

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

Monday, April 17, 2017

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

The Ward 2 Councilor offered the opening prayer and the Pledge of Allegiance was recited. A moment of silence was observed for the passing of Mr. Pasquale Renzetti, Jr., a former City employee who worked in the Recreation Department for many years.

MEMBERS PRESENT:	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. Kristy L. Hosken	(Ward 3 Councilor)
	Mr. Christopher J. McClure	(Vice President)
	Mrs. Josephine Misener	(President)

MEMBER(S) ABSENT: None

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): N/A

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.

PRESENTATION OF MEETING MINUTES

None

LEGISLATION AGENDA

None

REGULAR BUSINESS

PRESENTATION OF MEETING MINUTES

None

ADMINISTRATIVE REPORTS and COMMUNICATIONS

CITY MANAGER'S REPORT

2017 Street Paving

The City Manager requested an ordinance to enter into an agreement with Specialized Construction Incorporated, 711 Harvard Avenue, Cuyahoga Heights, OH 44105, as most responsible bid for the 2017 Street Paving bid in the amount not to exceed \$429,861.50. Payment for this contract will be taken from the 412 Fund. Mr. Pugliese moved, Mr. Hamrick seconded to approve the City Manager's request; motion CARRIED.

Repeal Payroll Ordinance No. 2017-07

The City Manager formally requested an ordinance to repeal Ordinance No. 2017-07, in its entirety, for the purpose of increasing salaries and wages of certain employee positions in accordance with the new payroll ordinance. Mr. Pugliese moved, Mr. Roskovics seconded to approve the City Manager's request; motion CARRIED.

Payroll Ordinance (excluding Division of Police)

The City Manager requested an ordinance for compensation of salaries and wages to employees of the City of Ashtabula, Ashtabula Municipal Court and Ashtabula City Health District; excluding the Division of Police. Mr. Pugliese moved, Mr. Roskovics seconded to approve the City Manager's request; motion CARRIED.

Yard Waste Bags

The City Manager announced pick-up is in the Harbor area this week. The full schedule is on the City's website at www.cityofashtabula.com. Residents may take bags to Public Works and sit them out front. Branches should be cut down to manageable pieces.

Clean-Up Events

The City Manager thanked residents and non-residents who showed up for a couple weekends to clean up various areas of the City. He said, "It made a huge, huge difference in our community, and I truly appreciate it. To those who disrespect our community and see no harm in throwing things out car windows or leaving junk on your property, I hope you change your attitude as you see good people going around cleaning up your mess."

Questions/Comments for City Manager

Yard Waste Bags: The President said only yard waste should be placed in yard waste bags. The Manager concurred and said crews will not take bags filled with rocks and/or dirt. He said the

company who takes the bags warned the City our fees would increase or they were going to refuse our service if this violation continues.

Grass Clippings: The Manager asked that grass clippings and leaves NOT be blown into the street. The grass clogs catch basins and plugs sewer drains. He said citations and warnings will be issued.

Black Sacks around Catch Basins: The President asked if the firm hired by Dominion East Ohio Gas company to perform their gas line replacement project, are going to remove the black sacks they placed in front of catch basins. The Manager said yes; that he has been in communication with them to let them know their crews need to return and finish the project. He said the sacks are required by Storm Water Management because, "When you disturb that much soil and there can be that much runoff, they have to contain the area around our catch basins to prevent the water runoff which has sediment in it."

CITY SOLICITOR'S REPORT

No Report

FINANCE DIRECTOR'S REPORT (start)

Legislation: The Director explained the Supplemental Appropriation request she presented to the City Council's Finance & Personnel Committee on Friday, April 14, which is scheduled to be voted on later in this meeting. She reported the request is for a net increase of \$265,000, primarily for the:

- Fire engine rebuild (\$56,000)
- Mosquito Grant (\$17,000)
- Early Retirement Incentive Program (ERIP) Principle: The initial amount borrowed in 2013 was \$750,000, for the purpose of offering an early retirement program; each year it is rolled over and part of the principle is paid down
- Joint Economic Development District [J.E.D.D.] distributions to Ashtabula and Saybrook Townships, the JEDD Boards and the City of Ashtabula; more was collected last year than anticipated, so more is being distributed
- Unexpected increases to County fees – not much we can do about it –the County was asked for the source of the increases – it was partly due to the collection of assessments – more was collected than what has been collected in the past, but there have been changes to the way they designate the assessments from delinquent trash and sewer amounts, and
- General increases after final amounts were received.

Mr. McClure moved, Mr. Pugliese seconded to formally request Ordinance No. 2017-51, addressing the Finance Director's supplemental appropriations request; motion CARRIED.

Tax Abatement: The Finance Director reported the last court-ordered payment to Ashtabula Area City School for \$450,000 in back tax abatement revenue, was made. It was a 10 year debt, with \$45,000 paid each year.

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, April 11, meeting, as follows:

Ashtabula County Board of Realtors: Ms. Kathy Kuha, Howard Hanna Sales/Associate was present on behalf of the Board of Realtors. She shared the following general and city-specific information about the real estate market:

- The best market in Ashtabula County is Kingsville, moving east towards Conneaut because buyers fill they get more for their dollar
- Current market trends in our area:
 - Prices are not increasing as quickly as in other areas due to:
 - our economy
 - the age of our housing stock
 - outdated architectural styles and interiors, and because
 - many properties are being purchased for to be used as rentals
- Basic real estate facts:
 - Neighborhoods are ever changing; they go through four phases:
 - Growth
 - Maturity
 - Decline, and
 - Revitalization.

A neighborhood is defined as a geographically localized community within a larger city – it is often the social community with considerable face-to-face interaction among its members.

Growth: Typically begins with new construction and conveniently located support facilities, such as, shopping, restaurants, schools; as neighborhoods grow home prices follow suit and this phase ends when development stops.

Maturity: Starts when the neighborhood reaches the point of stability and begins to face competition from similar or newer neighborhoods.

Decline: When neighborhoods begin the decent into decline property values may begin to fall. The appeal and overall marketability, the physical age and deterioration of the structures, as well as the aging population, often contribute to the overall decline. Outdated architectural styles also make the neighborhoods less attractive.

Shifting community trends have a direct impact on a neighborhood and affect value and long-term marketability of properties.

- City Market: In the last six months 55 properties sold. Of those:
 - 21 sold for under \$30,000
 - 6 for \$50,000 to \$59,000
 - 8 for \$70,000 to \$80,000

- Three top financing tools were used:
 - 31 paid cash (which most likely were those in the under \$30,000 range, which then tie into our rental situation because cheap properties are purchased, fixed up as little as possible, and sold or rent.
 - 14 used conventional loans
 - 5 used FHA

- Our median income is about \$24,000

- 138 properties were sold in the last year – only one person from outside the City purchased and located here:
 - 48 were under \$30,000
 - 16 were from \$40,000 to \$50,000
 - 15 were from \$70,000 to \$80,000
 - 1 sold for over \$500,000
 - 79 were purchased with cash
 - 28 were paid for by securing a conventional loan
 - 20 were FHA

- Approximately 20% of buyers are first-time buyers – the national average is about 33%

- Age groups purchasing homes:
 - Generation X (born 1966 to 1979) – 50%
 - Generation Y/Millennials (born 1980 thru 1984) – 28%

Conclusions: Statistics are good, but you have to learn how to use them and understand the message they convey.

The Chair reported that 50% of the City of Ashtabula's housing stock is rentals, and it looks like this trend may continue. When she thinks about what the City is able to do to curb the trend, she is reminded of the progressive stance the City Manager has taken regarding what can be done to improve our neighborhoods (e.g., demolitions and Land Bank purchase activity).

The City Manager said:

- The Land Bank, formally known as the Ashtabula County Land Reutilization Corporation, has received over \$4 million in grants through the state of Ohio for demolition activity. The funds are from mortgage penalties placed on banks due to predatory lending activity in past years.
- Because we have had very aggressive code enforcement policy by targeting housing in need or repair or demolishing, we were able to quickly submit our list to the Land Bank.
- The Land Bank has to own the houses before they can be demolished.
- In other programs, such as Neighborhood Stabilization Program and Moving Ohio Forward, we were able to demolish the structures but the properties remained in the owner's name.
- The Land Bank is filing tax foreclosures on properties. The County Prosecutor's office is pushing them through.
- Another 21 were received just last week, for which demolition will be scheduled.
- There remains about \$3 million to spend.
- If the neighboring houses are owner-occupied, we can sell those through the "side lot program", for \$100. If a rental property is located next to a Land Bank property, the Land Bank property has to be sold for market-value. There are landlords interested in obtaining more properties through the program.
- Banks were and still are not taking possession of properties on which they foreclose, so getting these properties the attention they need to be rehabbed or sold is difficult.
- Our population has reduced from 22 to 23,000 down to 18,000, so we are eligible to participate in programs that will assist us in removing our blight.
- Housing prices have slightly increased; we anticipate seeing them continue to increase.
- When banks foreclose on properties, many of them are being sold, in bulk, for \$2,000 to \$3,000 each, to out-of-state investment groups who purchase them to have them on their books or rent them out for one year, get their money back, and walk away. We are trying to prevent this type activity by placing "do not transfer" on the ones that are vacant and blighted. The County Auditor's Office has been working with us "very well" to make sure these homes do not transfer in those situations.
- We now need to see the remaining homeowners investing in their homes. At this committee meeting, we talked about there being stock to purchase, but that the homes are outdated, so when a younger couple sees they can purchase a home for \$60,000 they may be looking at a \$20,000 renovation to a kitchen, or \$10,000 renovation to a bathroom, and they do not want to take that on.
- We are getting to the point where what people pay to rent a home at 5/6/\$700 per month, is what a mortgage would cost on some of the homes in the \$60,000 range.
- Millennials who are entering the workforce and making home purchases is what we need more of to turn our housing stock around.
- We are approaching, 200, if not more, homes that have been demolished through all the program funding we have received.
- There is a bill pending, in the state of Ohio, to put funds towards commercial demolition. The Ashtabula County Land Bank and other Land Banks around the state, is writing a strong letter in support of the bill.

The committee revisited Ordinance No. 2017-36, regarding domestic farm animals, and voted to bring to the full Council, a request to REPEAL AND REPLACE ORDINANCE NO. 2017-36, FOR THE PURPOSE OF CHANGING THE FOOTAGE IN CODIFIED ORDINANCE SECTION 505.011 C(3) & (4) FROM 50 FEET TO 25 FEET REQUIREMENT FROM THE PROPERTY LINE AND FOR GRAZING AND ROAMING PURPOSES. Mr. Speelman moved, Mr. Pugliese seconded to approve the committee's recommendation; motion CARRIED.

Meeting Notice: The committee's May meeting is cancelled.

Ashtabula City Parks & Recreation Board

Lake Erie Dog Park Association: The Association presented the Board with plans for a 10 x 10 white vinyl pergola that will sit on a concrete slab located inside the larger of the two areas in the Park. The Association will provide all funding, materials and labor. The Board unanimously approved the request, and will go before the Ashtabula City Planning Commission on Thursday, April 20, for review and comment. The Association will host a clean-up of the dog park on Sunday, April 30, at 10:00 a.m.; with a rain date of Sunday, May 7, at the same time. They may also schedule a "dog Health Day".

Ad Hoc Committee Formation: The Board agreed to form two ad hoc committees whose members would serve in advisory roles. Earl Tucker, Board Chair, has provided his Board with suggestions on how the ad hoc committees may be best used. As interest in our parks grows, volunteer interest needs to be maintained. Mrs. Misener moved, Mr. Speelman seconded to permit the formation of two Ad Hoc Committees, to be overseen by the Ashtabula City Parks and Recreation Board; motion CARRIED.

Tiffany Reid reported on behalf of the "My Neighborhood Collaboration" community organization:

- **Community Garden:** It is growing. Last year they had so much food left over that they had difficulty giving it away. They need to find outlets for distribution so all the food can be given away this year.
- **Volunteers:** They are happy with the amount of people who are helping their causes.
- **Clifford Kadon Presidential Park (CKPP) Pavilion Construction:** For two years volunteers have tried to get a new pavilion constructed. A July 4, Ribbon Cutting is scheduled for the pavilion. The LiUNA Union, (the largest local construction union in North American), has offered to provide additional funding and helping with the construction.

Walnut Beach: The Chair reported on a call received over the weekend from an individual in a wheelchair who did not see handicap accessibility on the board walk. The Manager said he received the same call and it is being addressed.

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

The Chair reported on the committee's Friday, April 7, meeting, as follows:

Formal Legislation Requests

ORDINANCE NO. 2017-52, AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$260,000 OF NOTES OF THE CITY OF ASHTABULA TO PAY COSTS OF CERTAIN PENSION OBLIGATIONS OF THE CITY, AND DECLARING AN EMERGENCY. (Finance Director) Mr. McClure moved, Mr. Pugliese seconded to approve the formal request. Discussion: At the request of the Ward 4 Councilor, the Finance Director reported the \$750,000 loan for the Early Retirement Incentive Program (ERIP) is now at a \$260,000 balance. The Clerk of Council reported today the City Solicitor removed the emergency clause from the legislation, and that the amendment was approved by the Finance Director. The motion CARRIED.

ORDINANCE NO. 2017-56, AN ORDINANCE REPEALING, IN ITS ENTIRETY, PAYROLL ORDINANCE NO. 2014-108(a) TITLED, "AN ORDINANCE AUTHORIZING COMPENSATION, SALARIES AND WAGES FOR CERTAIN EMPLOYEES OF THE CITY OF ASHTABULA, OHIO, HEALTH DISTRICT", ENACTED ON JULY 7, 2014, FOR THE PURPOSE OF RETURNING THE POSITION OF PUBLIC HEALTH NURSING DIRECTOR (PART-TIME) TO THE GENERAL PAYROLL ORDINANCE OF THE CITY OF ASHTABULA. (Assistant Finance Director). Mr. McClure moved, Mr. Pugliese seconded to approve the formal request. Discussion: The Clerk of Council reported the reason for this legislation is because during Council President J.P. Ducro IV term a separate payroll ordinance for the position of Public Health Nursing Director was enacted because the former his wife held on of said positions. The President reported it is much like Ordinance No. 2017-59 that has to be enacted because the Ward 3 Councilor's husband is an Ashtabula City Police Office. The motion CARRIED.

ORDINANCE NO. 2017-59, AN ORDINANCE AUTHORIZING COMPENSATION, SALARIES AND WAGES TO THE DIVISION OF POLICE EMPLOYEES OF THE CITY OF ASHTABULA. (Assistant Finance Director). Mr. McClure moved, Mr. Pugliese seconded to approve the formal request; motion CARRIED.

The Finance Director presented the committee with:

- A supplemental appropriation request, and the
- Year-to-date financials, noting we are on budget and there are no concerns.

The City Manager presented the committee with:

- A change the County Auditor's Office has made regarding the allowance of the City to annually certify unpaid trash invoices in the form of nuisance abatements. The Manager and City Solicitor have more work to do before and will keep the committee updated.
- The Ashtabula City Health Department received a \$17,000 mosquito grant to abate mosquitoes from areas of standing water and to have a 'tire amnesty' day.

The Clerk of Council presented:

- A request to repeal and replace Codified Ordinance Chapter 111 "Notification of Public Meetings", for the purpose of removing the Clerk of Council from being responsible for meeting notices, changes and cancellations for all entities listed in the section with the exception of City Council, Architectural and Restoration Board, and Parks and Recreation Board, and placing said responsibility if meeting notices, changes and cancellations with the entity responsible for maintaining the meeting minutes for those various bodies.

Mr. McClure moved, Mr. Pugliese seconded the committee's request to repeal and replace Codified Ordinance Chapter 111; motion CARRIED.

- **Paperless System:** The Clerk of Council is looking into paperless Legislative Division agendas systems that will provide more efficiency and less paper output.

Miscellaneous

The committee put the final touches on a recommendation to enact a onetime, per year, swimming pool fill credit. The hope is to have the legislation enacted by the first regular council meeting in May since pools will begin to be filled. Mr. McClure moved, Mr. Pugliese seconded the committee's request to have swimming pool fill credit legislation drafted; motion CARRIED.

Mr. McClure moved, Mr. Pugliese seconded to convene an Executive Session after the General Public Discussion portion of the public meeting for the purpose of discussing Personnel: Employment/Compensation. On the roll call to convene an Executive Session: Mr. Hamrick, Mr. Roskovics, Mr. Pugliese, Mr. Speelman, Mrs. Hosken, Mr. McClure, Mrs. Misener voted yea; motion CARRIED.

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

The Chair reported on the committee's Friday, April 7, meeting, as follows:

Ashtabula Area City Schools (AACS): Superintendent Dr. Melissa Watson:

- Highlighted new programs she has implemented to help get students "career ready"
- Implemented a strategic plan
- discussed the "Aim Higher" program for K-12 designed to spotlight different opportunities for students from skill trades to college. The facility and staff decorated their classroom or office doors with the theme of their alma mater, including degrees and certificates they have achieved – this spurred questions from students
- The district is going to begin using Google Chromebook, a small laptop computer that will be issued to faculty and students. It will permit students to utilize all the technology provided to them.
- The AACS's website is being dated

The Council President invited Dr. Watson to attend an Ashtabula Downtown Development Association meeting to discuss collaborating with the association to display student art in empty storefront windows.

Spectrum Cable: Mr. Chris Thomas from Spectrum attended the meeting, was welcomed to our community, and was told we are not happy their prices were raised from those of Time Warner Cable. Mr. Thomas said he would take our concerns back to the powers-that-be. The Chair said he does not believe anything will change. Mr. Thomas agreed to look into several complaints of 'on-screen tiling', which today is still happening. The President said Mr. Thomas' presence was a "courtesy visit".

Next Committee Meeting: The City Manager has issued a notice that GreatWave Communications, Inc., out of Conneaut, Ohio, will be at the May 5, 8:00 a.m., committee meeting. Hopefully their fiber optic project is far enough along so they can start offering cable service competition. He said he would be the first to switch, if possible.

Stop Sign Request: The committee reviewed the Police Chief's recommendation in response to a Mr. Cory Nagy's request for stop signs to be erected at West 8th Street and Laird Drive. The City Manager would like to take a look at the area and comment; therefore the request was placed on hold.

Ohio Senate Bill 128: In response to the chair's inquiry to the Manager about SB128, the Manager said the only thing he was able to find out is in the email he sent to Council after the meeting. The Manager said a lobbyist group is rallying for a subsidy that would be given to nuclear plants, in much the same way there were subsidies for clean energy. The nuclear plants feel they have been neglected because dollars have been pumped into green energy, which they believe is lowering their advantage in the area of productions. Some have heard word that FirstEnergy would like to sell off their two nuclear plants in "this region", which the City Manager believes factors into a lot of the bill. (Note: The Manager's email to Council included the following: "In a nutshell, 128 would establish zero-emission credits to subsidize the plants in the name of maintaining a mix of power sources in Ohio and supporting generation with cleaner emissions than coal." Senator O'Brien has not issued an opinion. He has not asked Representative Patterson for his thoughts.). The subsidy, if approved, will be paid for through an increase to customers.

Meeting: The committee's next meeting is scheduled for Monday, May 5, at 8:00 a.m.

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

The Chair announced the committee's Monday, April 24, meeting, is cancelled.

WORK SESSION

The President announced Council will meet in a work session on Monday, May 8, at 5:00 p.m., in the municipal building 2nd floor conference room, to review and finalize the suggested Charter changes for the November 2017 general election ballot.

LEGISLATION AGENDA

- **Form and Correctness**

At the request of the President, the Clerk of Council reported the City Solicitor signed this evening's legislation, thus approving them as to form and correctness.

- **Formal Legislation Request(s) - None**

- **Legislation Overview**

The President announced much of the Legislation Reading has been discussed earlier in the meeting; she recapped the ones that had not.

Public Discussion (Legislation Portion Only) – None

Consent Agenda Legislation

Mr. Pugliese moved, Mr. Speelman seconded to dispose of the Legislation as a Consent Agenda, with the exception of Ordinance No. 2017-59; motion CARRIED.

Request to Abstain from Voting

The Ward 3 Councilor requested permission to abstain from voting on Ordinance No. 2017-59, Mr. Pugliese seconded – Roll call: Mr. Hamrick, Mr. Roskovics, Mr. Pugliese, Mr. Speelman, Mr. McClure, Mrs. Misener voted yea; motion CARRIED.

Legislation Reading – the Ward 3 Councilor abstained from voting

ORDINANCE NO. 2017-59, AN ORDINANCE AUTHORIZING COMPENSATION, SALARIES AND WAGES TO THE DIVISION OF POLICE EMPLOYEES OF THE CITY OF ASHTABULA. (Assistant Finance Director). Mr. Roskovics moved, Mr. Pugliese seconded to waive the reading of the ordinance; motion CARRIED. Mr. Pugliese moved, Mr. Roskovics second to waive the Charter requirement of two readings. On the roll call to waive the Charter requirement of two readings: Mr. Hamrick, Mr. Roskovics, Mr. Pugliese, Mr. Speelman, Mr. McClure, Mrs. Misener voted yea; motion CARRIED. On the roll call to adopt the ordinance: Mr. Hamrick, Mr. Roskovics, Mr. Pugliese, Mr. Speelman, Mr. McClure, Mrs. Misener voted yea; motion CARRIED.

Legislation Reading – All members vote

ORDINANCE NO. 2017-50, AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SPECIALIZED CONSTRUCTION INCORPORATED IN THE AMOUNT OF \$429,861.50 FOR THE PURPOSE OF PAVING CITY STREETS. (City Manager)

ORDINANCE NO. 2017-51, AN ORDINANCE TO MAKE SUPPLEMENTAL APPROPRIATIONS IN THE GENERAL, STREET LIGHT ASSESSMENTS, PUBLIC HEALTH, SANITATION, PARKS AND RECREATION, CODE ENFORCEMENT, PERMANENT IMPROVEMENT, WATER POLLUTION CONTROL, WATER POLLUTION CONTROL CAPITAL, JEDD 1 AND JEDD 2 FUNDS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF ASHTABULA, STATE OF OHIO, FOR THE PERIOD JANUARY 1 THROUGH DECEMBER 31, 2017. (Finance Director)

ORDINANCE NO. 2017-52, AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$260,000 OF NOTES OF THE CITY OF ASHTABULA TO PAY COSTS OF CERTAIN PENSION OBLIGATIONS OF THE CITY. (Finance Director)

ORDINANCE NO. 2017-53, AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH COUNTRYSIDE TRUCK SERVICES FOR FIRE TRUCK REPAIRS. (City Manager)

ORDINANCE NO. 2017-54, AN ORDINANCE AUTHORIZING THE CITY MANAGER TO DISPOSE OF OBSOLETE AND UNNEEDED EQUIPMENT, ITEMS AND/OR MATERIALS. (City Manager)

ORDINANCE NO. 2017-55, AN ORDINANCE CHANGING THE ZONING OF PROPERTY LOCATED AT 317 AND 321 WEST 58TH STREET FROM R-2 (SINGLE FAMILY RESIDENCE DISTRICT) to C-1 (GENERAL COMMERCIAL DISTRICT), AND AMENDING THE ZONING DISTRICT MAP ESTABLISHED BY CODIFIED ORDINANCE SECTION 1115.02. (City Manager)

ORDINANCE NO. 2017-56, AN ORDINANCE REPEALING, IN ITS ENTIRETY, PAYROLL ORDINANCE NO. 2014-108(a) TITLED, "AN ORDINANCE AUTHORIZING COMPENSATION, SALARIES AND WAGES FOR CERTAIN EMPLOYEES OF THE CITY OF ASHTABULA, OHIO, HEALTH DISTRICT", ENACTED ON JULY 7, 2014, FOR THE PURPOSE OF RETURNING THE POSITION OF PUBLIC HEALTH NURSING DIRECTOR (PART-TIME) TO THE GENERAL PAYROLL ORDINANCE OF THE CITY OF ASHTABULA. (Assistant Finance Director)

ORDINANCE NO. 2017-57, AN ORDINANCE REPEALING, IN ITS ENTIRETY, PAYROLL ORDINANCE NO. 2017-07, ENACTED ON FEBRUARY 6, 2017, FOR THE PURPOSE OF INCREASING ALL POSITIONS 2%, WITH THE EXCEPTION OF CITY MANAGER, CITY SOLICITOR AND DIRECTOR OF FINANCE; ADDRESSING THE RECONSTRUCTION OF MUNICIPAL COURT JOB TITLES, APPOINTMENTS AND DEPARTMENTS, RETURN THE POSITION OF NURSE (PART-TIME) TO SECTION J. FOR THE HEALTH DEPARTMENT; AND REMOVE SECTION K. FOR THE DIVISION OF POLICE AND CREATE A PAYROLL ORDINANCE FOR THE DIVISION OF POLICE. (City Manager and Ashtabula Municipal Court Judge)

ORDINANCE NO. 2017-58, AN ORDINANCE AUTHORIZING COMPENSATION, SALARIES AND WAGES TO EMPLOYEES OF THE CITY OF ASHTABULA, THE ASHTABULA MUNICIPAL COURT AND THE ASHTABULA CITY HEALTH DISTRICT, AND EXCLUDING THE DIVISION OF POLICE.
(City Manager and Ashtabula Municipal Court Judge)

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

NEW BUSINESS

- **Topper Avenue Railroad Bridge:** The Manager reported he has been in communication with Norfolk/Southern Railroad concerning the railroad's wish to remove the bridge and the abutting structures by the end of this year. The bridge has been out of service for decades and is deteriorating more and more as time passes. Once the project is completed the City would have the expense of installing barriers, such as guardrails, or a concrete structure like what is on the northwest corner of Valleyview Boulevard and East 42nd Street, or a higher fence at the end of the road. The Ward 2 Councilor suggested the Manager ask the railroad to assist with the payment of the fence, for safety purposes.
- **Center Street Railroad Overpass:** The President asked who is responsible for this overpass.

The Manager said both Norfolk/Southern and CSX Railroads, and that there is a lot of debate about the structure. He then said the 1897 agreement for the Topper Avenue Bridge was presented to the City. In 1897 we were a Village not a City, so Ashtabula County has some responsibility for the bridge.

- **ADDA Events:** The President reported the Ashtabula Downtown Development Association (ADDA) hosted two well attended and successful events - Downtown Laughs on April 7 and Eggstravaganza on April 15. She thanked the merchants and volunteers for always giving of their time, efforts, and energy. She reported baskets were donated for the Eggstravaganza, that the Ashtabula Police Department donated one boy's and one girl's bike, and the Ashtabula Fire Department had the fire truck on hand and helped with games at Kevin M. Cornelius Memorial Park. All proceeds from ADDA events are used for furthering the revitalization of Downtown Ashtabula. The President said we are fortunate to have two Main Streets, one in the Harbor and one downtown.
- **Wine & Walleye Festival:** The President announced the Lift Bridge Community Association (LBCA), located in our other 'downtown', is busy planning this year's festival.
- **Meetings:** The President announced the next Regular Council Meeting is scheduled for Monday, April 17, at 7:00 p.m., with Pre-Council commencing at 6:00 p.m., in Pre-Council Chambers.
- **Clean Ups:** Mr. Sal Jackson and his team of volunteers cleaned up three targeted areas. Kudos to Ashtabula merchants, such as Ward 5 Councilor Speelman's Chalk Box, who had 45 volunteers gather at his place of business for after clean-up refreshments. The Ward 5 Councilor reported the YMCA also sponsored an after clean-up event. The President announced ADDA is sponsoring a clean-up called "Take it to the Curb". Volunteers were asked to bring rakes, gloves and weed cleaner, to clean Main Avenue and West 46th Street, between Main Avenue and Collins Boulevard.
- **Meet and Greet:** ADDA will host their next M & G at Richmond's Transportation, located at the former Nassief automobile dealership, on Main Avenue. Light refreshments will be served.

City Council Rules of Order: The President presented the following for a vote of Council:

- **Amend Rule 18 – Order of Business – Regular Council Meeting** to include a section for "Agenda Approval". This will permit City Council to vote to approve their agenda prior to disposing of it. Mrs. Misener moved, Mr. McClure seconded to approve the amendment; motion CARRIED.
- **Amend Rule 21 – Preparation of Legislation**
 - Resolution requests must receive a simple majority vote of Council prior to being prepared. The resolution's requestor must obtain the information that will be placed in the resolution, including contact information, and submit that information to the Clerk of Council for the preparation of the resolution. Mrs. Misener moved, Mr. McClure seconded to approve the amendment. On the roll call to amend Rule 21: Mr. Hamrick (nay), Mr. Roskovichs (nay), Mr.

Pugliese (nay), Mr. Speelman (yea), Mrs. Hosken (yea), Mr. McClure (yea), Mrs. Misener (yea) voted yea; the motion CARRIED by a 4-3 vote.

- The Council SHALL NOT vote on ordinances or **formal resolutions** which have not first been submitted to the City Solicitor for “form and correctness”. Mrs. Misener moved, Mr. McClure seconded to approve the amendment. On the roll call to amend Council Rule 21: Mr. Hamrick (yes), Mr. Roskovics (nay), Mr. Pugliese (nay), Mr. Speelman (yea), Mrs. Hosken (yea), Mr. McClure (yea), Mrs. Misener (yea) voted yea; the motion CARRIED by a 5-3 vote; motion CARRIED.

The Ward 4 Councilor read Rule 1, verifying that a simple majority vote is needed to amend the Council Rules of Order. The Rule reads as follows:

Rule 1 - Council Rules of Order

Council shall adopt, by a simple majority vote of its members then holding office, its own Council Rules of Order which shall not conflict with the Ashtabula City Municipal Charter, and which shall remain in effect until amended, changed or repealed by a simple majority of all the members of Council holding office at that time. The Rules of Order shall become effective immediately after the simple majority vote for their passage is taken, unless a later date is specified, and shall not be subject to initiative [the ability to assess and initiate things independently] or referendum (the principle or practice of referring measures proposed or passed by a legislative body, head of state, etc., to the vote of the electorate for approval or rejection.)

GENERAL PUBLIC DISCUSSION

Mr. Steve Arnold, 1812 Pleasantview Avenue, representing Ms. Debra Stecky, 5425 Madison Avenue
Mr. Arnold said he spoke a few months ago at a Council meeting about the poor conditions of the City’s West Avenue facility (former the Ohio Department of Transportation facility). His friend, Ms. Stecky’s backyard abuts the property. He said the condition has worsened and provided photographs. He said when ODOT owned it they maintained it. He said he is going to let “higher up officials” know the property’s condition is an environmental and health hazard. He said it upsets him when people talk about how “trashy” our City looks, and that the conditions at the City’s West Avenue facility add to it. He also showed photographs of portions of the Greenway Trail bike path, located in the City, that is overgrown. Now there is standing water all year round because it has nowhere to drain. The mosquitoes are so bad Ms. Stecky’s backyard can only be used for “two minutes”. A skunk died after being on the property for two days. The Animal Control Officer was called but neither showed up or returned the call. Mr. Arnold said he caught a few raccoons, and said the condition of the property is a perfect breeding ground for raccoons and disease. He asked how the City can fine people for unkept properties when their property is in such poor condition. He said he is a veteran and it upsets him to return from defending our country to see people not doing their job.

Mr. Arnold showed a photo of a property at West 58th Street and Madison Avenue where more and more “stuff” is being placed on the property, which he is sure is creating rodents, and which is seen by people when they come into the City. The Manager said the property is being used for storage and that

notices have been issued. He said he also believes the property is in a light industrial zoned area, due previous years of "spot" zoning.

The Manager said the dirt piles on the City's West Avenue property are from the Lake Avenue Circle K construction project that will be used at Circle K's Main Avenue project this summer.

The Manager said after Mr. Arnold's last appearance the City reached out to ODOT to get their schematics of the property's drainage system. It has been determined that some of the piping has to be repaired and that we are waiting for spring to perform them. The Manager said there are two catch basins in the back of the property that he hopes are still intact, which would alleviate the problem in that specific area. In response to the President, the Manager said the area is not low, but that the tile is either plugged or obstructed.

The President asked if the equipment and other belongs currently on the property can be removed or hidden. The Manager said it is a light-industrial property; that offers have been submitted by somebody who wanted to rent the property, which would mean even more of the same equipment could be placed on property.

The Manager said the person in photo #7 has encroached on City property, the materials on the property belong to them, and notice has been issued. The Vice President asked if screening or fencing could be erected. The Manager said, "We can look at doing the slots".

The President asked if there is a timeline to address the standing water on our West Avenue property. The Manager said as soon as they can get back there.

Ms. Jane Haines, 1400 Bunkerhill Road

Ashtabula Downtown Development Association (ADDA) Fundraisers

1. **Cut-A-Thon:** Ultimate Appearance, of which she is owner, is sponsoring a Cut-a-thon, on Monday, April 24, from Noon to 6:00 p.m. Hair cuts will be \$15 - walk-ins only. The proceeds will go to the Main Avenue flower fund. If someone is unable to participate in the cut-a-thon, donations are welcome.
2. **Chocolate Walk:** ADDA is in the early stages of planning their 3rd Chocolate Walk on Main Avenue. It is scheduled for July 21 and 22 (Friday/Saturday). Participants will purchase \$6.00 tickets, get a bag, and visit each establishment where merchants will give out a chocolate item. This year the Jolly Trolley will transport participants from south Main Avenue to north Main Avenue.

Mr. Dave Corp, 5523 Madison Avenue

Mr. Corp reported Gary Avenue is scheduled to be paved this year. He asked why nothing has been done with the lower end of Jefferson Avenue (from West 52nd Street to Center Street), in the last two years. He does not understand why the other end of this same road was paved and not the entire

road. He said there is no way to avoid potholes from West 52nd Street to the railroad tracks. He said there is more traffic in a day on Jefferson Avenue than there is in a month on Gary Avenue. He asked if there is a chance of getting the lower end of Jefferson Avenue paved rather than Gary Avenue. The Manager said we can take a look at it but the paving contract bid packet was let with Gary Avenue on the list of roads to pave. If we start changing the list, others will want to request changes, also. He said the streets were evaluated and he made the recommendation "to everyone". He said a lot of truck traffic uses Gary Avenue due to an industry in the area; and they have been asking for several years to have Gary Avenue paved. Mr. Corp suggested the cost of material and man hours to routinely fill Jefferson Avenue potholes would have put a substantial dent in the cost to pave the road.

The Ward 2 Councilor reported that years ago property owners were assessed the cost of street paving. During those times 25 to 30 roads could be paved every one to two years. This is no longer the case; the City pays for it all, which limits the number of roads that can be paved. He said if residents want to be assessed to have their road paved, he is sure the City would accommodate them. He said engineers look at the streets and pick the roads.

EXECUTIVE SESSION

Convened: The President announced City Council would convene the Executive Session, that no decisions are permitted to be made in a closed session, and invited everyone to remain.

Reconvene Public Portion of Meeting: The President announced the return of the body politic to the open session and that there was no action to take.

ADJOURNMENT

Hearing no further business to come before this Council, the President declared the meeting adjourned at 8:43 p.m.

DATE APPROVED: May 15, 2017

ATTESTED BY: 
Josephine Misener, President of Council

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