

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

REGULAR MEETING MINUTES
Monday, June 15th, 2020

CALL TO ORDER

The President of Council called the virtual meeting to order at 7:00 p.m., the Ward 3 Councilor offered the opening prayer and the Clerk of Council recited the Pledge of Allegiance. A moment of silence honored Alan Sposito, former Ashtabula City firefighter who recently passed.

MEMBERS PRESENT:

Ms. Jane E. Haines	(Ward 5 Councilor)
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)
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.

EXECUTIVE SESSION: None

ANNOUNCEMENT:

Due to the current stay-at-home order imposed by Governor DeWine, the Council President announced the Council Rules of Order may be temporarily suspended at any meeting of the City Council. Ms. Haines moved; Mr. Roskovics seconded to suspend the Council Rules of Order for the duration of the meeting. On the roll call: Ms. Haines, Mrs. Foglio, Mr. Crawford, Ms. Young, Ms. Harris, Mr. Speelman (nay), Mr. Roskovics voted yea; motion CARRIED by a 6 to 1 vote.

PRESENTATION:

Health Commissioner of Ashtabula City Health Department, Christine Hill shared current COVID-19 statistics. The State of Ohio has a total of 38,536 positive cases, 6,948 hospitalizations and 2,342 deaths. In Ashtabula County, there are 390 positive cases, 73 hospitalizations and 39 deaths. In the City of Ashtabula, there are 59 positive cases, seven probable cases, two current hospitalizations and four deaths. 243 people are under orders of quarantine and 41 people have been released from isolation when their symptoms resolved. Ms. Hill explained some new testing expansion. New testing centers are managed within certain drugstores. On the website <https://coronavirus.ohio.gov> is a map to find nearest locations. Everyone is eligible to receive testing. In heavily populated areas and underprivileged neighborhoods, temporary pop-up testing sites, where testing is free. The Congregate Care Unified Response Team (CCURT) is made up of Ohio National Guard medically trained members. CCURT will focus on testing staff and residents of nursing home and community facilities to prevent the spread. Unified Response Teams are coming to nursing homes and long term care facilities later this week. Ms. Hill shared statistics on Personal Protective Equipment (PPE). Statewide, Ohio has distributed more than 30 million pieces, 27.8 million pieces shipped for local distribution. The City of Ashtabula received boxes totaling 199,180 pieces of PPE and distributed boxes of 12,539 pieces. PPE pieces include N95 masks, surgical masks, face shields, gloves, gowns and other essential equipment to protect our first responders, funeral home staff, and healthcare workers. In conjunction with the Ashtabula County Emergency Management Agency (EMA) to distribute and track the PPE. The City Health Department staff is diligently working to support Responsible RestartOhio. Because of gradually opening more businesses and groups, staff is keeping the community updated with the latest guidance. For instance, staff was happy to help the organizers of the peace rally keep the mass gathering safe for the participants. The Council President thanked Ms. Hill and asked her about the spike in positive cases since Responsible RestartOhio began. The spikes were anticipated because more people are being tested. He remarked how well many local restaurants are doing an exemplary job of complying with guidelines in order to make customers feel safe during dining. After some questions from the Council Vice President, Ms. Hill explained the State of Ohio is encouraging people with the highest risk to stay at home as much as possible. The early orders have been lifted or modified and the directive is now called "Ohioans Protecting Ohioans". The Vice President commented Ohioans Protecting Ohioans lifted the stay at home orders. The City Manager explained initial projected numbers were calculated excluding any restrictions. With restrictions in place caused the numbers to be less. Communal spread is occurring, and more cases are being seen. The Vice President supports the idea of the individual taking personal responsibility, "If you know you're at risk, stay home." Ms. Hill agreed both the City Manager and Vice President have some good points and feels Ohio will trend toward the idea of personal responsibility.

REGULAR BUSINESS AGENDA

PRESENTATION OF MEETING MINUTES:

The Clerk of Council presented the minutes from the following meeting:

- June 1, 2020 Regular Council Meeting

Mr. Roskovics moved; Ms. Young seconded to waive the reading of the minutes. On the roll call: Ms. Haines, Mrs. Foglio, Mr. Crawford, Ms. Young, Ms. Harris, 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 requested an ordinance to repeal and replace Codified Ordinance, Section 1187.08 entitled Appeals; to resolve conflict with other codified ordinances. Mr. Roskovics moved; Ms. Haines seconded to approve the request. **Discussion:** The City Manager explained the current Section 1187.08 is in conflict with Section 1137.05 also dealing with appeals. Section 1187.08 states the appeal is heard by the City Administrative Board (CAB). In section 1137.05, an appeal is heard by the City Planning Commission (CPC). The City Solicitor further explained further, in an effort to keep the Codified Ordinance consistent, a person should appeal to the CPC if the Ashtabula Historic Preservation Commission (AHPC) denies a Certificate of Appropriateness (COA). The CPC is the larger of the two bodies and currently hears those types of appeals; therefore, was chosen as the appropriate body. On the roll call: Ms. Haines, Mrs. Foglio, Mr. Crawford, Ms. Young, Ms. Harris, Mr. Speelman, Mr. Roskovics voted yea; motion CARRIED. This item was added to the meeting's legislative agenda.

The City Manager requested an ordinance to enter into an agreement with J. Severino Construction Co. with a mailing address of 937 W. 52nd Street, Ashtabula, OH 44004 as most responsible bid in the amount of \$303,228.78 for the base bid of \$231,637.95 and alternate bid C in the amount of \$71,590.83. Funding for this project will be taken from fund 290, CDBG and 504, Water Pollution Control Capital. Mrs. Foglio moved; Mr. Crawford seconded to approve the request. On the roll call: Ms. Haines, Mrs. Foglio, Mr. Crawford, Ms. Young, Ms. Harris, Mr. Speelman, Mr. Roskovics voted yea; motion CARRIED.

The City Manager requested an ordinance to execute Change Order #1 with Capp Steel to provide for an additional demolition for property located at 5015 Benefit Avenue for an additional amount of \$13,500. Funding for this Change Order will be taken from fund 290, CDBG. Mrs. Foglio moved, Mr. Crawford seconded to approve the request. **Discussion:** The City Manager explained the property is the former Achromic Building with the large smokestack. The funding allows the City to demolish commercial properties such as this. On the roll call: Ms. Haines, Mrs. Foglio, Mr. Crawford, Ms. Young, Ms. Harris, Mr. Speelman, Mr. Roskovics voted yea; motion CARRIED.

The City manager reported the City is receiving many calls on high grass in yards. City staff asks for patience, being unable to hire the summer help normally used.

Leaf bag curbside pickup ended but residents can bring leaf bags to the front of the Public Works building. This service is strictly for leaves and will be eliminated if inappropriate items are discarded. Curbside pickup will start up again in late September. The Council President agreed the service is being abused, he witnessed trees discarded along with the leaf bags.

Life guards were on duty at Walnut Beach last weekend. They guard the beach full time, depending on weather and lake condition. The concession stand will be opening soon. The restrooms will open when the concession stand opens, and concession stand staff will be responsible for keeping the restrooms clean. If the concession stand is closed, the restrooms will also be closed. The City Manager asks beachgoers to practice social distancing. New signs will be posted with guidelines. Bands on the Beach was cancelled for this year. ACMC will sponsor again next year.

The Keybank branch in City Hall is scheduled to open June 29th. The City Manager plans to meet with the City Health Department and other staff members to discuss protocols allowing the building to safely open on June 29. It is preferred to continue to utilize the drive-thru for payments and conduct business over the phone or use the City website whenever possible. The Transfer Station is now open on Saturdays from 9:00 a.m. until noon for bulk items.

The bids are due back next week for the Tennis Court – pickle ball project next to Harbor Topky Library. The bid packet will be sent out next week for the Petmin Road project. The City manager explained the project has a timing issue and is working with the Finance Director.

Praise was given to State Representative John Patterson for the assisting with the passage of House Bill 481 which started as Senate Bill 310. There are many restrictions from the Federal Government CARES Act and it remains unclear how the funds can be spent. The City will collect what was received from the 2019 Local Government Fund. Any unspent funds or funds spent inappropriately are required to be returned.

The City Manager remarked about the success of the peace rally. Several safety forces agencies assisted during the rally and the City Manager thanked them for their aid. He is trying to receive reimbursement for expenses incurred for safety at the event.

The City Manager asks the public to continue using masks and maintaining the six foot rule while out and about in the community. Asymptomatic people can shed the virus so continuing to practice these guidelines will assist keeping the community healthy.

The Ward 5 Councilor complimented the City Manager, Ashtabula Police and Fire Departments, for “their excellence” surrounding the peaceful gathering. She complimented the organizer, Wisdom Davis, for her commitment to raising our awareness. The Councilor asked the City Manager the status of the River Bend Hotel. He remarked their funding has been approved and work should be starting soon.

CITY SOLICITOR:

The City Solicitor has been receiving many noise complaints and reminded residents if amplified music is audible 50 feet from the source, it may result in a ticket. Likewise, making noise with lawn equipment before 7:00 a.m. or after 7:00 p.m. initiate the same consequences. The Council President asked about fireworks. The City Solicitor stated it is not legal to have a personal fireworks display which could result in a ticket if someone complains. The City

Manager noted a House bill was introduced and passed on June 5th to allow the discharge of fireworks. The Senate must also pass the bill, and not legal as of yet. The change in State law does not automatically change the rules and regulations of the City.

FINANCE DIRECTOR:

The Finance Director requested a resolution in order to receive and expend Federal funds under Section 5001 of the Coronavirus Aid, Relief, And Economic Security (CARES) Act. Mrs. Foglio moved, Ms. Haines seconded to approve this request. On the roll call: Ms. Haines, Mrs. Foglio, Mr. Crawford, Ms. Young, Ms. Harris, Mr. Speelman, Mr. Roskovics voted yea; motion CARRIED.

The Finance Director requested an ordinance to create new fund (260) “Local Coronavirus Relief Fund” in order to account for costs consistent with the requirements of Section 5001 of the “Coronavirus Aid, Relief, And Economic Security Act”, as described in 42 U.S.C. 601(d) in the City of Ashtabula. Mrs. Foglio moved, Mr. Crawford seconded to approve this request. On the roll call: Ms. Haines, Mrs. Foglio, Mr. Crawford, Ms. Young, Ms. Harris, Mr. Speelman, Mr. Roskovics voted yea; motion CARRIED

The Finance Director reported The 2021 Tax Budget has to be to Ashtabula County by July 22nd. A public hearing will be scheduled for July 20th @ 6:00pm. It will be distributed to Council, available for the public’s review and posted on the finance page of the City’s website no later than July 10th.

CLERK OF COUNCIL:

The Clerk of Council announced the United States Postal Service is starting the PAWS program. Letter carriers will place an orange paw sticker on the mailbox if there is a dog in the home or a yellow paw sticker on the mailbox if the home next door owns a dog.

Dominion Energy Ohio is sending out representatives to inspect the outdoor gas metering systems to ensure proper operation. The representatives will be carrying company ID cards.

Census reports show the City of Ashtabula response rate is no 57.6% with is up from a month ago. Residents still have time to complete the census.

The Clerk of Council reported she earned 11 experience points and one education point towards her Certified Municipal Clerk status. With the cancellation of all conferences and classes, education points are difficult to earn her 59 remaining education points without spending money. She will fulfill her last 5 experience points by the end of July.

CITY COUNCIL COMMITTEE REPORTS and COMMUNICATIONS

- **Community Development/ Economic Development/ Parks & Recreation**
Meetings: 2nd Tuesday of each month at 4p
Next meeting: July 14, 2020

- **Finance & Personnel**
Meetings: 3rd Friday of each month at 8a
Next meeting: June 19, 2020
- **Public Works/Public Utilities/Cable/Schools**
Meetings: 4th Monday of each month at 5p
Next meeting: July 27, 2020
- **Safety Forces**
Meetings: 4th Monday of each month at 8a
Next meeting: June 22, 2020

LEGISLATION AGENDA

- Formal Legislation Request(s): The City Manager requested a resolution authorizing the submission to the electors of the City of Ashtabula, Ashtabula County, Ohio, the question of a renewal of a tax in the amount of three-tenths (0.3) mills for a period of five (5) years, for each dollar of taxable property within the City of Ashtabula, Ashtabula County, Ohio, for the purpose of paying the cost of providing and maintaining services and facilities for senior citizens by appropriating funds to the Ashtabula Council On Aging, Inc., a non-profit Ohio corporation with tax-exempt status under section 501(c)(3) of the Internal Revenue Code, in accordance with the provisions of sections 5705.19, 5705.191 and 5705.25 of the Ohio Revised Code; said levy to appear upon the tax duplicate of said City of Ashtabula, Ashtabula County, Ohio, for the tax years 2021 to 2025, inclusive. **Discussion:** The City Solicitor explained the levy process. The first step is a resolution of necessity which announces the City Council intends to move forward with renewal of the levy. Next is certification from the County Auditor, the amount of funds the levy's millage would raise. Once the Auditor's certification is received, the resolution to proceed is presented to City Council. For the Senior Levy, extra language must be added because the entity delivering the services is a 501 (c) 3 corporation. The City acts as a pass-thru to make sure the entity receives the tax dollars. Ashtabula County does not have a government agency to oversee senior services. The City raises the money for this agency, who in turn deliver the senior services. This is permitted in the Ohio Revised Code and Internal Revenue Service specifically for dedicated senior service organizations.

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

- Form and Correctness
- Legislation Overview –
The Clerk of Council provided a brief overview of the Legislation Agenda.
- Public Discussion (on legislation only) – None
Request Legislation Presentation by Consent Agenda: Mrs. Foglio moved, Ms. Haines seconded to dispose of the Regular Business Legislation in Consent Agenda. On the roll call: Ms. Haines, Mrs. Foglio, Mr. Crawford, Ms. Young, Ms. Harris, Mr. Speelman, Mr. Roskovics voted yea; motion CARRIED.

LEGISLATION READING

The Clerk of Council presented the following legislation:

ORDINANCE NO. 2020-49 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH JEFFERSON HEALTH CARE, FOR THE PURPOSE OF PROVIDING EMPLOYEE HEALTH, DENTAL AND VISION INSURANCE COVERAGE FOR THE PERIOD OF JULY 1, 2020 THROUGH JUNE 30, 2021

RESOLUTION NO. 2020-50 A RESOLUTION AUTHORIZING THE SUBMISSION TO THE ELECTORS OF THE CITY OF ASHTABULA, ASHTABULA COUNTY, OHIO, THE QUESTION OF A RENEWAL OF A TAX IN THE AMOUNT OF THREE-TENTHS (0.3) MILLS FOR A PERIOD OF FIVE (5) YEARS, FOR EACH DOLLAR OF TAXABLE PROPERTY WITHIN THE CITY OF ASHTABULA, ASHTABULA COUNTY, OHIO, FOR THE PURPOSE OF PAYING THE COST OF PROVIDING AND MAINTAINING SERVICES AND FACILITIES FOR SENIOR CITIZENS BY APPROPRIATING FUNDS TO THE ASHTABULA COUNCIL ON AGING, INC., A NON-PROFIT OHIO CORPORATION WITH TAX-EXEMPT STATUS UNDER SECTION 501(c)(3) OF THE INTERNAL REVENUE CODE, IN ACCORDANCE WITH THE PROVISIONS OF SECTIONS 5705.19, 5705.191 AND 5705.25 OF THE OHIO REVISED CODE; SAID LEVY TO APPEAR UPON THE TAX DUPLICATE OF SAID CITY OF ASHTABULA, ASHTABULA COUNTY, OHIO, FOR THE TAX YEARS 2021 TO 2025, INCLUSIVE.

ORDINANCE NO. 2020-51 AN ORDINANCE REPEALING EXISTING CODIFIED ORDINANCE SECTION 1187.08, ENTITLED APPEALS, IN ORDER TO REMOVE A CONFLICT WITH OTHER CODIFIED ORDINANCES (City Manager)

ORDINANCE NO. 2020-52 AN ORDINANCE ENACTING NEW CODIFIED ORDINANCE SECTION 1187.08, ENTITLED APPEALS (City Manager)

RESOLUTION NO. 2020-53 A RESOLUTION IN ORDER TO RECEIVE AND EXPEND FEDERAL FUNDS UNDER SECTION 5001 OF THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT (Finance Director)

ORDINANCE NO. 2020-54 AN ORDINANCE TO CREATE NEW FUND (260) "LOCAL CORONAVIRUS RELIEF FUND" IN ORDER TO ACCOUNT FOR COSTS CONSISTENT WITH THE REQUIREMENTS OF SECTION 5001 OF THE "CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT, AS DESCRIBED IN 42 U.S.C. 601(d) IN THE CITY OF ASHTABULA (FINANCE DIRECTOR)

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

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

NEW BUSINESS

TELL US SOMETHING WE DON'T KNOW

- The Ward 4 Councilor echoed the sentiments of the City Manager and Ward 5 Councilor. The peaceful gathering was an emotional, peaceful, beautiful, and awesome experience. She thanked Wisdom Davis for organizing the event, all who assisted and supported the event, all who attended and the City of Ashtabula.

She announced a Juneteenth barbecue will take place on Saturday, June 20th at Lakeshore Park from 11:00 a.m. to 8:00 p.m. Juneteenth is a holiday celebrated on June 19th in observance of African American Emancipation Day, the day slavery was abolished in 1865. Coordinators of the Juneteenth barbecue are adhering to COVID-19 guidelines set forth by the Ashtabula County Health Department and Lakeshore Park. Public is welcome and is encouraged to bring chairs or blankets for seating. There are children's games, adult games, music, free pre-plated food, basket raffles. The event is meant to be educational and speakers include the Ward 4 Councilor, among others. For any questions or comments, contact the event coordinators Ausia Robinson at 440-319-2614 or Sal Jackson at 440-344-0460.

- The Vice President agreed the peaceful rally was fantastic. There was a wonderful turnout and he thanked all who participated.

He recommends trying Breakwall BBQ in Conneaut. "You gotta go, it's amazing!"

- The Council President commented there are two signs upon entering the City of Ashtabula, one is for Connie Schultz and one for Urban Meyer. Coincidentally they each recently published books, *The Daughters of Erietown* by Connie Schultz and *Above the Line: Lessons in Leadership* by Urban Meyer.

Marianne's Chocolates on Bridge Street is selling ice cream from Conneaut's Heavenly Creamery.

- The Ward 1 Councilor shared her congratulations to all the graduates of 2020.

PUBLIC DISCUSSION/COMMENTS (General Matters)

- The Parks & Recreation Board Chair emailed notification of the next meeting, which is July 7, 2020 at 6:00 p.m. at Clifford Kaden/Presidential Park. "Anyone and everyone is invited to attend."

ADJOURNMENT

Hearing no further business to come before this Council, the President thanked the community for understanding the situation and declared the meeting adjourned at 8:16 p.m.

DATE APPROVED: July 6, 2020

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

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

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