

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

REGULAR MEETING MINUTES
Monday, February 4, 2019

CALL TO ORDER

The President of Council called the meeting to order at 7:00 p.m., Father Thomas from Our Lady of Peace Parish offered [an] opening prayer and the Pledge of Allegiance was recited.

MEMBERS PRESENT:

Mrs. Kym A. Foglio	(Ward 1 Councilor)
Mr. August A. Pugliese	(Ward 2 Councilor)
Mr. Richard A. Quaranta	(Ward 3 Councilor)
Mr. Michael D. Speelman	(Ward 4 Councilor)
Ms. Jane E. Haines	(Ward 5 Councilor)
Mr. Christopher J. McClure	(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. LaVette E. Hennigan, MMC	(Clerk of Council)

OFFICER(S) ABSENT: None

EXCUSED ABSENCE(S): None

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

PRESENTATION(S):

Ms. Amy Bernado, University Hospitals Conneaut and Geneva

Presented a Bleeding Control Kit to Police Chief Stell. Part of UH's mission is "To teach, to heal and to discovery". By doing so, they want to be innovative in areas where they are able to make a difference, such as doing things for our public safety forces that can help make a difference in their daily responsibilities. They have already donated 30 bleeding control kits and emergency kits to the Ashtabula Police Department (APD). UH has provided four training sessions for the officers. The bleeding control kits were used by APD officers last week at an unfortunate event. She said UH's goal is to provide on-going support to the communities they serve.

The President announced he was going to permit a few citizens to comment since this evenings public hearing ran over which caused the Pre-Council meeting to be cancelled.

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Mr. Timothy Dorman, East 2nd Street

Thanked Council for permitting him to speak at this juncture in the meeting. At a July 2018 council meeting, he expressed concern about his neighbor's extremely overgrown lawn and the condition of house which is in disrepair. He thanked the persons who got the yard cleaned up. However, during the recent polar vortex, part of the residential structure clasped. He asked what is required before a structure is tagged "condemned" and what is required to get the structure demolished.

The Manager said the City is aware of the condition, and information has been sent to the City Solicitor's office for charges stemming back to July 2018. The difficulty in getting the structure razed is the owner has a certain tie to the property. He has been paying the property taxes so foreclosure is not an option. We have been unsuccessful in getting him to give the building to the Land Bank (the land would accompany the property) so their funds could be used to raze it. What funds may be used to raze the structure has been discussed. The structure has been condemned; notices were placed on the property; pictures of the notices on the structure were taken; the notice may have fallen off; and a condemned noticed was mailed to the owner. Hopefully, come spring, everything will be in order and the property demolished through other means.

Mr. Dorman said he has followed the news on the proposed Pig Iron Plant. He searched the Environmental Protection Agency's (EPA) website regarding various matters. He learned the EPA has no jurisdiction over matters such as, location, zoning, and setbacks to homes, schools and businesses, traffic noise, workplace safety, impacts on property values, eminent domain and natural gas pipeline locations. He read a letter from concerned citizens asking if the City would convene a public meeting for citizens to ask questions. The request does not signify opposition to progress, but does ask that the following persons are invited to the public meeting: Ashtabula County Commissioner J. P. Ducro, Ashtabula County Port Authority Executive Director Shawn Ratican, Growth Partnership of Ashtabula County Executive Director Greg Myers, any interested Kinder-Morgan representatives, and the Ashtabula City Manager. The hope is that the meeting will provide more information, a better understanding of the project, and offer reassurances to nearby residents, as well as all Ashtabula citizens. Signed: Citizens Seeking Information.

The City Manager said he would be happy to accommodate the request as more information is provided. He announced that next week a large meeting is scheduled with Petmin and other entities. The State of Ohio has not issued the Air Permit. The project has been likened to "a whole bunch of new houses being built with very efficient furnaces and the gases from those furnaces are basically what this plant is going to be exhausting. On a much smaller scale, what's coming out of your furnace right now is what's coming out of the air; that they'll be producing on the site. Right now we believe their waste water will be coming to our wastewater treatment plant so they'll be under our supervision for that – they won't have their own discharge permit out to the Lake; it will actually flow to us, which we will monitor; and the EPA monitors us going back out to the Lake." The Manager said some of the items the EPA is not responsible for are the responsibility of the Bureau of Worker's Compensation and City zoning. We are constantly discussing the traffic component – primarily the amount of traffic during the construction phase, which we have been told will be 600 to 800 people at peak hours. Traffic flow will be minimal once construction is completed because about 100 employees will operate the plant and will work various shifts. The Manager said this project has been discussed for the past 10 years. If construction was a few years out, a roundabout at the end of Route 11 (north) would make sense. It has always been impressed upon Petmin that if they want the community to accept the project they are going to have to tell us what it looks like, what it smells like and tell us what it sounds like. The Manager said the plant will be constructed on one of the peninsulas and believes we will be very safe. He said he has not visited Petmin's other plants and does not know anything about the other facilities they operate. He said the impact on property values is hard to predict at this time. There will be no eminent domain because it is all located on Kinder-Morgan's property. Regarding the natural gas pipeline routes, when it stops in Kingsville from the Ryber project,

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Dominion Energy is taking it the rest of the way down. It will be placed in existing easements and right-of-ways; most of the pipeline will follow Route 531 down. However he is trying to convenience them to run it through the City Port Authority's Route 11 Industrial Park so we get some of the high pressure gas line benefit in the Park.

The Vice-President said from what he is able to tell from his research is that Petmin is not a bricks and mortar company; the representatives have all worked in the industry and are "somewhat strategic in their ownership", but have not run operations under the Petmin name.

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

The Clerk of Council presented the January 22, 2019, Regular City Council Meeting minutes. Mr. Pugliese moved, Mr. Quaranta seconded to waive the reading of the minutes; motion CARRIED. The minutes were approved, as presented.

LEGISLATION AGENDA

- Formal Legislation Request(s): None
- Form and Correctness: None
- Legislation Overview: None
- Public Discussion (on legislation only): None
- Legislation Reading: None

REGULAR BUSINESS AGENDA

PRESENTATION OF MEETING MINUTES

None

ADMINISTRATIVE REPORTS and COMMUNICATIONS

CITY MANAGER

The City Manager presented the following requests and announcements:

Repeal Payroll Ordinance No. 2019-19

An ordinance to repeal payroll Ordinance No. 2019-19, in its entirety. Mr. Pugliese moved, Mrs. Foglio seconded to approve the request; motion CARRIED.

New Payroll Ordinance – Water Pollution Control Lead Operator

An ordinance to enact a new payroll ordinance to include the new position of Lead Operator in the Water Pollution Control Office. Mr. Pugliese moved, Mrs. Foglio seconded to approve the request; motion CARRIED.

Ashtabula County Public Transit Services Operation Center

An ordinance to enter into a two year agreement with the Ashtabula County Commissioners for the purpose of providing a lease agreement for the transit facility to provide city/county wide transportation services for 2019-2021. Mr. Quaranta moved, Mrs. Foglio seconded to approve the request; motion CARRIED.

Ashtabula County Public Transit Services

An ordinance to enter into a two year agreement with the Ashtabula County Commissioners for the purpose of providing a transit service for city/county wide transportation for 2019-2021, in the amount not to exceed \$30,000.00. Funding for this expenditure will be taken from the City of Ashtabula General Fund. Mr. Quaranta moved, Mr. Speelman seconded to approve the request; motion CARRIED.

Northeast Ohio Public Energy Council (NOPEC) Energized Community (NEC) Grant Award

An ordinance to accept and enter into a grant agreement with NOPEC for a NEC Grant in the amount of \$46,618.00. The NEC grants are offered to implement energy efficiency or energy infrastructure projects that will benefit the City of Ashtabula. The Manager reported a decision has not been made regarding which project to do, but will keep City Council informed. Mr. Pugliese moved, Mrs. Foglio seconded to approve the request; motion CARRIED.

Bascule Lift Bridge Closing

The Bridge will be closed for repairs February 7, from 7:00 a.m. until 5:00 p.m.

CITY SOLICITOR

No Report

DIRECTOR OF FINANCE

No Report

CLERK OF COUNCIL

The Vice-President asked to have Thursday's Special Meeting, for the purpose of City Council voting on legislation pertaining to the rezone request of Our Lady of Peace Parish's former St. John School property, for the proposed construction of a senior housing complex, on a day he is available to attend because he would like to vote. After discussion, it was determined to leave the Special Meeting scheduled for Thursday, February 7, at 8:00 a.m.

CITY COUNCIL COMMITTEE REPORTS and COMMUNICATIONS

All Council committees meet in the Municipal Building 2nd Floor Conference Room
(Chair/Vice Chair)

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

The Chair announced the committee is scheduled to meet Tuesday, February 12. Several downtown property owners have been invited to discuss downtown redevelopment. The Ashtabula Parks and Recreation Board will meet tomorrow at 6:00 p.m., in Pre-Council Chambers.

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

The President announced the committee will meet Friday, February 8, at 8:00 a.m.

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

The Chair reported the committee's February 1, meeting focused on a report from Waste Water Treatment Plant Superintendent Craig Pierce and Assistant Superintendent/Director of Pre-Treatment Larry Meaney on plant operation, projects and equipment and facility needs.

SAFETY FORCES - (SF) (Speelman/Harley)

The Chair reported on the committee's Monday, January 28, as follows:

Legislation Requests

Mr. Speelman moved, Mr. Quaranta seconded to put no parking signs on the east side of Washington Avenue between the intersection of West 57th Street and Washington Avenue, and the property line of 5732 Washington Avenue; motion CARRIED.

Mr. Speelman moved, Mrs. Foglio seconded to approve the Police Chief's recommendation to put no parking signs on the south side of Walnut Boulevard between 2528 and 2544 Walnut Boulevard; motion CARRIED.

Mr. Speelman moved, Mr. McClure seconded to place a crosswalk and pedestrian crossing signs somewhere in the vicinity of Burroughs Court, across Main Avenue. The City Manager expressed serious concerns about putting a crosswalk across Main Avenue with no definitive traffic control, such as stop signs, stop lights, etc., even though state law says motor vehicles are to yield to pedestrians in a crosswalk. He compared the request to the crosswalks by the Chamber of Commerce on Main Avenue and West 46th Street. He said complaints are constantly lodged that motorists are not adhering to the crosswalk law and the request before Council is for a crosswalk on a much wider section of Main Avenue, where there is a lot of traffic going faster than what they do by the West 46th Street/Main Avenue crosswalk. The request was made by Richmond's Transportation because their employees are crossing back and forth. The President asked if a sign like the one by Lake City Plating (LCP) on Lake Avenue can be erected. The Manager said LCP helped pay for the signs, which he believes cost \$8,000,

because they are flashing and solar operated. The City Solicitor said, over the years, he has expressed concern about the signage by LCP, because there is no such thing in the Uniform Traffic Control Manual as an “employee crossing”. It is either a pedestrian crossing or not. There is no marked-out crosswalk by LCP. Staff goes from the door of one building to the door of the other building, across the road. We typically like to establish crosswalks where there’s a corner. There are mid-block crosswalks out there, but they are a little problematic to enforce. He said he would not recommend repeating what was done at LCP. The committee Chair suggested the signage is put at one of the corners by Richmond’s – either Burroughs Court or the next road down. The Vice-President said he favors the request because of the dangerous speed with which motorists travel and because of The Chalk Box events where event attendees have to park across the street. It was noted that there is no crosswalk on Main Avenue from West 48th Street until you get to the Circle K at West 58th Street, and that there is a bus stop in the in the vicinity of Richmond Transportation. The Manager suggested legislation is not required to paint a crosswalk. The Solicitor said legislation is required because of the request for signage to accompany the crosswalk, but does not believe it was done for LCP.

The President called for the question to draft legislation to place a crosswalk and pedestrian crossing signs somewhere in the vicinity of Burroughs Court, across Main Avenue; motion CARRIED

Police Department

“IS THAT A DRUG HOUSE” Pamphlet

The Police Chief has disseminated pamphlets to various locations, City Council members now have a supply, and the pamphlet is on the City’s website under the Police Department.

Staffing

Recently there were two new Police Department hires; both lateral transfers, and staffing is now commensurate with the Police Levy goal. There are 31 offices, including the Chief.

Report / Call Statistic

There are no trends to be concerned about; the department is busy.

Fire Department

Chief Gruber presented the department’s annual report. It is on the City’s website for review. The report shows the year was a tragic one in that some of the house fires resulted in fatalities, overall fires were down, the staff’s collateral assignments were mentioned and the department is usually out the door and on the scene in one minute-ten seconds.

New Engine Truck

The Manager reported the new truck will be picked up tomorrow, taken to Richfield, Ohio to get outfitted and should be in operation in a week or so.

Questions / Comments for Safety Forces Committee

The Ward 3 Councilor said he is happy a female Police Officer was hired. He commended the Fire Department for all they do, including their continued training.

The Clerk asked that “Collateral Assignments” be explained, for the public. The Chair said they are assignments in addition to their usually assignments, such as: Buildings and Grounds Officer, Supplies Officer; Hazmat Officer; Apparatus and Generators, or anything that would equate to the day-to-day operations of a business.

Quiet Zone

The Clerk asked the Chair if the request for the “Quiet Zone” request was going to be brought out of committee. The Chair reported the topic was briefly discussed. The committee wanted to learn more from the Ward 2 Councilor who made the request on a citizen’s behalf. The Councilor said his friend remembers there being a “Quiet Zone” sign from West 32nd Street to the intersection of West Avenue/West 19th Street/Lake Avenue. The Councilor believes it is a good ideal since the area is being established as a medical corridor. The Solicitor said there are restrictions on the sounds a vehicle makes and on amplified music coming from a vehicle. Basically, if you can hear it 50 feet away it is too loud. Officers have the ability to, and often do, write tickets. He, too, remembers seeing Quiet Zone signs around the hospital, but does not see them anymore. He said he speculates such zones predate quiet air conditioning systems, leading to windows having to be open, which was disturbing. The Chair asked the City Manager, as a member of our hospital board, if he would take it to the board for discussion, if need be; the Manager agreed to do so.

WORK SESSION

None

LEGISLATION AGENDA

- Formal Legislation Request(s): None
- Form and Correctness: None
- Overview: The Clerk of Council provided.
- Public Discussion (Legislation Only): None
- Consent Agenda Format: Mr. Pugliese moved, Mrs Foglio seconded to dispose of regular business legislation by consent agenda; motion CARRIED.
- Reading: The Clerk of Council presented the following legislation for Council’s consideration:

ORDINANCE NO. 2019-09, AN ORDINANCE REPEALING, IN ITS ENTIRETY, PAYROLL ORDINANCE NO. 2018-125, ENACTED ON DECEMBER 17, 2018, TO ESTABLISH THE RATE OF PAY FOR A NEW AFSCME CLASSIFICATION OF WPC LEAD OPERATOR. (City Manager)

ORDINANCE NO. 2019-10, AN ORDINANCE AUTHORIZING COMPENSATION, SALARIES AND WAGES TO EMPLOYEES OF THE CITY OF ASHTABULA AND THE ASHTABULA CITY HEALTH DISTRICT. (City Manager)

ORDINANCE NO. 2019-11, AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO TWO AGREEMENTS FOR PUBLIC TRANSPORTATION WITH THE ASHTABULA COUNTY BOARD OF COUNTY COMMISSIONERS. (for public transportation and transportation facility)(City Manager)

Mr. Pugliese moved, Mrs. Foglio seconded to waive the reading of the ordinances; motion CARRIED. Mr. Pugliese moved, Mr. Quaranta seconded to waive the Charter requirement of two readings. On the roll call to waive the Charter requirement of two readings: Mrs. Foglio, Mr. Pugliese, Mr. Quaranta, Mr. Speelman, Ms. Haines, Mr. McClure, Mr. Roskovics voted aye; motion CARRIED. On the roll call to adopt the ordinance: Mrs. Foglio, Mr. Pugliese, Mr. Quaranta, Mr. Speelman, Ms. Haines, Mr. McClure, Mr. Roskovics voted aye; motion CARRIED.

NEW BUSINESS

Tell Us Something We Don't Know

Ward 4: Saturday, February 16 at 2:00 p.m., The Chalk Box will host Goat Yoga. It is Yoga with actual goats.

Paving Levy

Mr. Pugliese moved, Mr. Quaranta seconded to bring out of his PW/PU/Cable/Schools Committee the request to place a 5 year, 4 mil Paving Levy on the November 5, General Election ballot, to let the citizens decide. He said it would be for resurfacing only; that we are in desperate need of financial assistance to address the dire need of road repair; that we are only able to allocate \$350,000 to \$400,000 each year, which provides funding for 8 to 10 streets, which is just not getting the job done. The annual revenue from the levy would be about \$796,000. The annual cost would be \$130 for a home valued at \$100,000. The committee Chair expressed his displeasure with having to broach the subject, but honestly believes it is the way to go. The alternative is to assess every property owner, as was the policy several years ago. On the roll call to draft legislation to place a 5 year, 4 mil Paving Levy on the November 5, General Election ballot: Mrs. Foglio (aye), Mr. Pugliese (aye), Mr. Quaranta (aye), Mr. Speelman (aye), Ms. Haines (aye), Mr. McClure (nay), Mr. Roskovics (aye). The motion CARRIED by a 6-1 vote.

PUBLIC DISCUSSION/COMMENTS (General Matters)

Mr. Ed Drum, 5025 Dunsmore Drive

- Said he understands why crews did not pickup trash in extremely cold temperatures. He voiced displeasure with pickup being delayed one week verses catching up on Saturday.
- He voiced displeasure with crews continuing to throw trash cans, causing citizens to have to replace their can one time each year and suggested the City begins paying for damaged cans. He said he sent a video to the City Manager and Public Services Superintendent John Melnik, showing cans being thrown.

Mr. Raymond Hall, 1013 E. 7th Street

- Thank the City for “black topping” his road, which his wife is very thankful for because there is no more “dust to eat”.
- He said now the problem is with motorist speeding and “jumping the light at Columbus Avenue”. He believes the street is supposed to be 20 foot wide, but is now 15 foot wide after being black topped. Two vehicles are unable to pass at the same time. A school bus driver is constantly “jumping the light” and speeding on the road. By the time the bus passes his house it is in third gear and is going 45 to 50 miles per hour. The road is only 650 foot long; he is 300 foot down the road, so the driver does not have much time to hit the break at the other end. The bus driver caused a US Postal driver to have to drop off the blacktop to let the bus pass. The bus is carrying students on an unmarked school bus route. He said there are no children living on the road to pickup. He said the bus is on his road twice a day between 11:00 a.m. and 11:30 a.m. and 3:00 p.m. to 3:30 p.m.
- Mr. Hall requested the installation of a 10 mile per hour speed limit sign and no through bus and truck sign over two ton. This will still permit local deliveries to continue to be made. The Clerk asked if the sign request needs to be referred to committee; the Manager said no.
- The City Manager will contact the Ashtabula Area City Schools Operations Manager tomorrow.

Mr. Justin Thompson, 3447 Homewood Avenue, Ashtabula Township

- Reported the City Manager was quoted in the Star Beacon to say Petmin would be given state and local tax incentives. He asked what are the local incentives.
- The City Manager said it is standard practice to make persons aware of the City’s Property Tax Abatement program and Local Job Creation Tax Credit.
- He said he, too, would like the City to host a public Q & A meeting about Petmin’s proposed Pig Iron Plant.

EXECUTIVE SESSION: None

ADJOURNMENT

Hearing no further business to come before this Council, the President declared the meeting adjourned at 8:20 p.m.

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DATE APPROVED: MARCH 4, 2019

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

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