

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

**REGULAR MEETING MINUTES  
Monday, December 21, 2020**

**CALL TO ORDER**

The President of Council called the virtual meeting to order at 7:01 p.m. The Ward 1 Councilor offered the opening prayer, and the Pledge of Allegiance was recited. Mrs. Foglio requested a moment of silence for Mr. Hector Martinez, who recently passed. He was the Ashtabula High School Band Director and instrumental in fostering the love of music to thousands of Ashtabula High School students, who often called him “Papa Marty”. He retired in 1989 but was involved with the Ashtabula American Legion Post #103, as their Honor Guard Bugler. He participated in every Memorial Day and Veterans Day parade for 45 years, since arriving in Ashtabula in 1970. He still performed at the age of 87. The Ward 1 Councilor shared her condolences with his family.

**MEMBERS PRESENT:** Mrs. Kym A. Foglio (Ward 1 Councilor)  
Mr. Calvin C. Crawford (Ward 2 Councilor)  
Ms. Laydean Young (Ward 3 Councilor)  
Ms. Octavia V. Harris (Ward 4 Councilor)  
Ms. Jane E. Haines (Ward 5 Councilor)  
Mr. Michael D. Speelman (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. Stacy H. Senskey (Clerk of Council)

**OFFICER(S) ABSENT:** none

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

**PRESENTATION:** none

## **REGULAR BUSINESS AGENDA**

**PRESENTATION OF MEETING MINUTES:** The Clerk of Council presented the minutes from the following meetings of December 7<sup>th</sup>, 2020:

- Rezone Request Public Hearing Minutes
- 2021 Tentative Budget Public Hearing Minutes
- Regular Meeting Minutes

Mrs. Foglio moved; Mr. Crawford seconded to waive the reading of the minutes. On the roll call: Mrs. Foglio, Mr. Crawford, Ms. Young, Ms. Harris, Ms. Haines, Mr. Speelman, Mr. Roskovics voted yea; motion CARRIED. Hearing no corrections, the minutes were approved as presented.

## **ADMINISTRATIVE REPORTS and COMMUNICATIONS**

### **CITY MANAGER:**

The City Manager formally requested an ordinance to repeal Payroll Ordinance #2020-111 and replace with a new Payroll Ordinance for the purpose of granting a 1.5% wage increase to all employees of the City of Ashtabula and the Ashtabula City Health District, excluding the Finance Director, Elected Officials and Contact Tracer. Mrs. Foglio moved; Ms. Harris seconded to approve the request. On the roll call: Mrs. Foglio, Mr. Crawford, Ms. Young, Ms. Harris, Ms. Haines, Mr. Speelman, Mr. Roskovics voted yea; motion CARRIED.

The City Manager formally requested an ordinance to execute an MOU (Memorandum of Understanding) with the IAFF, Local #165. **Discussion:** The City Manager explained the MOU corrects pay differences in the contract due to rounding of calculations. Mrs. Foglio moved; Ms. Young seconded to approve the request. On the roll call: Mrs. Foglio, Mr. Crawford, Ms. Young, Ms. Harris, Ms. Haines, Mr. Speelman, Mr. Roskovics voted yea; motion CARRIED.

The City Manager formally requested an ordinance to execute an MOU (Memorandum of Understanding) with three employee organizations for the purpose of extending their collective bargaining agreements for one year. Mrs. Foglio moved; Ms. Harris seconded to approve the request. **Discussion:** Due to the pandemic, the City Manager and the collective bargaining units agreed to extend the current contract for one year. Mr. Roskovics praised the City's collective bargaining units for agreeing to the extension and thanked City employees for making sacrifices during the pandemic. On the roll call: Mrs. Foglio, Mr. Crawford, Ms. Young, Ms. Harris, Ms. Haines, Mr. Speelman, Mr. Roskovics voted yea; motion CARRIED.

The City Manager formally requested an ordinance to enter into an agreement with Careworks for the purpose of providing Workers' Compensation Consulting and Claims Administration Services for the City of Ashtabula. Mrs. Foglio moved; Mr. Roskovics seconded to approve the request. On the roll call: Mrs. Foglio, Mr. Crawford, Ms. Young, Ms. Harris, Ms. Haines, Mr. Speelman, Mr. Roskovics voted yea; motion CARRIED.

The City Manager formally requested an ordinance to repeal Ordinance #2020-134; Codified Ordinance, Chapter 919 entitled Street Vacation Procedure and replace it with ordinance #2020-135; New Codified Ordinance, Chapter 919, entitled Street Vacation Procedure. Mrs. Foglio moved; Mr. Crawford seconded to approve the request. Discussion: The changes made to the procedure were made to assist with internal processes. The changed language also allows for 180 days to obtain a survey. Current language states property owner must obtain a survey prior to submitting the request to Council. The Planning and Community Development Department staff recommended the changes. On the roll call: Mrs. Foglio, Mr. Crawford, Ms. Young, Ms. Harris, Ms. Haines, Mr. Speelman, Mr. Roskovics voted yea; motion CARRIED.

The City Manager formally requested an ordinance to vacate the City's Interest in a portion of Progress Place pursuant to a request of both adjoining owners, all right, title and interest in and to said portion of Progress Place shall be combined with the adjoining parcel to the north, currently owned by Carlisle-Allen, LLC. Mrs. Foglio moved; Ms. Young seconded to approve the request. On the roll call: Mrs. Foglio, Mr. Crawford, Ms. Young, Ms. Harris, Ms. Haines, Mr. Speelman, Mr. Roskovics voted yea; motion CARRIED.

The City Manager formally requested an ordinance to vacate the City's interest in a portion of an unconstructed street located west of Harbor Avenue and extending north approximately 155 feet from East 21st Street upon certain conditions. Mrs. Foglio moved; Mr. Crawford seconded to approve the request. On the roll call: Mrs. Foglio, Mr. Crawford, Ms. Young, Ms. Harris, Ms. Haines, Mr. Speelman, Mr. Roskovics voted yea; motion CARRIED.

The City Manager formally requested an ordinance to repeal Codified Ordinance, Chapter 933.12 entitled Industrial Wastewater Pretreatment Enforcement and replace it with new Codified Ordinance, Chapter to change the language in paragraph b, #5 to read "within 10 days of receipt". **Discussion:** After review, Waste Water Treatment Department staff recommended this change to current language which gives the user 30 days to respond to notice of violation. Mrs. Foglio moved; Ms. Harris seconded to approve the request. On the roll call: Mrs. Foglio, Mr. Crawford, Ms. Young, Ms. Harris, Ms. Haines, Mr. Speelman, Mr. Roskovics voted yea; motion CARRIED.

The City Manager formally requested an ordinance to enter into an agreement with USA Waste Geneva Landfill for the purpose setting new rates for the disposal of solid waste, leachate, and sludge at the Geneva Landfill facility, effective January 1, 2021 through December 31, 2025.

Mrs. Foglio moved; Ms. Harris seconded to approve the request. On the roll call: Mrs. Foglio, Mr. Crawford, Ms. Young, Ms. Harris, Ms. Haines, Mr. Speelman, Mr. Roskovics voted yea; motion CARRIED.

The City Manager requested Council consent to reappoint:

- Ron Kister as Chairman of the Ashtabula City Port Authority effective immediately with a term to expire on October 22, 2024
- Joseph Craine as a member of the Ashtabula City Port Authority effective immediately with a term to expire on October 22, 2024

Mrs. Foglio moved; Ms. Harris seconded to approve the request. On the roll call: Mrs. Foglio, Mr. Crawford, Ms. Young, Ms. Harris, Ms. Haines, Mr. Speelman, Mr. Roskovics voted yea; motion CARRIED.

The City Manager wished all a Merry Christmas but reminds everyone to keep gatherings small. The City continues to see a rise in COVID cases. Council Chambers was outfitted to begin administering the vaccine as mandated by the Federal and State government. For last minute shopping, remember to visit local shop owners. And finally, he thanked City staff, City Health Department staff and City Council for all the patience and hard work that went along with 2020 and COVID.

**CITY SOLICITOR:**

The City Solicitor had nothing to report but wished a Merry Christmas to all.

**FINANCE DIRECTOR:**

The Finance Director formally requested a resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor. Mrs. Foglio moved; Ms. Young seconded to approve the request. On the roll call: Mrs. Foglio, Mr. Crawford, Ms. Young, Ms. Harris, Ms. Haines, Mr. Speelman, Mr. Roskovics voted yea; motion CARRIED.

The Finance Director formally requested an ordinance to repeal, in its entirety, payroll ordinance no. 2020-12, enacted on February 3, 2020, for the purpose of establishing the 2021 salary and wages for the Ashtabula Municipal Court and the Probation Department in accordance with the amended Ashtabula Municipal Court 2021 salary and wages Journal Entry No. 28-405 and replace with an ordinance authorizing compensation, salaries and wages to employees of the Ashtabula City Municipal Court and Probation Divisions. Mr. Roskovics moved; Ms. Haines seconded to approve the request. On the roll call: Mrs. Foglio, Mr. Crawford, Ms. Young, Ms. Harris, Ms. Haines, Mr. Speelman, Mr. Roskovics voted yea; motion CARRIED.

The Finance Director formally requested an ordinance to provide for appropriations for the current expenses and other expenditures of the City of Ashtabula, Ohio from January 1, 2021 through December 31, 2021. Mrs. Foglio moved; Mr. Crawford seconded to approve the request. On the roll call: Mrs. Foglio, Mr. Crawford, Ms. Young, Ms. Harris, Ms. Haines, Mr. Speelman, Mr. Roskovics voted yea; motion CARRIED.

**CLERK OF COUNCIL:**

The Clerk of Council acknowledged how different it could have been in Ashtabula if the leadership, department staff and community of the City of Ashtabula had reacted differently to the challenges of COVID-19 and violence due to racial injustice. She feels blessed to witness the generosity, kindheartedness, and compassion of these people on a daily basis. She reminded everyone of the many soup kitchens and food pantries located throughout the City. Finally, she wished everyone a safe, happy, and healthy holiday season.

**CITY COUNCIL COMMITTEE REPORTS and COMMUNICATIONS**

**Community Development/ Economic Development/ Parks & Recreation**

The Ward 5 Councilor reported on the Committee's December meeting (minutes provided as an attachment). She brought up the importance of selecting the Council appointment to the Parks & Recreation Board in a timely manner. The Clerk of Council noted she received an email from Mary Kiehl, Secretary of the Parks & Recreation Board emphasizing the need to fill the two vacancies. The City Solicitor explained any vote made by Council must be in the view of the public and a ballot vote is permissible. The Councilors may share information with each other but refrain from deliberating behind closed doors. They may discuss among themselves as long as four or more Councilors (a quorum) is not established. Deciding to use the ballot method must be put to a vote. Ms. Haines made a motion; Mr. Crawford seconded to decide Council's Park & Recreation Board appointment by a ballot vote method. On the roll call: Mrs. Foglio, Mr. Crawford, Ms. Young, Ms. Harris, Ms. Haines, Mr. Speelman, Mr. Roskovics voted yea; motion CARRIED.

The Committee's next meeting is Tuesday, January 12, 2021 at 4p.

**Finance & Personnel**

The next meeting is Friday, January 15, 2021 at 830a.

**Public Works/Public Utilities/Cable/Schools**

The next meeting is Monday, January 25, 2021 at 5p.

**Safety Forces**

The next meeting is Monday, January 25, 2021 at 830a.

## LEGISLATION AGENDA

- Formal Legislation Request(s):
- Form and Correctness – met per City Solicitor
- Public Discussion (on legislation only) –
- Legislation Overview –  
The Council President provided a brief overview of the Legislation Agenda.
- Request Legislation Presentation by Consent Agenda: Mrs. Foglio moved; Ms. Harris seconded to dispose of the Regular Business Legislation by consent agenda. On the roll call: Mrs. Foglio, Mr. Crawford, Ms. Young, Ms. Harris, Ms. Haines, Mr. Speelman, Mr. Roskovics voted yea; motion CARRIED.

## LEGISLATION READING

The Clerk of Council presented the following legislation:

RESOLUTION NO. 2020-126 A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR (Finance Director)

ORDINANCE NO. 2020-127 AN ORDINANCE REPEALING, IN ITS ENTIRETY, PAYROLL ORDINANCE NO. 2020-111, ENACTED ON NOVEMBER 16, 2020 FOR THE PURPOSE OF GRANTING A 1.5% WAGE INCREASE TO ALL EMPLOYEES OF THE CITY OF ASHTABULA AND THE ASHTABULA CITY HEALTH DISTRICT, EXCLUDING THE FINANCE DIRECTOR, ELECTED OFFICIALS AND CONTACT TRACER (City Manager)

ORDINANCE NO. 2020-128 A AN ORDINANCE AUTHORIZING COMPENSATION, SALARIES AND WAGES TO EMPLOYEES OF THE CITY OF ASHTABULA AND THE ASHTABULA CITY HEALTH DISTRICT (City Manager)

ORDINANCE NO. 2020-129 AN ORDINANCE TO REPEAL, IN ITS ENTIRETY, PAYROLL ORDINANCE NO. 2020-12, ENACTED ON FEBRUARY 3, 2020, FOR THE PURPOSE OF ESTABLISHING THE 2021 SALARY AND WAGES FOR THE ASHTABULA MUNICIPAL COURT AND THE PROBATION DEPARTMENT IN ACCORDANCE WITH THE AMENDED ASHTABULA MUNICIPAL COURT 2021 SALARY AND WAGES JOURNAL ENTRY NO. 28-405 (Ashtabula Municipal Judge)

ORDINANCE NO. 2020-130 AN ORDINANCE AUTHORIZING COMPENSATION, SALARIES AND WAGES TO EMPLOYEES OF THE ASHTABULA CITY MUNICIPAL COURT AND PROBATION DIVISIONS (Ashtabula Municipal Judge)

ORDINANCE NO. 2020-131 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL #165 (City Manager)

ORDINANCE NO. 2020-132 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO MEMORANDA OF UNDERSTANDING WITH THREE EMPLOYEE ORGANIZATIONS EXTENDING EXISTING COLLECTIVE BARGAINING AGREEMENTS FOR A PERIOD OF ONE (1) YEAR DUE TO THE EFFECTS OF THE COVID-19 PANDEMIC (City Manager)

ORDINANCE NO. 2020-133 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH CAREWORKS GROUP FOR WORKER'S COMPENSATION CONSULTING AND CLAIMS ADMINISTRATION SERVICES (City Manager)

ORDINANCE NO. 2020-134 AN ORDINANCE REPEALING, IN ITS ENTIRETY, CODIFIED ORDINANCE CHAPTER 919, ENTITLED STREET VACATION PROCEDURE (City Manager)

ORDINANCE NO. 2020-135 AN ORDINANCE ENACTING NEW CODIFIED ORDINANCE CHAPTER 919, ENTITLED STREET VACATION PROCEDURE (City Manager)

ORDINANCE NO. 2020-136 AN ORDINANCE VACATING THE CITY'S INTEREST IN A PORTION OF PROGRESS PLACE (City Manager)

ORDINANCE NO. 2020-137 AN ORDINANCE VACATING THE CITY'S INTEREST IN A PORTION OF AN UNCONSTRUCTED STREET LOCATED WEST OF HARBOR AVENUE AND EXTENDING NORTH APPROXIMATELY 155 FEET FROM EAST 21ST STREET UPON CERTAIN CONDITIONS (City Manager)

ORDINANCE NO. 2020-138 AN ORDINANCE REPEALING EXISTING CODIFIED ORDINANCE SECTION 951.03, ENTITLED RATES, COLLECTION AND DISPOSAL, IN ORDER TO ALLOW RESIDENTS OF WARDS 3, 4 AND 5 TO DISPOSE OF MORE SOLID WASTE (Ashtabula City Council)

ORDINANCE NO. 2020-139 AN ORDINANCE ENACTING NEW CODIFIED ORDINANCE SECTION 951.03, ENTITLED RATES, COLLECTION AND DISPOSAL, IN ORDER TO ALLOW RESIDENTS OF WARDS 3, 4 AND 5 TO DISPOSE OF MORE SOLID WASTE (Ashtabula City Council)

ORDINANCE NO. 2020-140 AN ORDINANCE TO PROVIDE FOR APPROPRIATIONS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF ASHTABULA, OHIO FROM JANUARY 1, 2021 THROUGH DECEMBER 31, 2021 (Finance Director)

Mrs. Foglio moved; Ms. Harris seconded to waive the reading of the legislation. On the roll call: Mrs. Foglio, Mr. Crawford, Ms. Young, Ms. Harris, Ms. Haines, Mr. Speelman, Mr. Roskovics voted yea; motion CARRIED.

Mrs. Foglio moved; Ms. Harris seconded to waive the Charter requirement of two readings. On the roll call: Mrs. Foglio, Mr. Crawford, Ms. Young, Ms. Harris, Ms. Haines, Mr. Speelman, Mr. Roskovics voted yea; motion CARRIED.

On the roll call to adopt the legislation: Mrs. Foglio, Mr. Crawford, Ms. Young, Ms. Harris, Ms. Haines, Mr. Speelman, Mr. Roskovics voted yea; motion CARRIED.

**NEW BUSINESS:**

Liquor Permit: The Council President presented Liquor Permit Transfer of Ownership Notice from Harbor Supply Inc 620 East 6<sup>th</sup> Street Rear and Patio, to A&J Liquid Assets LLC of the same address in Ashtabula, Ohio. It was determined this for is the Bum Boat. Hearing no objections from the Ward 2 Councilor or any other Councilors, City Council does not request a hearing.

**TELL US SOMETHING WE DON'T KNOW**

The City Manager explained Ordinance No. 2020-139 in further detail. In the areas with curbside recycling containers and City garbage containers, allowable trash equates to 96 gallons per week. With the passage of Ordinance No. 2020-139, Wards 3, 4, and 5, three (3) 32 gallon containers or nine (9) bags are permissible. The Sanitation Department staff will be adhering to the new policy beginning December 22, 2020. Because of Christmas, garbage normally collected on Friday, will be picked up Saturday, December 26<sup>th</sup>. New Year's Day will also be shifted to Saturday.

The Ward 2 Councilor wished Augie Pugliese a happy birthday as he turns 80 on December 28<sup>th</sup>, 2020.

The Ward 1 Councilor wished everyone a Merry Christmas, a safe and wonderful holiday, and great New Year.

The President of Council repeated the statement of celebrating the holidays safely this year.

**PUBLIC DISCUSSION/COMMENTS (General Matters): none**

**ADJOURNMENT**

Hearing no further business to come before this Council, the President declared the meeting adjourned at 8:04p.

DATE APPROVED: January 4, 2021

ATTESTED BY: John S. Roskovics  
John S. Roskovics, President of Council

ATTESTED BY: Stacy H. Senskey  
Stacy H. Senskey, Clerk of Council

(Attachments)

1. Community Development Economic Development/ Parks & Recreation Committee December 8<sup>th</sup>, 2020 Meeting Minutes – page 9



**ASHTABULA CITY COUNCIL COMMITTEE REPORT**

NAME OF COMMITTEE:

**Community Development/ Economic Development/ Parks & Recreation (CD/ED/P&R)**

DATE: Tuesday, December 8<sup>th</sup>, 2020

MEETING TIME & PLACE: 4:00 p.m. – Zoom Virtual Meeting

MEMBERS PRESENT: Jane Haines (Chair)  
Octavia Harris (Vice-Chair)  
John Roskovics (Member/Council President)

COUNCIL/ADMINISTRATION/STAFF:  
City Manager James Timonere, Clerk of Council Stacy Senskey

VISITORS: Parks and Recreation Chair Earl Tucker

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**REPORT OF BUSINESS CONDUCTED**

**Further discussion of Proposed Lakefront Residential Zone**

In an effort to protect homeowners on Walnut Boulevard from having their views of Lake Erie obstructed, the City Manager wants to create a Lakefront Residential Zone. The language he shared at a previous meeting is meant to be a starting point and further research and collaboration with Council is needed. The procedure to change zoning requires public hearings and can involve work sessions or an approval committee if desired. The area the Lakefront Residential Zone would encompass is Walnut Boulevard from Point Park to West 9<sup>th</sup> Street. The goal is to have the new zone language in place in spring. The current language can be interpreted as residents living lakeside could potentially build up to five feet away from the property line, which is technically the lake itself. The City Manager proposed using the top of the ridge as the back property line. Other options to consider include height restrictions, size restrictions for additions, allowable uses, and allowable structures. The City Manager encouraged the Committee Members to drive by the property currently under construction and the impetus for the zoning language review.

**Recognizing Businesses and Their Milestones**

City Council’s Welcome letter was well received by the owner of Unguentarii on Main Avenue, the first business we’ve formally welcomed upon opening. When opening and certain special milestones, recognition would be appropriate. The City Manager encourages Council to attend scheduled ribbon cuttings and can present a welcome letter at that time but recognizes not all businesses inform the City of their intent to open nor do they receive the proper permitting. Some businesses do inform the City, but never open. The Clerk of Council shared an idea used by many cities by developing a business recognition program using specific criteria. A business owner can fill out the business information and submit to the Clerk of Council can review the submissions Council. It may be able to be added to the City website. Geneva recognizes a

business of the year or citizen of the year. Any Councilmember can welcome a business at any time during a meeting or by letter, and the Greater Ashtabula Chamber of Commerce reminds Council of ribbon cuttings for new businesses. The Clerk of Council can create a welcome letter once advised by a Councilor, or when prompted by Chamber of Commerce notification.

**Parks & Recreation (P&R) Board Report**

Mr. Earl Tucker reported from the P&R Board's December meeting. The board members present recommended Margaret Distler as Council's appointment to the P&R Board. She has attended several meetings and introduced the pickle ball idea at the Walnut Boulevard Tennis Court. There is also a vacancy as a City Manager appointment. Mr. Tucker estimates a carryover of \$100,000 for the P&R fund. He discussed Harbor High School memorial bricks are available and would like to use the bricks as a patio area near the pickle ball courts. Mr. Tucker will get more information from Mr. Scott Furman, who is storing the bricks and will report back to the Committee and City Manager. The P&R Board would like to form a P&R Levy Renewal Committee. The park on West 38<sup>th</sup> is in disrepair, talks between the City Manager and Ashtabula Metropolitan Housing Authority (AMHA) about AMHA owning the park are ongoing. The Board has also been discussing exercise equipment at Smith Field, basketball court at Nappi Field, a lifeguard stand for Walnut Beach, benches donated by the Rotary Club for Highland Beach Park, and My Neighborhood Collaborative wants to erect a hoop structure at Kadon Park.

**Next Meeting** – The next meeting is Tuesday, January 12 at 4:00 p.m.

**Adjourn** – The Chair adjourned meeting at 4:42 p.m.

Scribe: Stacy H. Senskey, Clerk of Council