

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

**Tuesday, February 21, 2017**

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

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

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

**MEMBER(S) ABSENT:** Mr. Kris E. Hamrick (Ward 5 Councilor)  
Mr. Christopher J. McClure (Vice President)

**OFFICER(S) PRESENT:** Mr. James M. Timonere (City Manager)  
Mr. Michael Franklin (City Solicitor)  
Mrs. Dana D. Pinkert (Finance Director)  
Mrs. LaVette E. Hennigan, MMC (Clerk of Council)

**OFFICER(S) ABSENT:** None

**EXCUSED ABSENCE(S):** Mr. Pugliese moved, Mr. Speelman seconded to excuse the Ward 5 Councilor and the Vice President from this meeting; motion CARRIED.

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

**PRESENTATION(S):** None

**EXECUTIVE SESSION:** None

**CONSENT AGENDA**

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

**MEETING MINUTES READING & DISPOSAL**

The Clerk of Council presented the minutes for Council's consideration:

- February 6, 2017 Public Hearing
- February 6, 2017 Regular Meeting
- February 13, 2017 Work Session

- Mr. Pugliese moved, Mr. Speelman seconded to waive the reading of the minutes; motion CARRIED. Hearing no corrections, the minutes were approved as presented.

**LEGISLATION AGENDA:** None

## **REGULAR BUSINESS**

**MEETING MINUTES READING & DISPOSAL** – None

### **ADMINISTRATIVE REPORTS and COMMUNICATIONS**

#### **CITY MANAGER'S REPORT**

##### **Ohio Department of Transportation – Small Cities Funding Application**

The City Manager requested an ordinance to file an application and execute documents with the Ohio Department of Transportation (ODOT) for Small Cities Funding for Phase 2 of the Route 20 project for the amount of \$275,154, as the Small Cities portion of the project. If approved the City of Ashtabula's portion will be paid in part through ODOT's Rural Paving Program. This funding will be taken from the City's Permanent Improvement Fund. Mr. Pugliese moved, Mr. Roskovics seconded to grant the City Manager's request. Discussion: The Manager reported the portion of Route 20, from the viaduct by the YMCA to Seymour Drive, has been discussed for some time. The records show the concrete on this four lane stretch of road was laid in 1959. He said while the road has served us well, it is now in pretty bad shape. The estimates are coming in at about \$4 million. Normally the City's portion is about 20%, but because of our ability to combine grants and work with ODOT we will only have to cover 5% of the project cost, which turns out to be the engineering phase cost, which we have already contributed to. Because ODOT would not fund such a high project total in one application process, two applications have to be completed. All the paperwork will get submitted this year, with construction to begin early next spring. The motion CARRIED.

##### **Garbage Pick-up**

Pickup will remain on schedule this week even though Monday was a legal holiday.

##### **Questions/Comments for the City Manager**

- **Yard Waste Bags:** The Ward 1 Councilor asked if yard waste bags could be picked up early due to unseasonable weather. The Manager said because third shift is still on it limits the workforce available to perform routine tasks; therefore, bag pick up is not possible at this time, but that the bags may be taken to the Transfer Station. He also believes we are not out of the winter weather woods yet.
- **West 10<sup>th</sup> Street & Michigan Avenue Rezone:** In response to the Ward 2 Councilor's request, the City Manager provided further explanation regarding the request to and City Council's approval of the rezoning of a portion of the former Wenner Field located on West 10<sup>th</sup> Street and Michigan Avenue, from R2 Residential to C1 General Commercial.

The Manager said the Councilor reports that someone believes the entire parcel is C1, which is not true. The said the rezone does not extend the entire length of the field. The out buildings have been rezoned commercial, which is now contiguous all the way along Michigan Avenue between West 10<sup>th</sup> Street and West 11<sup>th</sup> Street. The remainder of the field is still R1 and it was never the City or property owner's intention to change that.

### **CITY SOLICITOR'S REPORT**

**Executive Session:** The City Solicitor requested an Executive Session, to be convened at the end of the Regular Council meeting, to include the officers seated at the dais, to discuss a matter of threatened or pending litigation. Mr. Pugliese moved, Mr. Speelman seconded to grant the City Solicitor's request. On the roll call to grant the request: Mr. Roskovics, Mr. Pugliese, Mr. Speelman, Mrs. Hosken, Mrs. Misener voted yea; motion CARRIED.

### **Questions/Comments for the City Solicitor**

- The Ward 1 Councilor asked if action will result from the session. The Solicitor responded, no.

### **FINANCE DIRECTOR'S REPORT**

The Finance Director reported:

**Vacuum Air Tube:** Repairs were completed today and the tube is operational.

**Income Tax:** In lieu of mailing income tax post cards the department returned to mailing income tax forms. A detailed fact sheet pertaining to the new State of Ohio income tax regulations, enacted by House Bill (HB) 5, accompanied the mailing. The new law created a "mandatory declaration of estimated taxes for the next year". This applies to anyone that had taxes owed of more than \$200 the previous year. If you have a W-2 and all your taxes were withheld by your employer you do not have to declare an estimate and you do not have to make quarterly payments. We used to mail quarterly vouchers on a quarterly basis. Because the new law increases the number of people required to file quarterly, the Finance Department mailed all the vouchers at once, to save costs.

### **Questions / Comments for Finance Director**

- **HB5:** The Clerk of Council asked for clarification and gave the example of City employees whose income taxes are withheld by the City. The Finance Director said if you reside in the City of Ashtabula and your employer withholds the required 1.8% income tax from your pay, you have to file a return but do not have to declare estimated taxes. Those who are retired and have no taxable income have to file for the purpose of being placed on inactive status in the City's income tax system.

**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, February 14, meeting, as follows:

- **Growth Partnership (GP) of Ashtabula County:** New Executive Director Mr. Greg Myers gave a brief overview of GP's purpose. It is a membership based organization made up of public and private sector businesses and organizations. The City of Ashtabula pays an annual membership fee of \$5,000. GP serves as a resource for our City Manager and depends on their member's input to assist in marketing efforts to help grow, sustain, and bring in new business. GP's focus is more on large manufacturing business versus retail. When marketing an area it is common to consider the assets of the area. In the case of the City of Ashtabula it is our port, rail and highway access proximity to chemical companies and infrastructure. Mr. Myers said manufacturing companies are using old building inventory versus constructing new because it is more cost efficient. An example of this is the former Reliance building on Benefit Avenue has a new business operating in it. The opposite is true for retail; they prefer to build new. The 'brick and mortar' retail is fast being replaced by on-line ordering. This trend is also expanding into the grocery market. New York is a test market for internet grocery ordering and delivery. Diversity and the creation of a more "opportunistic community" that can adapt readily to change, is essential.
- **Lift Bridge Community Association (LBCA) / Wine & Walleye Festival:** LBCA Chair Ms. Christine Seuffert provided a brief overview of the status of the Festival's planning. The Festival committee meets weekly to address sponsorships, logistics and perform task assignments. Hopefully by April they will begin to reveal the schedule of events. The festival will have a different look and will be different, but will remain hometown in flavor. Ms. Seuffert extended an invitation to City Council to participate. The Chair said she hopes every member of Council is able to volunteer in some way on the festival weekend of July 29 and 30.
- **Codified Ordinance Section 505.01 "Dogs and other animals running at large":** The committee reviewed the current and the proposed amended language. They agreed on various aspects of the language, including types of animals and lot sizes. The committee's proposed amendments have been sent to the City Solicitor for his input and to incorporate them into the proposed amended legislation. The goal is to "bring it forward in March". The chair encouraged the full Council to review the proposed legislation and comment before the committee's March 14 meeting.
- **March 14, 4:00 p.m., Committee Meeting:** The Ashtabula County Commissioners and Ashtabula County Chief Building Official Mr. Todd Nagy, are scheduled to attend this meeting.

The goal is to begin work on compiling a booklet detailing what is needed to open a business in the City of Ashtabula. The meeting will take place in the Municipal Building 2<sup>nd</sup> floor conference room.

- **Parks & Recreation Board:** The Board met on Tuesday, February 14, at 6:30 p.m. Ms. Tiffany Reid gave an update on the My Neighborhood Collaboration (MNC) group's activities. They are erecting a pavilion at Clifford Kadon Presidential Park. There is a lot of renewed interest being generated in the project. The pavilion might be able to be constructed larger than originally planned.

Mr. Andrew Misiak, Ashtabula County Juvenile Court Community Service Coordinator attended the meeting. He oversees the supervision of youth required to perform community service. The Board is going to provide Mr. Misiak with a list of projects that would involve the City, the Ashtabula Downtown Development Association and the Parks and Recreation Board. The Board will work on establishing a project completion timeline.

The City Manager gave an overview of how the Parks & Recreation Levy funding will be used this year. It will include hiring staff, purchasing equipment, and repairs that "should be done".

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

- The Vice Chair announced the committee did not meet in February, but are scheduled to meet on Friday, March 10, at 8:00 a.m.

#### **Questions / Comments for Finance & Personnel Committee**

- **Hotel Feasibility Study:** The Ward 1 Councilor said he would like to get the bed tax issue voted on so the impression is not given that the Bridge Street (*hotel/office/retail building*) project and the bed tax are somehow related or dependent upon each other. The Clerk of Council reported the bed tax and the trash and sewer fees are scheduled to be discussed at the committee's March meeting. The Clerk reported opposition to the enactment of a bed tax would be what holds it up, as was previously the case. The Manager added that two bed and breakfast owners and a downtown hotel establishment opposed the enactment when he first brought it to Council, and that the City Council, at that time, voted no on its enactment. The Clerk reported that when the Manager first presented the request to enact a bed tax it was with the intent of being proactive. He realized that because of the positive activity taking place in our City, more people would visit and require rooming facilities. Rooming facilities across America charge a bed tax and he knew this was a chance for a new revenue stream. The President said she would prefer not to hold up the hotel feasibility study vote, scheduled for this evening. The Ward 1 Councilor was in agreement and believes the study and the bed tax are both important.

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

- The Chair announced the committee did not meet in February, but will meet on Friday, March 3, at 8:00 a.m., in the Municipal Building 2<sup>nd</sup> floor conference room. GPD Group will provide information on projects they are working on throughout the City.

### Questions / Comments for PW/Pu/Cable/Schools Committee

- **Cable:** The Ward 1 Councilor announced, with humor, that Time Warner Cable is now Spectrum – in case someone had not noticed by the frequency of commercial announcing such ☺. The Chair said the Clerk is trying to get a Spectrum representative to attend a committee meeting.

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

- The President/Vice Chair announced the committee will not meet in February. Their next meeting is scheduled for Monday, March 27, at 8:00 a.m., in the Municipal Building 2<sup>nd</sup> floor conference room.

### WORK SESSION

- **Council Rules of Order:** The President announced Council will meet in a work session to review their Rules; the vote to enact them will be taken at the March 6, Regular Council Meeting.

### LEGISLATION AGENDA

- **Formal Legislation Request(s) - None**
- **Council Rule 21 – Solicitor’s signature as to Form and Correctness**  
The Clerk of Council certified the Rule has been satisfied.
- **Legislation Overview**  
The President reported AN ORDINANCE AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE ODOT’S SMALL CITIES PROGRAM and AN ORDINANCE AUTHORIZING THE CITY MANAGER TO HAVE A HOTEL FEASIBILITY STUDY CONDUCTED, would be presented for Council’s consideration this evening.
- **Public Discussion (Legislation Only) – None**
- **Consent Agenda Format:** Mr. Roskovics moved, Mr. Pugliese seconded to dispose of the Regular Legislation Agenda in consent agenda format; motion CARRIED.
- **Reading**

The Clerk presented the following legislation for Council’s consideration:

ORDINANCE NO. **2017-13**, AN ORDINANCE AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO DEPARTMENT OF TRANSPORTATIONS’ SMALL CITIES PROGRAM AND TO EXECUTE CONTRACTS/DOCUMENTS AS REQUIRED. (City Manager)

ORDINANCE NO. **2017-14**, AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH HOTEL & LEISURE ADVISORS IN AN AMOUNT NOT TO EXCEED \$12,000 FOR A HOTEL FEASIBILITY STUDY. (City Manager)

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

**UNFINISHED BUSINESS** - None

**NEW BUSINESS** - None

### **MISCELLANEOUS**

- **Wine & Walleye Festival:** The Ward 2 Councilor asked the City Manager to contact each union to solicit their assistance for the Festival. The Manager reported the Fraternal Order of Police (FOP) has offered to provide Festival security at no cost to the City. The International Association of Firefighters (IAFF) has been raising funds to return fireworks to the City the evening of the Festival. He is still working with AFSCME (American Federation of State, City, and Municipal Employees) Local 1197 on their assistance. The Councilor asked that 1197 come through so everyone will be included in this City event.
- **Yard Waste and Garbage:** The President announced that because we have had very unseasonably warm weather residents are cleaning up their yards, which means yard waste bags are being placed on treelawns. She reiterated the City Manager's announcement that the bags may (and should) be taken to the Transfer Station. She stressed the bags are only for yard waste. When this is not adhered to unnecessary nuisances are created. The President said the City is taking extra effort to clean up the community, starting with the cleanup of our parks using the Parks & Recreation Levy funding. City officials would like the public to do their part by maintaining their properties, as well.
- **St. Peter Episcopal Church:** The President announced the church is celebrating their 200<sup>th</sup> anniversary this year. She said churches are a large part of a community; commented on the excellency of the organ/trumpet concert they hosted on Sunday; said St. Peter's has anniversary celebration events scheduled in July, August and September; and encouraged the community's attendance. The President said St. Peter's is an integral part of the My Neighborhood Collaboration citizen group; they sponsor several children events at the church and in South Park, and participate where they can to help the City of Ashtabula. She said, "I can't stress enough how important they are to us."
- **Regular Meeting:** The next Regular Council Meeting is on Monday, March 6, at 7:00 p.m.; Pre-Council at 6:00 p.m. All meetings are public and attendance is encouraged.

- **Reminder:** The City Council has appointments to make to the following Boards & Commissions:  
Architectural Restoration Review Board (3)  
Local Board of Tax Review (1)  
Civil Service Commission (1)  
Community Reinvestment Area Housing Council (2)  
Parks & Recreation Board (1)  
Planning Commission (3)  
Please visit [www.cityofashtabula.com/select](http://www.cityofashtabula.com/select) the Boards & Commissions tab / complete a "Notice of Interest to Serve" application and submit it to the Clerk of Council.

### GENERAL PUBLIC DISCUSSION

- **Mr. Sal Jackson, 1020 West 43<sup>rd</sup> Street**  
Announced his desire to sponsor youth-involved clean ups throughout the City. He would like to begin by having a spring cleanup drive, April 10 through 14, in the targeted area of Seymour Drive and West 37<sup>th</sup> Street, to see how that goes. He said he did the same thing in his former West 57<sup>th</sup> Street neighborhood and that it was successful and remained clean for about two years. He has plans to do other community outreach projects and wanted to know what the City would require of him to do so. He said he has put Facebook feelers out about his plans, which has garnered much interest. He was asked to give the City Manager a list of his proposed projects for review and comment.
- **Illegal Dumping:** The Ward 2 Councilor reported illegal dumping is happening again on Ohio Avenue extension. The Councilor asked that if someone sees illegal dumping taking place to get the vehicles license plate number and call it into the City.

**CLOSING REMARKS** – None

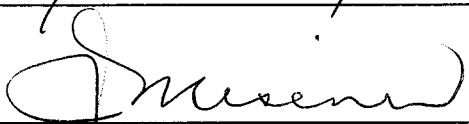
**EXECUTIVE SESSION:** The City Council and City Officials went into Executive Session at 8:05 p.m.

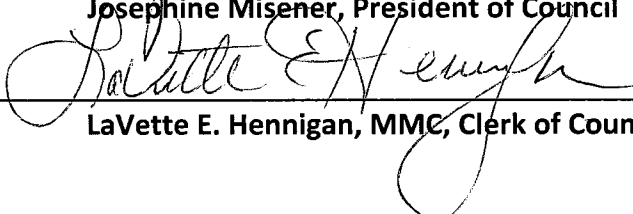
- **Reconvened Public Meeting/Action:** At 8:25 p.m., the President of Council announced the return to the public portion of the meeting and that there was nothing to report.

### ADJOURNMENT

Hearing no further business to come before this Council, the President declared the meeting adjourned at 8:25 p.m.

DATE APPROVED: March 6, 2017

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

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