

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

REGULAR MEETING MINUTES
Monday, March 2nd, 2020

CALL TO ORDER

The President of Council called the meeting to order at 7:00 p.m., the Ward 1 Councilor offered the opening prayer and the Pledge of Allegiance was recited.

- MEMBERS PRESENT:** Mr. Calvin C. Crawford (Ward 2 Councilor)
Ms. Laydean Young (Ward 3 Councilor)
Ms. Octavia V. Harris (Ward 4 Councilor)
Mrs. Kym A. Foglio (Ward 1 Councilor)
Mr. Michael D. Speelman (Vice President)
Mr. John S. Roskovics (President)
- MEMBER(S) ABSENT:** Ms. Jane E. Haines (Ward 5 Councilor)
- OFFICER(S) PRESENT:** Mr. James M. Timonere (City Manager)
Ms. Traci R. Welch (Director of Finance)
Mr. Michael Franklin (City Solicitor)
Mrs. Stacy H. Senskey (Clerk of Council)
- OFFICER(S) ABSENT:** None
- EXCUSED ABSENCE(S):** Mrs. Foglio moved; Mr. Speelman seconded to excuse the Ward 5 Councilor from this meeting; motion CARRIED.
- SUNSHINE LAW:** Clerk of Council Senskey certified conformity to the Ohio Sunshine Law.
- EXECUTIVE SESSION:** The Ward 1 Councilor requested an Executive Session for the purpose of discussing the sale of property. The City Manager requested a second Executive Session for the purpose of discussing the sale of property. Mrs. Foglio moved; Mr. Crawford seconded to grant the requests for Executive Sessions. On the roll call to convene the Executive Sessions: Ms. Young, Ms., Harris, Mrs. Foglio, Mr. Crawford, Mr. Speelman, Mr. Roskovics voted yea; motion CARRIED. The Council President announced the City Manager’s Executive Session would convene at the end of the public meeting agenda followed by an Executive Session for the Council members only. No decisions or actions would be made resulting from the sessions and the meeting would then adjourn.

CONSENT AGENDA

The Consent Agenda is a means whereby Council can efficiently conduct business by grouping routine items for consideration and disposal.

PRESENTATION OF MEETING MINUTES – None

LEGISLATION AGENDA – None

- Formal Legislation Request(s)
- Form and Correctness
- Legislation Overview
- Public Discussion (on legislation only)
- Reading

REGULAR BUSINESS AGENDA

PRESENTATION OF MEETING MINUTES:

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

- February 11, 2020 Special Council Meeting
- February 18, 2020

Mrs. Foglio moved; Ms. Harris seconded to waive the reading of the minutes; motion CARRIED.
Hearing no corrections, the minutes were approved as presented.

ADMINISTRATIVE REPORTS and COMMUNICATIONS

CITY MANAGER

Formal Requests

Petmin USA, Inc. Tax Abatement

The City Manager requested an ordinance to approve a Commercial Tax Abatement for Petmin USA, Inc. The abatement would be for 10 years at 50%. This is for construction of a manufacturing Facility to be located on 5th Street in the City of Ashtabula. Mr. Speelman moved; Mr. Crawford seconded to approve this request; motion CARRIED.

Opioid Lawsuit Settlement

The City Manager requested a resolution to execute a Memorandum of Understanding to secure proceeds from the Opioid Lawsuit Settlement for the City of Ashtabula Mrs. Foglio moved; Mr. Speelman seconded to approve this request; motion CARRIED. Discussion: The City Manager apologized the suddenness of the request, but the approval of this Memorandum of Understanding is required by State of Ohio to be submitted by March 6, 2020 in order to participate.

The Council President explained to the sizeable audience they could discuss these items during the Public Discussion portion of the meeting following the Legislation Overview.

Water Pollution Control Sale of Asset

The City Manager requested an ordinance to accept the offer of Aqua America to purchase the Waste Water Treatment Plant and Collection System for \$35 million with provisions for the protection of existing employees and local participation in setting rates. Mr. Speelman moved; but the City Manager's request was not approved for lack of a second. Discussion: The City Solicitor clarified to the audience Council can no longer discuss the issue, Aqua America's offer was rejected.

2020 Ashtabula County Y.M.C.A Lifeguard Agreement The City Manager requested an ordinance to enter into an agreement with the Ashtabula County Y.M.C.A. with a mailing address of 263 West Prospect, Ashtabula, OH 44004 in the amount not to exceed \$32,565.00 for the purpose of providing lifeguard services for Walnut Beach for the 2020 summer season. Payment for this expense will be taken from Parks Levy, Fund 233. Mr. Crawford moved; Mrs. Foglio seconded to approve this request; motion CARRIED. Discussion: The City Manager explained the cost is higher because the 2020 summer season has three more days than in 2019. This item will be added to Regular Business Agenda at the March 16 Regular City Council meeting.

Port Authority – Re-appointments

The City Manager requested to re-appoint Brian Wells as a member of the Ashtabula City Port Authority for a term to commence immediately and to end on January 18, 2024. And the City Manager requested to re-appoint Joseph Varckette as a member of the Ashtabula City Port Authority for a term to commence immediately and to end on January 28, 2024. The re-appointments were approved by Councilors voice vote.

Communications

The City Manager announced a Public Hearing would take place in Council Chambers on Tuesday, March 24th, 2020. The purpose of the meeting is to inform residents of the Ohio Community Development Block Grant Program.

CITY SOLICITOR – None

DIRECTOR OF FINANCE – None

CLERK OF COUNCIL – None

CITY COUNCIL COMMITTEE REPORTS and COMMUNICATIONS

Council committees meet in the August A. Pugliese Conference Room – M.B. 2nd Floor

COMMUNITY DEVELOPMENT/ECONOMIC DEVELOPMENT/PARKS & RECREATION (CD/ED/P&R)

Members: Chair/Council Liaison to Parks and Recreation Board Haines; Vice Chair Harris; Roskovics
Meetings are held the 2nd Tuesday @ 4p

In the Committee Chair's absence, the Council President announced the next meeting is Tuesday, March 10th. The Ward 4 Councilor would serve as Chair for the meeting.

FINANCE & PERSONNEL - (F&P)

Members: Chair Foglio; Vice Chair Young; Roskovics

Meetings are held the 2nd Friday @ 8a

The Committee Chair announced the next meeting is Friday, March 13th at 8a, if needed after consulting with the Director of Finance.

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

Members: Chair Crawford; Vice Chair Harris; Young

Meetings are held the 3rd Monday @ 5p

- Report of the Monday, February 24 meeting:
Paving bids for 2020 were advertised the end of February. The City Manager is requiring the paving project bidder be finished by July 15th. The Tivision Road bid was advertised but the Lake Road and State Route 531 culvert project bid package is on hold until necessary permits are in hand. The Petmin Road project should be starting soon. The Public Works department is busy patching roads, running the street sweeper, and jetting storm sewers. The Committee sent outreach letters to the Ashtabula Area City schools, Kent State University, Ashtabula Campus, and Saint John School. The Ward 4 Councilor announced the YMCA is concerned about the students running across Route 20 rather than using the sidewalks. The road pattern prohibits a crosswalk directly across from the YMCA entrance. The next meeting is Monday, March 23rd at 5:00 p.m. The Council President also took time to thank City employees for keeping up with patching and clean-up of the roads. Many of them attended the City Council meeting.

SAFETY FORCES - (SF)

Members: Chair Speelman; Vice Chair Foglio; Haines

Meetings are held the 3rd Monday @ 8a

- Report of the Monday, February 24 meeting:
The 2019 Ashtabula Fire Department Annual Report is available and can be emailed if anyone wants to review it. Chief Gruber talked about the fatal fire on Myrtle Avenue. He advised fatalities from fires can be prevented with the use of operable smoke detectors. Smoke detectors can be requested from the Fire Department. House fires burn much hotter than the past due to the use of synthetic materials in the household. People were cited for illegal parking on East 45th Street the City Manager is adding arrow signs pointing at each other to demonstrate the "No Parking" areas. After the Police Chief surveyed Riverside Road residents, he recommends a ban on parking for the entirety of Riverside Road. Coming out of Committee, Mr. Speelman moved to amend the traffic control map to ban parking the entire span and both sides of Riverside Drive; Mrs. Foglio seconded; motion CARRIED. The next meeting is Monday March 23rd at 8:00 a.m.
- The City Manager added the Codified Ordinances of the City of Ashtabula require a voice vote and approval by the majority of Council for lateral transfers in the police department. On the Police Chiefs recommendation, the City Manager requested confirmation to hire Timothy Bruckman from Geneva-On-The-Lake and Aaron McCracken from the Village of Jefferson. Mr. Roskovics moved; Mrs. Foglio seconded to approve the request. The Police Department needs to hire one additional officer. The Civil Service entrance list, once confirmed, yields one available officer.

Miscellaneous Council Matters –

- Council Appointments – Notice of Interest to Serve Planning Commission
 - Patricia Donato
 - RoLesia Holman

Mr. Roskovics moved; Mr. Crawford seconded to reappoint Ms. Donato and appoint Ms. Holman to serve on the Planning Commission; motion CARRIED

- Council Appointments – Notice of Interest to Serve Local Board of Tax Review
 - Shelley Huff

Mr. Roskovics moved; Mrs. Foglio seconded to reappoint Ms. Huff to serve on the Local Board of Tax Review; motion CARRIED

LEGISLATION AGENDA

- Formal Legislation Request(s): No additional requests were made at this time.
- Form and Correctness
- Legislation Overview

The Clerk of Council provided a brief overview of the Legislation Agenda, consisting of Ordinance Nos. 2020-22, 2020-23, 2020-24, 2020-25, 2020-26 and Resolution No. 2020-27.

- Public Discussion (on legislation only) –
 - August A. Pugliese asked the City Manager how many streets are involved in the 2020 paving program. The City Manager is scheduling 2.6 miles of roads at the engineer's estimate of \$724,000. The paving levy is estimated to bring in \$711,000 yearly. Remaining cost will come from Permanent Improvement Fund. The City Manager is also scheduling paving on a portion of Lake Avenue, using various grants to cover the engineer's estimate of \$2.1 million and is hoping to spend only \$200,000 of City funds. The project is projected to start in 2021 once the grant funds are received. Aqua has future plans to move water lines out of the roadways and into the sidewalks on Lake Avenue, for water system repairs, eliminating future road cuts. Other repair estimates for future years projects are Michigan Avenue at over \$300,000, Union Avenue \$300,000 and West 13th over \$400,000.
 - Barbara Gubanyar discussed Petmin and asked why the City would grant them a 50% tax abatement. The City will recoup money since Petmin will be building a system that allows their waste water to flow to our plant and through Petmin's \$6 million payroll. Tax abatements encourage growth and are used by many municipalities.
 - T. Jo Gallo expressed concerns of harmful emissions that may come from Petmin plant, though the EPA granted them an air permit. She feels Petmin should not receive a tax break as those funds would be helpful for future clean-up of City sites and health issues of City residents. The City Manager explained Petmin's air permit is strictly for the use of natural gas which is likened to running a household furnace but on a bigger scale.

- Dennis Degennaro added natural gas is mainly methane, which traps more heat than carbon dioxide and suggests it is highly dangerous to the environment.
- Sarah Brower believes Petmin should be taxed properly because citizens do not know the ultimate damage to the environment or health.

CONSENT AGENDA FORMAT –

Mrs. Foglio moved; Ms. Young seconded to dispose of Regular Business Legislation by Consent Agenda Format; motion CARRIED.

• **LEGISLATION READING**

The Clerk of Council presented the following legislation:

ORDINANCE NO. 2020-22 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH GPD GROUP OF YOUNGSTOWN, OHIO FOR THE PURPOSE OF PROVIDING DESIGN ENGINEERING AND CONSTRUCTION ADMINISTRATION FOR THE 2020 PAVING PROGRAM IN AN AMOUNT NOT TO EXCEED \$80,000 (City Manager)

ORDINANCE NO. 2020-23 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH CT CONSULTANTS IN THE MAXIMUM AMOUNT OF \$16,000 PER YEAR FOR TWO YEARS FOR PROFESSIONAL SERVICES IN THE ADMINISTRATION OF THE CITY OF ASHTABULA'S INDUSTRIAL PRE-TREATMENT PROGRAM (City Manager)

ORDINANCE NO. 2020-24 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A COMMUNITY REINVESTMENT AREA TAX INCENTIVE AGREEMENT WITH CARLISLE-ALLEN, LLC, FOR TAX ABATEMENT AT 75% FOR 10 YEARS FOR THE RECONSTRUCTION/ REMODELING OF STRUCTURES AT 4439-4441 MAIN AVE., 4509-4519 MAIN AVE. & 223 PROGRESS PLACE TO BECOME SENIOR HOUSING & COMMERCIAL RENTAL SPACE (City Manager)

ORDINANCE NO. 2020-25 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A COMMUNITY REINVESTMENT AREA TAX INCENTIVE AGREEMENT WITH CASTLE BLOCK PROPERTIES, LLC, FOR TAX ABATEMENT AT 75% FOR 10 YEARS FOR THE RECONSTRUCTION AND/OR REMODELING OF STRUCTURES AT 331-341 WEST 47TH (CENTER) STREET TO BECOME HOUSING & COMMERCIAL RENTAL SPACE (City Manager)

ORDINANCE NO. 2020-26 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A COMMUNITY REINVESTMENT AREA TAX INCENTIVE AGREEMENT WITH PETMIN USA, INC., FOR TAX ABATEMENT AT 50% FOR 10 YEARS FOR THE CONSTRUCTION OF A MANUFACTURING FACILITY AT 5th STREET IN THE CITY OF ASHTABULA (City Manager)

RESOLUTION NO. 2020-27 A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A "ONE OHIO MEMORANDUM OF UNDERSTANDING" IN ORDER TO SECURE OPIOID LAWSUIT SETTLEMENT PROCEEDS FOR THE CITY OF ASHTABULA (City Manager)

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

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

NEW BUSINESS

Tell Us Something We Don't Know

Ward 2 Councilor

Last week of registration for Ashtabula Little League is this week. Anyone signing up after Wednesday, March 4 will pay a late fee. Tryouts are Saturday, March 7 at Saint John School.

Council Vice President

Edgewood Senior High School Musical "Urinetown" is Friday at 7p, Saturday at 2p and 7p, and Sunday at 2p. Student ticket cost is \$5, adult ticket is \$10.

PUBLIC DISCUSSION/COMMENTS (General Matters)

Patricia Bloom met with the Ward 3 Councilor on the matter of a neighbor's tree. The tree fell across her driveway and into West 17th Street. The City Solicitor advised his personal experience is the responsibility belongs to the person where the tree falls and not where the tree is rooted.

Bob Coffield's ditches are not draining properly due to Dominion gas excavation of gas lines on Harbor Avenue. The City Manager advised the utility company is responsible and should make the repairs. Mr. Coffield identified parking issues on East 16th between the creek and Columbus Avenue. People are parking on both sides of the road and fire hydrants are often blocked. The signs are being removed. The City Manager will check the street and the traffic map and advised Mr. Coffield to call the police if he sees anyone removing signs.

Dr. Irene Fiala updated the Community Cat Coalitions activities. The volunteers raised \$1650 for the Trap, Neuter, Release program for the weekend of March 7th and 8th. The group located volunteers for all aspects of the event, but they are seeking a heated building to house 25 cats for a 24-hour recovery period on Sunday. County Commissioner JP Ducro offered a place. The Council President thanked Dr. Fiala for all she is doing.

Isaiah Salters is interested in organizing a three-day city-wide clean-up. He remarked Wards 3 and 4, since they are the heart of the City, deserve special attention. Trash builds up in streets and debris is often left from demolished buildings. He proposes assistance from people who need credit for community service hours and City officials. The City Manager offered many city organizations are organizing clean-up days and pay for dumpsters. The City held "dump days" in the past but the program ceased because of the excessive amounts of trash and high cost to the City. Trash can only be removed from streets and tree lawns, not resident's homes. Residents should call the Sanitation Department to schedule trash pick-ups in excess of the allowable 2 cans or 6 bags. The Council President asked Mr. Salters to let Council know when he chooses to begin the clean-up.

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Ashtabula County Auditor, David Thomas, updated the City about 2020 Re-evaluation. Appraisers are out in the City and looking every property. The appraisers will knock on the door or call before they come onto the property. If City residents have any questions, please call the Auditor's Office. Homeowners and business owners can challenge the value until March 31st. Appraisers vehicles are clearly marked with Ashtabula County Auditor contact information and appraisers can be identified by their badge.

Ashtabula County Commissioner, JP Ducro gave a brief reminder for the RAM Clinic, Saturday and Sunday, April 4 & 5, 2020. Free dental, medical and vision services are available at the Ashtabula Towne Square Mall starting at 6 a.m. and the Census 2020 cards are coming to mailboxes next week. Please fill out the cards completely to provide the County with appropriate state and federal funding. He advised Council to consider having more discussion about the Waste Water Treatment Plant. The County is exploring a Regional Sewer District and is interested in working with Ashtabula City. The County plan would work as a cooperative district by merging the assets of the current waste water treatment plants in the County, similar to Northeast Ohio Regional Sewer District in Cleveland. The City Manager does not recommend the Regional Sewer District because the City would only have one seat on the board and have less control of rates.

Dennis Degennaro does not believe the City should give up the Waste Water Treatment Plant. With no appraisal and no discussion, he is not in favor of selling. He believes \$35 million is not enough and would be quickly spent. Mr. Degennaro does not care for the service Aqua provides for water and suspects the sewer service would be the same. With our proximity to the lake, we should not have a private company serve as our water utility.

Adam Holman is glad to hear the discussion and is reminded there are many solutions to a problem. He feels the City should keep the sewer plant. He is encouraged to see a full Council.

Ezra Tackett, a student of Lakeside High School, spoke about the need for a traffic light at the three-way intersection of East 46th and State Road. The driveway of his home is near the corner and he sees many motorists not observing the signs and driving too fast, making the intersection dangerous.

EXECUTIVE SESSION

The Council President announced the Executive Session, as earlier requested by the City Manager, would convene, and no action would be taken after the session.

ADJOURNMENT

Hearing no further business to come before this Council, the President declared the meeting adjourned at 8:57 p.m.

Ashtabula City Council Regular Meeting Minutes
Monday, March 2, 2020

DATE APPROVED: March 16, 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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