced the public portion of the meeting reconvened; and that there was no decision to report from the session.

ADJOURNMENT

Hearing no further business to come before this Council, the President declared the meeting adjourned at 7:52 p.m.

DATE APPROVED: November 20, 2017

ATTESTED BY: 
Josephine Misener
President of Council

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