

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

REGULAR MEETING MINUTES
Monday, November 19, 2018

CALL TO ORDER

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 in remembrance of Ashtabula Police Officer William Glover who, 21 years ago, was killed in the line of duty.

MEMBERS PRESENT:	Mrs. Kym A. Harley	(Ward 1 Councilor)
	Mr. August A. Pugliese	(Ward 2 Councilor)
	Mr. Richard A. Quaranta	(Ward 3 Councilor)
	Mr. Michael D. Speelman	(Ward 4 Councilor)
	Ms. Jane E. Haines	(Ward 5 Councilor)
	Mr. Christopher J. McClure	(Vice President)
	Mr. John S. Roskovics	(President)

MEMBER(S) ABSENT: None

OFFICER(S) PRESENT:	Mr. James M. Timonere	(City Manager)
	Mr. Michael Franklin	(City Solicitor)
	Ms. Traci R. Welch	(Director of Finance)
	Mrs. LaVette E. Hennigan, MMC	(Clerk of Council)

OFFICER(S) ABSENT: None

EXCUSED ABSENCE(S): None

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

AGENDA APPROVAL: None

PRESENTATION(S)

The Ward 1 Councilor presented the following resolution to Miss Sadie Drozd:

RESOLUTION NO. 2018-100

**A RESOLUTION OF CONGRATULATIONS TO
MISS SADIE JAYNE DROZD**

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, Miss Sadie Jayne Drozd is a 5th grade Honor Roll and Student Council member at Erie Intermediate School; and,

WHEREAS, Sadie has held the titles of Little Miss, Young Miss and Junior Miss Winterfest; she has won two State titles for Miss America Co-Ed Pageants, Miss Ohio and Miss Buckeye State, and in 2015, was 4th runner-up in the Nation; and,

WHEREAS, Sadie was lead flyer for X-Treme Cheer and a Platinum Level 1 Gymnast and National Floor Champion, in 2017; and,

WHEREAS, adding to Sadie’s accomplishments was being crowned Miss USA Ohio Pre-Teen the first weekend in September 2018, in Columbus, Ohio, having competed with 40 other extraordinary young girls; and,

WHEREAS, Sadie is also a member of the Kids for Positive Change, a group of elementary students in the Ashtabula Area City School District, who, for the past year, were instrumental in petitioning the Ashtabula City Council to enact legislation that encourages area restaurants to adopt a “Straw on Request” policy, due to the overuse of plastic drinking straws, which usually are not recyclable and frequently end up as unsightly litter and as a threat to wildlife and human health;

NOW, THEREFORE, BE IT RESOLVED that this City Council and these Public Officials of the City of Ashtabula, Ohio, **CONGRATULATE** Miss Sadie Jayne Drozd for being a shining star, a bright light, a role model and a ‘crowning’ example of youthful success. Miss Sadie, thank you for representing Ashtabula City, on the local, state and national levels... **YOU ROCK!**

ADOPTED: _____

ATTEST: _____
John S. Roskovics
PRESIDENT OF COUNCIL

LaVette E. Hennigan, MMC
CLERK OF COUNCIL

APPROVED: _____
Christopher J. McClure
VICE-PRESIDENT OF COUNCIL

Kym A. Harley
WARD 1 COUNCILOR

August A. Pugliese
WARD 2 COUNCILOR

Richard A. Quaranta
WARD 3 COUNCILOR

Michael D. Speelman
WARD 4 COUNCILOR

Jane E. Haines
WARD 5 COUNCILOR

James M. Timonere
CITY MANAGER

Michael Franklin
CITY SOLICITOR

Traci R. Welch
DIRECTOR OF FINANCE

Sadie expressed her appreciation to Ms. Camille Licate, Founder of Kids for Positive Change, for all she has done to encourage her and promote her abilities. She thanked her family, especially her mom who always prepared her for what she has accomplished and for “making me look my best”. She thanked the City of Ashtabula for this recognition.

The Ward 3 Councilor presented the following resolution to Mr. Earl Tucker:

RESOLUTION NO. 2018-101

**A RESOLUTION OF APPRECIATION TO
EARL B. TUCKER**

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, in 1974, Earl B. Tucker moved from Elmira, New York to Ashtabula City; the place he now calls home, the place where he raised his family, and the place where he is seen around town volunteering and supporting various community events; and,

WHEREAS, Earl has faithfully attended City Council meetings since 2007 missing only a very few; and 10 years ago when the need for a videographer for Regular City Council meetings was presented, Earl immediately volunteered his services and has been faithful to his commitment ever since; and,

WHEREAS, Earl has also served as a member of the Ashtabula City Parks and Recreation Board since 2007, and as Chairperson for several of those years; and,

WHEREAS, Earl served as a committee member on the Ashtabula City Police Levy and Ashtabula City Parks & Recreation Levy campaigns, Treasurer for Citizens for a Better Ashtabula, Chair of the Citizens for Safer Streets, Ashtabula Coastal Grant Application committee, Citizens for Progress PAC and is a Founding Member and Historian for the Ashtabula Lighthouse Preservation and Restoration Society; and,

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WHEREAS, Earl's community support extends into the County, through his previous service as Secretary and member of the Ashtabula County 4-H Foundation, as a member of the Ashtabula County Foundation Council, and as a Boy Scouts and Girl Scouts of America troop leader for several years; he was part of one of the first private EMS teams to respond to Hurricane Katrina; he was employed as a nationally registered EMT-A, EMT-I, EMT-P, a Critical Care Team member and a continuing education instructor in many areas of Ohio; and for 19 years he was a member of the emergency staff at our local Community Care Ambulance Network;

NOW, THEREFORE, BE IT RESOLVED that this City Council and these Public Officials of the City of Ashtabula, Ohio, express our GRATITUDE and APPRECIATION to Mr. Earl B. Tucker, a 1978 Harbor High School graduate, for his community advocacy and his faithfulness in **'keeping the camera rolling' – Earl, THANK YOU!**

ADOPTED: _____

ATTEST: _____
John S. Roskovics
PRESIDENT OF COUNCIL

LaVette E. Hennigan, MMC
CLERK OF COUNCIL

APPROVED: _____
Christopher J. McClure
VICE-PRESIDENT OF COUNCIL

Kym A. Harley
WARD 1 COUNCILOR

August A. Pugliese
WARD 2 COUNCILOR

Richard A. Quaranta
WARD 3 COUNCILOR

Michael D. Speelman
WARD 4 COUNCILOR

Jane E. Haines
WARD 5 COUNCILOR

James M. Timonere
CITY MANAGER

Michael Franklin
CITY SOLICITOR

Traci R. Welch
DIRECTOR OF FINANCE

Mr. Tucker thanked the City Council and Administration for this recognition. He said, "My life has been one of service to the community. I spent 30 years as a paramedic. When I had to give that job up I needed to find something else to do, so here I am. It all comes from something I read when I was in school, from Mahatma Gandhi... "In order to find yourself it is sometimes best to lose yourself in the service of others." That's what I've tried to live by."

Mr. Pugliese moved, Mr. Quaranta seconded to adopt the resolutions; motion CARRIED.

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The President took the liberty to share “tell us something we don’t know”, and wish the Clerk of Council a Happy 60th Birthday.

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

The Clerk of Council presented the November 5, 2018 Regular Council Meeting minutes. Mr. Pugliese moved, Mr. Quaranta seconded to waive the reading of the minutes; motion CARRIED. Hearing no corrections, the minutes were approved as presented.

LEGISLATION AGENDA

- Formal Legislation Request(s): None
- Form and Correctness: None
- Legislation Overview: None
- Public Discussion (on legislation only): None
- Legislation Reading: None

REGULAR BUSINESS AGENDA

PRESENTATION OF MEETING MINUTES

None

ADMINISTRATIVE REPORTS and COMMUNICATIONS

CITY MANAGER

The City Manager presented the following updates:

Garbage and Recycling Pick-up

Due to the Thanksgiving Holiday, Thursday’s garbage pick-up will be Friday; Friday’s pick-up will be Saturday. Ward 1 recycling pick-up is scheduled for Saturday. Both the garbage and recycling pick-up schedules are on the home page of the City’s website (www.cityofashtabula.com).

Curbside Recycling Program

He thanked everyone for their patience as we get through the first couple rounds of the new Program. It has been very well received in most parts of the City, so much so that it requests have come in to have recycling picked up every week and garbage every two weeks.

Only City-issued garbage carts are to be used in Wards 1 and 2 where the curbside recycling has been introduced. Extra garbage is expected during the holidays; however, an extra pick-up

charge of \$10 per month will be assessed if it is determined that more than the garbage that is able to be contained in the cart is regularly being placed at curbside. Presently, the City regulations permit two-30 gallon containers to be placed at curbside for pick-up. The new carts are 64 gallons each, thus providing 4 extra gallons of space, which should be sufficient, especially with the new Curbside Recycling Program.

The introduction of City-issued carts in Wards 1 and 2 has improved the look of those areas on garbage pick-up days. He thanked the Sanitation Department for helping to get the Program off the ground and for promptly responding to citizen concerns.

Former Ashtabula Municipal Building (4400 Main Avenue)

Recently a letter was received informing us that the former city hall structure has been nominated for placement on the National Registry of Historic Places (NRHP). For years the City has objected to such nominations because we believe the value of the building, when rehabilitated, would never result in a 'return on investment'. He assured the community that in his role as City Manager, and previously as Executive Director of the Greater Area Chamber of Commerce, he has done everything possible to try and find someone to take on the rehabilitation of the structure. The outcome has also turned towards the enormous expense to rehabilitate the structure versus the rent that may be charged thereafter.

He asked City Council for a Resolution of Opposition, which is scheduled for their vote this evening. If the vote is favorable, on December 7, he will travel to Columbus to state the City's opposition to the nomination before the Ohio History Connection.

Grant funding has been secured to demolish the structure. If we are unsuccessful in our opposition, it does not mean the structure cannot be demolished. It just means more work and time, which could adversely affect the grant funding timeline.

Questions / Comments for the City Manager

The Ward 2 Councilor asked if arms are on our Sanitation trucks that will grab the carts, or are crews manually handling the carts. The Manager reported the trucks are equipped with "flippers". Crews manually wheel the carts to the back of the truck and use the flipper to flip the carts up and down. He said the goal is to purchase trucks with arms.

The Ward 5 Councilor reported some residents are frustrated with the condition of West 58th Street. She asked if the quality of work is being monitored. The Manager responded that most of the work has been performed in the utility right-of-way, which is underneath the sidewalk. Aqua Ohio is replacing all the sidewalks in the area that has been disturbed, which is West Avenue to Clifford Kadon Presidential Park or maybe a little further east than the Park. The sidewalk forms have been laid and concrete pouring has begun. He said the road cuts are being monitored. Today through Wednesday, they will dig out the West Avenue road cuts in preparation for the permanent repair material. After the project is completed, the City inspects the restoration work, including the treelawns, and a punch-list will be created, if required.

The City has a bond for all utility companies. Aqua Ohio has contracted this project out, and is sure the contract is bonded.

CITY SOLICITOR

No Report

DIRECTOR OF FINANCE

The Director of Finance formerly requested Ordinance Nos. 2018-102, 104 and 105. Mr. Pugliese moved, Mrs. Harley seconded to approve the requests; motion CARRIED.

CLERK OF COUNCIL

The Clerk of Council asked City Council to entertain a motion to have all the City's legislation and Council meeting minutes currently in CASNET's possession, returned to City Hall for storage until it is certain the documents are fashioned for search and retrieval by docStar or a company of our choosing. Mr. Pugliese moved, Ms. Haines seconded to have the documents returned; motion CARRIED.

CITY COUNCIL COMMITTEE REPORTS and COMMUNICATIONS

(Chair/Vice Chair)

COMMUNITY DEVELOPMENT/ECONOMIC DEVELOPMENT/PARKS & RECREATION

(CD/ED/P&R) (Roskovics/Speelman)

The Chair reported on the committee's Tuesday, November 13, meeting, following:

The committee voted to have a resolution drafted to oppose the nomination to have the former City Hall, located at 4400 Main Avenue, placed on the National Register of Historic Places. Mr. Roskovics moved, Mr. Pugliese seconded to approve the committee's recommendation; motion CARRIED.

Signs announcing the City of Ashtabula as the birthplace of Pulitzer Prize winning author, Connie Shultz, have been ordered and will arrive shortly. An announcement will be made when the signs are going to be erected.

Throughout the year, the Committee has discussed:

- The Planning & Community Development Department, under the Manager's guidance, sending a letter to property owners whose Main Avenue building is vacant
- A brochure detailing how to open a business in the City of Ashtabula, and
- Welcoming new businesses.

The committee began the discussion about offering incentives to 'first time homebuyers' within the City.

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The committee constructed a letter to Huntington Bank protesting the closure of their Harbor branch.

The committee discussed:

- Parks & Recreation items
- Exploring the idea of beginning a quarterly City newsletter, and
- How to get more people to serve on volunteer boards and commissions.

The Architectural & Restoration Review Board will be the committee's December guest, to discuss economic development in the Historic Harbor area.

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

The Chair reported on the committee's Friday, November 9, meeting, as follows:

- The projected financial carryover is very low, is being monitored and the Manager issued a directive to all departments informing them of the low projected carryover and instructing them how to proceed with purchases through the end of the year.
- The public hearing to present the 2019 Appropriations Ordinance is scheduled for Monday, December 3, at 5:15 p.m.
- The City Manager is addressing State of Ohio audit findings regarding JEDD bank accounts.
- The committee voted to have Codified Ordinance Sections 937.02 and 951.08 amended to give the Director of Finance authority to waive sewer and trash penalties and late fees, when appropriate. The amending verbiage reads:

"The penalties and/or late charges imposed by this Section may be reduced or waived by the Director of Finance upon submission of proof acceptable to the Director that the late payment or non-payment was the result of significant exigent (*not really under your control*) circumstances, or that the imposition of penalties or late fees would result in extreme hardship. The decision of the Director of Finance shall be final." Mr. Quaranta moved, Mrs. Harley seconded to approve the verbiage. The Chair reported this to be one aspect of what is being considered; that other aspects pertaining to waiving charges is still on the agenda to be discussed. The Director of Finance reported city ordinances only permit City Council to waive charges; and that there is no policy that permits a one-time waiver.

The Solicitor reported the verbiage being considered does not address the courtesy, one-time, penalty waiver, but that it may be included. Mr. McClure moved, Mr. Quaranta seconded to include "one-time waiving of penalties".

The Ward 5 Councilor recalled when she first arrived on City Council, a resident asked her about waiving a fee. The Chair responded while the Councilor could not waive the fee on her own, the request could have come before the full Council for consideration. The President called for the vote on "one-time waiving of penalties"; motion CARRIED.

The Chair called for the vote on the initial request, "The penalties and/or late charges imposed..."; motion CARRIED.

With the passage of the Police Levy renewal, the process of securing more officers is active. The Manager clarified social media miscommunications by reporting 5 patrolmen and 2 dispatchers were hired when the Police Levy first passed. Within the last year, we lost one officer to retirement and one to a Geauga County sheriff's department. We have actively searched for replacements by giving a civil service test and have opened up the process to lateral transfers to fill those two positions. The lateral transfer openings have been posted in various colleges with criminal justice programs, with academies, as well as on law enforcement message boards. Right now lateral transfer applications are being sought through December 28. The post is also on our City's website under Employment Opportunities. Persons interested in applying may do so at JobSource on Lake Avenue or call the Police Department or City Manager's office. If, during this search, the remaining officers are not found, another civil service test will be given in January or February. In departments across the country there is a lack of persons desiring to go into law enforcement because of the scrutiny law enforcement has been under. The Clerk reported being told that one of the reasons for the reduction in persons applying for our Patrolman entrance position is because of our 10% pay scale reduction for all persons hired into the City after May 12, 2012. She asked if this is true and, if so, are we able to address it. The Manager said, he too, has heard about the pay reduction issue, but has also heard the issue of insufficient pay from very seasoned officers that are farther up in their ranks with other departments. She reported knowing some municipalities who are getting candidates to sit for their test; one of which is Willoughby, because they pay better. The Manager said the overall make-up of a community matters, and would like to those statistics.

The Chair announced the committee will meet again on Friday, December 14, at 8:00 a.m.; the Municipal Court will be present. He announced a meeting was held today with the Court to discuss their budget, out of which came the Court's commitment to have an active seat at all Finance & Personnel Committee meetings.

PUBLIC WORKS/PUBLIC UTILITIES/CABLE/SCHOOLS - (PW/PU/C/S) (Pugliese/Haines)

The Chair announced the next tentative meeting of the committee will be, Friday, December 7, at 8:00 a.m.

SAFETY FORCES - (SF) (Speelman/Harley)

The Chair announced the committee is scheduled to meet Monday, November 26, at 8:00 a.m. He thanked voters for turning out and renewing our Police Levy, so police officers can remain on the road.

WORK SESSION: No Session; No Report

LEGISLATION AGENDA

- Formal Legislation Request(s): None

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- Form and Correctness: None
- Legislation Overview: The Clerk of Council provided the following brief overview:
 1. A SUPPLEMENTAL APPROPRIATION IN THE WATER POLLUTION FUND
 2. A RESOLUTION OPPOSING PLACING THE STRUCTURE KNOWN AS THE FORMER CITY HALL LOCATED AT 4400 MAIN AVENUE ON THE NATIONAL REGISTER OF HISTORIC PLACES
 3. AN ORDINANCE REPEALING THE CURRENT GAAP CONVERSION AGREEMENT AND ENTERING INTO AN NEW AGREEMENT THROUGH DECEMBER 31, 2020
 4. AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A NEW GAAP CONVERSION AGREEMENT THROUGH 2020
- Public Discussion (Legislation Only): None
- Consent Agenda Format: Mr. Pugliese moved, Mrs. Harley seconded to dispose of the regular business legislation by consent agenda; motion CARRIED.
- Legislation Reading: The Clerk of Council presented the following legislation for Council's consideration:

ORDINANCE NO. 2018-102, AN ORDINANCE TO MAKE SUPPLEMENTAL APPROPRIATIONS IN THE WATER POLLUTION FUND FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF ASHTABULA, STATE OF OHIO, FOR THE PERIOD JANUARY 1, 2018 THROUGH DECEMBER 31, 2018.
(Director of Finance)

RESOLUTION NO. 2018-103, A RESOLUTION OPPOSING PLACING THE STRUCTURE KNOWN AS THE FORMER CITY HALL LOCATED AT 4400 MAIN AVENUE ON THE NATIONAL REGISTER OF HISTORIC PLACES.
(City Manager and CD/ED/P&R Committee)

ORDINANCE NO. 2018-104, AN ORDINANCE REPEALING, IN ITS ENTIRETY, ORDINANCE NO. 2017-117, ENACTED OCTOBER 2, 2017, FOR THE PURPOSE OF AMENDING THE 2018 AND 2019 GAAP CONVERSION AGREEMENT AND ENTERING INTO AN NEW AGREEMENT THROUGH DECEMBER 31, 2020.
(Director of Finance)

ORDINANCE NO. 2018-105, AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE OFFICE OF THE AUDITOR OF THE STATE OF OHIO TO ASSIST THE CITY OF ASHTABULA IN THE CONVERSION OF CASH REPORTING TO GAAP. (Director of Finance)

Mr. Pugliese moved, Mrs. Harley seconded to waive the reading of the legislation; motion CARRIED. Mr. Pugliese moved, Mr. Quaranta seconded to waive the Charter requirement of two readings. On the roll call to waive the Charter requirement of two readings: Mrs. Harley, Mr. Pugliese, Mr. Quaranta, Mr. Speelman, Ms. Haines, Mr. McClure, Mr. Roskovics voted yea;

motion CARRIED. On the roll call to adopt the legislation: Mrs. Harley, Mr. Pugliese, Mr. Quaranta, Mr. Speelman, Ms. Haines, Mr. McClure, Mr. Roskovics voted yea; motion CARRIED.

NEW BUSINESS

- **Liquor Permit Transfer – C1 & C2 (Ward 2)**

- From: Valley View Food, LLC – dba Valley View Food, 1123 Lake Avenue, Ashtabula, OH
- To: Alex Sammi, LLC, dba Valley Food Mart 6, 1123 Lake Avenue, Ashtabula, OH

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.

The Ward 2 Councilor announced no hearing on the request is required.

Tell Us Something We Don't Know

President of Council

- Issued a reminder that Small Business Saturday is scheduled for November 24. He encouraged buying locally; noting there is a new popcorn store on Bridge Street.

Ward 3 Councilor

- He and the City Manager attended the ribbon cutting/grand opening of Harbor Veterinary Clinic on Lake Avenue.

Ward 1 Councilor

- December 2, at 4:30 p.m., the Ashtabula Coral Society will perform Gloria by Antonio Vivaldi, at St. Peter's Episcopal Church, on Main Avenue – Admission is free.

Ward 4 Councilor

- The Ashtabula Downtown Development Association's (ADDA) Annual Christmas Parade was held Friday, November 16. There were 70 parade entries and a ton of spectators. He thanked Suzie Kist for organizing the event. The Clerk announced Mrs. Kist severely damaged her finger while prepping for the parade and wished her a speedy recovery. The Clerk said Ms. Marty Cephas, ADDA Promotions Committee Chair, along with parade volunteers, said Mrs. Kist was so organized that they were able to carry out the parade event, in her absence, without a hitch.

Clerk of Council

- Asked City Council if their affirmative vote taken earlier in the meeting to have the City's legislation and Council meeting minutes that were digitized and microfilmed by CASNET, returned to us for storage until further notice. They responded, yes.

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Ward 5 Councilor

- Issued a reminder that the one mile Turkey Trot, scheduled for Thanksgiving Day, at 9:00 a.m., is to benefit Samaritan House. It will begin at the property where the former McKinsey Elementary School was located and will end at St. Peter's Church on Main Avenue in Downtown.

PUBLIC DISCUSSION/COMMENTS (General Matters)

None

EXECUTIVE SESSION

None

ADJOURNMENT

Hearing no further business to come before this Council, the President declared the meeting adjourned at 7:48 p.m.

DATE APPROVED:

December 3, 2018

ATTESTED BY:

John S. Roskovics
John S. Roskovics
President of Council

ATTESTED BY:

LaVette E. Hennigan
LaVette E. Hennigan, MMC
Clerk of Council