



City of Ashtabula
Ashtabula City Council Regular Meeting
Monday, August 21, 2023 at 7:00 PM
4717 Main Avenue, Ashtabula, OH 44004

Minutes

Opening of Regular Meeting

Call to Order

The meeting of the Ashtabula City Council was called to order at 7:00 p.m. by Council President Roskovics. Councilor Foglio offered the opening prayer and the Pledge of Allegiance was recited.

Roll Call

Members Present: President John Roskovics, Vice President Michael Speelman, Ward 1 Councilor Kym Foglio, Ward 2 Councilor Calvin Crawford, Ward 3 Councilor RoLesia Holman, Ward 4 Councilor Jodi Mills, Ward 5 Councilor Jane Haines-DiGiacomo

Absent: None

Officers Present: City Manager James Timonere, City Solicitor Cecilia Cooper, Finance Director Marie Yvrose Augustin, Clerk of Council McKenzie Borgan

Sunshine Law Certification

A quorum was established as defined by the Ashtabula City Council Rules of Order. The meeting met the requirements of the Ohio Sunshine Laws Open Meetings Act.

Presentations/Announcements

Presentation of Resolution to Lieutenant Dennis Dibble

Vice President Michael Speelman and Ward 1 Councilor Kym Foglio presented Lieutenant Dennis Dibble with his Resolution. Chief Stell presented Lieutenant Dibble with a plaque. Lieutenant Dibble thanked the City of Ashtabula, Former Chief David Calusy, and Current Chief Stell.

City Manager Timonere requested an Executive Session prior to the continuation of the Regular Business Agenda for the purpose of sale and purchase of property.

Motion: Ward 1 Councilor Kym Foglio moved to adjourn to executive session prior to the continuation of the Regular Business Agenda; Ward 2 Councilor Calvin Crawford seconded.

Discussion: None

ROLL CALL VOTE

Yeas: President John Roskovics, Vice President Michael Speelman, Ward 1 Councilor Kym Foglio, Ward 2 Councilor Calvin Crawford, Ward 3 Councilor RoLesia Holman, Ward 4 Councilor Jodi Mills, Ward 5 Councilor Jane Haines-DiGiacomo

Nays: None

Motion passed.

All council members, board members, and Rising Son Property representatives Mr. Bartone and Mr.

Schlosser were invited to attend the executive session.

Council reconvened the Regular Council meeting at 7:35 p.m. and continued with the Regular Business Agenda.

Approval of Minutes

August 7, 2023, Regular Meeting Minutes

August 18, 2023 Emergency Meeting Minutes

Motion: Ward 3 Councilor RoLesia Holman moved to waive the reading of the Regular Council meeting minutes and the Emergency Council meeting minutes in their entirety; Ward 4 Councilor Jodi Mills seconded.

Discussion: None.

VOICE VOTE

Ayes: President John Roskovics, Vice President Michael Speelman, Ward 1 Councilor Kym Foglio, Ward 2 Councilor Calvin Crawford, Ward 3 Councilor RoLesia Holman, Ward 4 Councilor Jodi Mills, Ward 5 Councilor Jane Haines-DiGiacomo

Nays: None

Hearing no corrections to the minutes, they were approved as presented.

Administrative Reports

City Manager

Formal Requests:

An ordinance to enter into an agreement with Rocky Road Paving of Geneva, OH for the purpose of providing road restorations to select streets within the city limits in accordance with the proposals provided for the 2023 round two road restoration in the amount not to exceed \$22,000.00. \$5,800.00 will be taken from Fund 503 and \$16,200.00 will be taken from Fund 412.

Motion: Ward 1 Councilor Kym Foglio moved to approve the City Manager's request; Ward 2 Councilor Calvin Crawford seconded.

Discussion: None

VOICE VOTE

Yeas: President John Roskovics, Vice President Michael Speelman, Ward 1 Councilor Kym Foglio, Ward 2 Councilor Calvin Crawford, Ward 3 Councilor RoLesia Holman, Ward 4 Councilor Jodi Mills, Ward 5 Councilor Jane Haines-DiGiacomo

Nays: None

Motion passed.

An ordinance to enter into an agreement with Best Truck Equipment of Painesville, OH for the purchase of a SCAG Turf Tiger Mower in the amount not to exceed \$13,883.00. Funding for this expense will be taken from Water Pollution Control Fund 504.

Motion: Vice President Michael Speelman moved to approve the City Manager's request; Ward 4 Councilor Jodi Mills seconded.

Discussion: None

VOICE VOTE

Yeas: President John Roskovics, Vice President Michael Speelman, Ward 1 Councilor Kym Foglio, Ward 2 Councilor Calvin Crawford, Ward 3 Councilor RoLesia Holman, Ward 4 Councilor Jodi Mills, Ward 5 Councilor Jane Haines-DiGiacomo

Nays: None

Motion passed.

An ordinance to enter into an agreement with Eclipse Company LLC of Chagrin Falls, OH as the most responsible bid in the amount not to exceed \$146,654.00 for the Highland Beach Storm Sewer Outfall Project. Funding for this expense will be taken from Fund 412.

Motion: Ward 1 Councilor Kym Foglio moved to approve the City Manager's request; Ward 4 Councilor Jodi Mills seconded.

Discussion: President Roskovics asked Mr. Timonere if this project would take place this year and Mr. Timonere said yes.

VOICE VOTE

Yeas: President John Roskovics, Vice President Michael Speelman, Ward 1 Councilor Kym Foglio, Ward 2 Councilor Calvin Crawford, Ward 3 Councilor RoLesia Holman, Ward 4 Councilor Jodi Mills, Ward 5 Councilor Jane Haines-DiGiacomo

Nays: None

Motion passed.

An ordinance to accept a FEMA grant in the amount of \$155,682.85 for the purchase of Personal Protective Equipment and SCBA units for the City of Ashtabula Fire Department.

Motion: Ward 1 Councilor Kym Foglio moved to approve the City Manager's request; Vice President Michael Speelman seconded.

Discussion: None

VOICE VOTE

Yeas: President John Roskovics, Vice President Michael Speelman, Ward 1 Councilor Kym Foglio, Ward 2 Councilor Calvin Crawford, Ward 3 Councilor RoLesia Holman, Ward 4 Councilor Jodi Mills, Ward 5 Councilor Jane Haines-DiGiacomo

Nays: None

Motion passed.

Mr. Timonere stated we have probably seen Dominion out in a couple of areas around the city doing gas line replacements. They are working heavily in Ward 4 and Ward 1. They will be putting gas lines in and doing boring under the tree lawns. They have used Nappi Field as a staging area where they have some of the pipes they will be using for the project.

He also provided a paving update. The St. Rt. 20 and St. Rt. 84 project is getting ready to close. There are just a few things left to be done before this project is complete. For the regular 2023 Paving Project, there is still some painting to do and a ton of manhole adjustments. He is hoping, weather permitting, to have some striping done this week.

He also mentioned that there have been a lot of rumors surrounding the old Harbor High School football field and what this project is going to be. The Land Bank currently owns this property. They have selected two developers to provide proposals to them. The Land Bank is reviewing these proposals so nothing is set or decided.

Mr. Roskovics stated he saw some companies working on a few of the telephone poles, but they still have a lot of telephone poles that they need to work on. He asked that we keep encouraging them to fix these telephone poles. Mr. Timonere stated we are beyond the encouraging stage and are trying to explore other means to get them to do their job. Mr. Roskovics stated he appreciates him working on this.

City Solicitor

No report.

Finance Director

Formal Request:

An ordinance to make supplemental increases to appropriations to the General Fund, Public Health, Court Special Project, Sanitation, Police, Housing Code Enforcement, and Waste Water Funds in the amount of \$671,207.36.

Motion: Ward 1 Councilor Kym Foglio moved to approve the Finance Director's request; Ward 5 Councilor

Jane Haines-DiGiacomo seconded.

Discussion: Ms. Holman stated she oftentimes cringes when she hears such large amounts of changes, but thanked Mrs. Augustin for the level of specificity as to why this is warranted.

VOICE VOTE

Yeas: President John Roskovics, Vice President Michael Speelman, Ward 1 Councilor Kym Foglio, Ward 2 Councilor Calvin Crawford, Ward 3 Councilor RoLesia Holman, Ward 4 Councilor Jodi Mills, Ward 5 Councilor Jane Haines-DiGiacomo

Nays: None

Motion passed.

Clerk of Council

No report.

City Council Committee Reports

Community Development/Economic Development/Parks & Recreation

(2nd Tuesday @ 4:30 p.m.)

Members: Chair Haines/Council Liaison to Parks and Recreation Board; Vice Chair Mills; Roskovics

AUGUST 8 - Report of meeting

SEPTEMBER 12

OCTOBER 10

NOVEMBER 14

DECEMBER 12

Mrs. Haines-DiGiacomo reported on the August 8th meeting.

Ryan Welpley of the Ashtabula County District Library was our guest. The biggest takeaway is how much the library offers if you have a library card. You can go on to their main website and they have a bunch of resources on there, such as Hoopla, Libby, NorthStar Digital Literacy, LinkedIn Learning, Petersons Test and Career Prep, and Cultural Grams. If you want to prepare yourself for the ACT or SAT exam, there is a resource for that. One thing he spoke about, which you do have to go in person to access, is their grant program. If you have an organization and need grant funding, go to your local library and they can help you out. She encouraged everyone to go get a library card and support our library.

We also had Margaret Distler give a report from Parks and Recreation and Julie Wayman, who will be part of these meetings every month, from My Neighborhood Collaborative, gave a report.

Our next meeting will be at our new time of 4:30 p.m. and will be held in the Council Chambers so it can be on Facebook starting with the September 12th meeting.

Finance & Personnel

(3rd Friday @ 8:30 a.m.)

Members: Chair Foglio, Vice Chair Haines, Roskovics

AUGUST 18 - Report of meeting

SEPTEMBER 15

OCTOBER 20

NOVEMBER 17

DECEMBER 15

Mrs. Foglio provided a report on the August 18th meeting.

The meeting began with our Finance Director, Mrs. Augustin, reporting that our statement of cash position is good. She is still working on the issues with the Health Department and still waiting for payment for the ESID. As of the Council meeting on the 21st, they had figured things out with the

Health Department. We looked at the expenditure report and as a whole, we are doing okay. Next, we looked at the appropriations report. Money must be moved around so that at the end of the month no accounts were in the negative. The appropriations request was to be \$586,207.36 but, with the Police Department's addition to the appropriation ordinance, this has gone up to \$671,207.36. This is to cover our expenses to the end of the year. The committee went over the audit, which is not published yet. Mrs. Augustin highlighted certain important information in the audit so that the committee had a better understanding of what the audit is stating. The Finance Director stated we have collected \$34,000 in back income taxes. We had a resident who received an unpaid tax letter from the AG's office. This was a one-time overlook situation where the tax form was filed in 2015 but the check was either filed, lost, or not filed. The resident never received a letter and did not know he owed the tax. The resident had an overpayment on his 2017 taxes and this was applied to his unpaid taxes and again did not receive a letter. A letter was not sent advising him of the refund or the remaining balance. He received a letter this year stating he owes over \$1,800 in taxes and over \$1,500 in fees. The resident did pay his taxes immediately to the AG's office but is questioning the fees and asking what can be done. After much discussion it was decided that the resident should file an appeal and his case should be brought before the Income Tax Review Board. Any other person who questions their income tax will be brought before the board once it is fully staffed.

The City Manager reported that we received another FEMA grant for the firefighters for SCBA equipment which is tanks and air packs. The current ones are over 15 years old. We just received over \$155,000.00 for this equipment and our out-of-pocket expenses will only be about \$7,000.00. We congratulate the Fire Department on receiving this grant. The Fire Department will have an entrance exam on September 30th and applications are due September 22nd.

We passed two pieces of legislation on Friday evening for our insurance coverage for police and general liability. Our law enforcement insurance increased over this past year due to increased scrutiny across the country. Coupled with the increased property cost due to replacement costs and rising autobook rates our insurance went up \$100,000.00 from last year.

Ms. Cooper reviewed the Codified Ordinance section 157 regarding residency. The ORC states that people who work for the government of the state, municipalities, and counties can live anywhere they wish. There are no residency requirements except for emergency personnel. They must reside within the city or an adjacent county. This is so in case of an emergency they can report back. Our ordinance at this time requires all department heads of all departments to have to reside in an adjacent county. A couple of years ago there was an Ohio Supreme Court decision that involved an ordinance similar to ours in another city and they declared it unconstitutional because it infringed upon the person's freedom to live and travel wherever they would like. Our ordinance is not in compliance with the most recent Ohio Supreme Court decision as it currently requires all department heads to either reside in the city or an adjacent county. Ms. Cooper stated this would make perfect sense if they had to get back here if there were a crisis of some kind before everyone learned how to telecommunicate during COVID. Now that everyone has the ability to do zoom, teams, or log in from home it does not make sense that a department head would have to live that close. In trying to come into compliance and upgrade to the modern era the Solicitor's office suggests this ordinance be repealed and replaced with a suggested updated ordinance. This would leave the Police Department, Fire Department, Public Works, Water Pollution, and Elected Officials and exclude everyone else.

Motion: Mrs. Foglio moved to bring this out of committee and repeal Codified Ordinance 157.17 for residency and replace it with a new ordinance section 157.17 in order to update the residency requirement of non-emergency department heads/personnel of the City of Ashtabula; Ward 5 Councilor Jane Haines-DiGiacomo seconded.

Discussion: Ms. Holman stated that Mrs. Foglio mentioned that, due to technology, we have the tools to communicate. She was wondering at what point in time these tools would be available and asked if we have the technology to actually do this. Mrs. Haines-DiGiacomo stated that during COVID everything was done through the computer. Ms. Cooper stated that the idea of the ordinance is that if there were an emergency instead of a department head, other than those listed, having to come into the office in a snowstorm, they could instead communicate by telephone or by Zoom, etc. instead of making department heads live so close. Mr. Roskovics stated that some department heads will still need to live in the city or in an adjacent county.

VOICE VOTE

Yeas: President John Roskovics, Vice President Michael Speelman, Ward 1 Councilor Kym Foglio, Ward 2 Councilor Calvin Crawford, Ward 3 Councilor RoLesia Holman, Ward 4 Councilor Jodi Mills, Ward 5 Councilor Jane Haines-DiGiacomo

Nays: None

Motion passed.

The next meeting will be held on October 20th at 8:30 a.m.

Public Works

(4th Monday @ 5:00 p.m.)

Members: Chair Crawford, Vice Chair Holman, Mills

AUGUST 28

SEPTEMBER 25

OCTOBER 23

NOVEMBER 27

DECEMBER 26

The next meeting is currently scheduled for August 28th but we are waiting to see if we have a guest. As of right now, the next meeting will take place on the 28th at 5:00 p.m. in the AAP Conference Room.

Safety Forces

(4th Monday @ 8:45 a.m.)

Members: Chair Speelman, Vice Chair Foglio, Roskovics

AUGUST 28

SEPTEMBER 25

OCTOBER 23

NOVEMBER 27

DECEMBER 26

The next meeting will take place on August 28th at 8:45 a.m. in the AAP Conference Room.

Planning Commission and Ashtabula Historic Preservation Commission

The Planning Commission approved a conditional use permit for the Samaritan House to move to Main Ave. This new location will double the Samaritan House space and will allow them to further help those in need. The commission once again tabled the car lot request for Main Ave. until they can get more specific details.

There was no Historic Preservation Commission meeting.

Presentation of Legislation

President Roskovics presented the legislation.

Additional Formal Requests

Council Formal Request:

An ordinance authorizing the City Manager to purchase a property from Rising Son Properties, LTD for an amount not to exceed \$860,000.00 plus closing costs for the purpose of relocating Ashtabula

City Municipal Offices.

Motion: Ward 5 Councilor Jane Haines-DiGiacomo moved to approve the City Council's request; Ward 2 Councilor Kym Foglio seconded.

Discussion: None

VOICE VOTE

Yeas: President John Roskovics, Vice President Michael Speelman, Ward 1 Councilor Kym Foglio, Ward 2 Councilor Calvin Crawford, Ward 3 Councilor RoLesia Holman, Ward 4 Councilor Jodi Mills, Ward 5 Councilor Jane Haines-DiGiacomo

Nays: None

Motion passed.

An ordinance to repeal Ordinance No. 2023-101 for the purpose of adopting a new ordinance changing the terms.

Motion: President John Roskovics moved to approve the City Council's request; Ward 5 Councilor Jane Haines-DiGiacomo seconded.

Discussion: None

VOICE VOTE

Yeas: President John Roskovics, Vice President Michael Speelman, Ward 1 Councilor Kym Foglio, Ward 2 Councilor Calvin Crawford, Ward 3 Councilor RoLesia Holman, Ward 4 Councilor Jodi Mills, Ward 5 Councilor Jane Haines-DiGiacomo

Nays: None

Motion passed.

Public Communications on Legislation

An audience member stated he did not understand why the ordinance to purchase the new mower was coming out of the Water Pollution Fund. Mr. Roskovics stated this is because it is going to be used at the Water Treatment Plant on 1st Street, so it comes out of their funds.

Overview / Discussion

None.

Reading of Legislation

Clerk of Council Burgan read the titles of the legislation.

Legislation - Enactment, Passage or Adoption

2023-116 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT

WITH ROCKY ROAD PAVING FOR VARIOUS STREET CUT ROAD RESTORATIONS

2023-117 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR THE PURCHASE OF A SCAG TURF TIGER MOWER

2023-118 A RESOLUTION HONORING LIEUTENANT DENNIS DIBBLE'S YEARS OF SERVICE AND DEDICATION TO THE CITY OF ASHTABULA

2023-119 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A COMMUNITY REINVESTMENT AREA TAX INCENTIVE AGREEMENT WITH NATHAN AND VICKI BELCHER, FOR TAX ABATEMENT AT 100% FOR 7 YEARS FOR A NEW RESIDENTIAL DWELLING LOCATED AT 217 LAKE AVENUE, ASHTABULA, OH 44004

Motion: President John Roskovics moved to waive the reading of the legislation; Ward 2 Councilor Calvin Crawford seconded.

Discussion: None

VOICE VOTE

Yeas: President John Roskovics, Vice President Michael Speelman, Ward 1 Councilor Kym Foglio, Ward 2 Councilor Calvin Crawford, Ward 3 Councilor RoLesia Holman, Ward 4 Councilor Jodi Mills, Ward 5 Councilor

Jane Haines-DiGiacomo

Nays: None

Motion passed.

Motion: President John Roskovics moved to waive the Charter Requirements of two readings of the legislation; Vice President Michael Speelman seconded.

Discussion: None

ROLL CALL VOTE

Yeas: President John Roskovics, Vice President Michael Speelman, Ward 1 Councilor Kym Foglio, Ward 2 Councilor Calvin Crawford, Ward 4 Councilor Jodi Mills, Ward 5 Councilor Jane Haines-DiGiacomo

Nays: Ward 3 Councilor RoLesia Holman

Motion passed.

Adoption of legislation

ROLL CALL VOTE

Yeas: President John Roskovics, Vice President Michael Speelman, Ward 1 Councilor Kym Foglio, Ward 2 Councilor Calvin Crawford, Ward 4 Councilor Jodi Mills, Ward 5 Councilor Jane Haines-DiGiacomo

Nays: Ward 3 Councilor RoLesia Holman

Legislation passed.

2023-120 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ECLIPSE CO., FOR THE PURPOSE OF MAKING REPAIRS AND IMPROVEMENTS TO HIGHLAND BEACH STORM SEWER OUTFALL

2023-123 AN ORDINANCE TO MAKE SUPPLEMENTAL INCREASES AND/OR DECREASES TO APPROPRIATIONS IN THE GENERAL FUND, PUBLIC HEALTH NURSING FUND, AMC & COURT SPECIAL PROJECTS FUNDS, SANITATION FUND, POLICE FUND, HOUSING CODE ENFORCEMENT FUND AND WPC/WASTEWATER FUND FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF ASHTABULA, STATE OF OHIO, FOR THE PERIOD JANUARY 1 THROUGH DECEMBER 31, 2023.

2023-124 AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO ACCEPT A FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ASSISTANCE TO FIREFIGHTERS GRANT

2023-125 AN ORDINANCE AUTHORIZING AND DIRECTING THE ASHTABULA CITY FINANCE DIRECTOR TO CANCEL CERTAIN DELINQUENT AND UNCOLLECTIBLE MUNICIPAL INCOME TAXES FOR TAX YEARS 1980-2010

2023-126 AN ORDINANCE AUTHORIZING THE APPOINTMENT OF A TEMPORARY CLERK OF COUNCIL ON AN AS NEEDED BASIS AND AUTHORIZING COMPENSATION FOR SAME

2023-127 AN ORDINANCE REPEALING EXISTING CODIFIED ORDINANCE SECTION 157.17, ENTITLED RESIDENCY REQUIREMENTS, FOR THE PURPOSE OF ADOPTING A NEW SECTION 157.17

2023-128 AN ORDINANCE ENACTING REPLACEMENT CODIFIED ORDINANCE SECTION 157.17, ENTITLED RESIDENCY REQUIREMENTS IN ORDER TO UPDATE THE RESIDENCY REQUIREMENTS OF NON-EMERGENCY EMPLOYEES OF THE CITY OF ASHTABULA.

2023-129 AN ORDINANCE REPEALING ORDINANCE 2023-101 AUTHORIZING THE CITY MANAGER TO ENTER INTO A PURCHASE AGREEMENT WITH RISING SON PROPERTIES, LTD, FOR THE PURPOSE OF ADOPTING A NEW ORDINANCE CHANGING THE TERMS OF SAID PURCHASE.

2023-130 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO PURCHASE PROPERTY FROM RISING SON PROPERTIES, LTD IN AN AMOUNT NOT TO EXCEED \$860,000 PLUS

CLOSING COSTS, FOR THE PURPOSE OF RELOCATING ASHTABULA CITY MUNICIPAL OFFICES

Council President Roskovics asked for a motion to dispose of the Regular Business Legislation by consent agenda for legislation items 2023-116, 2023-117, 2023-118, 2023-120, 2023-123, 2023-124, 2023-125, 2023-126, 2023-127, 2023-128, 2023-129, and 2023-130.

Motion: Ward 1 Councilor Kym Foglio moved to dispose of the Regular Business Legislation by consent agenda for legislation items 2023-116, 2023-117, 2023-118, 2023-120, 2023-123, 2023-124, 2023-125, 2023-126, 2023-127, 2023-128, 2023-129, and 2023-130; Ward 3 Councilor RoLesia Holman seconded.

Discussion: None.

VOICE VOTE

Yeas: President John Roskovics, Vice President Michael Speelman, Ward 1 Councilor Kym Foglio, Ward 2 Councilor Calvin Crawford, Ward 3 Councilor RoLesia Holman, Ward 4 Councilor Jodi Mills, Ward 5 Councilor Jane Haines-DiGiacomo

Nays: None

Motion passed.

Motion: Vice President Michael Speelman moved to waive the reading of the legislation; Ward 3 Councilor RoLesia Holman seconded.

Discussion: None

VOICE VOTE

Yeas: President John Roskovics, Vice President Michael Speelman, Ward 1 Councilor Kym Foglio, Ward 2 Councilor Calvin Crawford, Ward 3 Councilor RoLesia Holman, Ward 4 Councilor Jodi Mills, Ward 5 Councilor Jane Haines-DiGiacomo

Nays: None

Motion passed.

Motion: Ward 1 Councilor Kym Foglio moved to waive the Charter Requirements of two readings of the legislation; Ward 4 Councilor Jodi Mills seconded.

Discussion: None

ROLL CALL VOTE

Yeas: President John Roskovics, Vice President Michael Speelman, Ward 1 Councilor Kym Foglio, Ward 2 Councilor Calvin Crawford, Ward 3 Councilor RoLesia Holman, Ward 4 Councilor Jodi Mills, Ward 5 Councilor Jane Haines-DiGiacomo

Nays: None

Motion passed.

Adoption of legislation

ROLL CALL VOTE

Yeas: President John Roskovics, Vice President Michael Speelman, Ward 1 Councilor Kym Foglio, Ward 2 Councilor Calvin Crawford, Ward 3 Councilor RoLesia Holman, Ward 4 Councilor Jodi Mills, Ward 5 Councilor Jane Haines-DiGiacomo

Nays: None

Legislation passed.

Unfinished Business

None.

New Business

Notice to Legislative Authority New Liquor Permit Request

To: FOODLABS LLC DBA FIRE CHICKEN SANDWICHES 528 LAKE AVE, ASHTABULA, OH 44004

Fire Chicken Sandwiches is located in Ward 2. Ward 2 Councilor Calvin Crawford did not have any concerns regarding this liquor permit. The City Council did not request a hearing.

City Manager Timonere stated that this business is located within the Harbor Entertainment District, which is why this business is able to get a permit. There are guidelines for this type of permit. He believes 75% of the sales have to be food and 25% can be liquor. Businesses have to follow these guidelines for this to be available to them.

Ms. Holman asked Mr. Timonere how it is determined whether 75% is actually food sales. Mr. Timonere stated they would have to report their sales to the Ohio Division of Liquor Control.

Tell Us Something We Don't Know

Ward 2 Councilor Calvin Crawford said good luck to the teams out there playing their fall sports. He hopes all the kids have fun, develop, don't get hurt, and stay safe.

Mr. Timonere stated that school is starting for a lot of kids and some schools have already started. He reminded everyone to obey the laws when it comes to how and where you need to stop when a bus is stopping. With the good weather, there are a lot of kids standing at the bus stops. Please be cognizant of the students out there. Have a safe and enjoyable year. Good luck to all the teachers, staff, and administration going back. We hope you have a good year.

Ward 3 Councilor Ms. Holman asked Mr. Timonere, what is it that can be done to deter high speeds now that our roads are nicely paved? Mr. Timonere said it is really about enforcement. He knows that at least around the schools around, drop off and pick up, there is more presence of law enforcement and they enforce the school zone speed limits. Ms. Holman said the Boys and Girls Club has been approved to start in Ashtabula on October 2nd. Mr. Roskovics asked if this would be in the old Mother of Sorrows building and Ms. Holman said she believes they changed the location. It will be in the Huron building, which is part of the elementary campus of the Ashtabula Area City Schools.

Ward 4 Councilor Jodi Mills stated that she received a lot of calls about cars waiting for kids to get on or off the bus and they are right up to the stop signs. This makes it so that cars cannot get up to the stop signs. She asks that people be mindful and that cars do need to get to the stop sign for safety. She said she heard on the news and is not sure how it is in Ashtabula but heard there is an uptick in COVID. She asked if we are still monitoring the water. Mr. Timonere stated they are still monitoring the waters and they have not received an alert from the Water Pollution Control Plant. However, there is an uptick at this time. Mrs. Mills asked when the new COVID boosters would be available. Mr. Timonere said he believes he heard it would be available sometime in September. Mrs. Mills asked if he would keep them updated on this and he said yes. Mrs. Foglio stated she spoke with her doctor that day and was informed the boosters would be available at the end of September. Mr. Timonere said it is not only COVID, but RSV and the Flu are on the uptick too.

Ward 5 Councilor Jane Haines-DiGiacomo asked if Mr. Timonere has some information regarding the Shea Theater. Mr. Timonere stated that he does not like to talk about projects until he knows they are going to happen and he also likes the owners of these projects to be the ones who speak about what they are going to do. He said this is something they have been working on for a while. The person who purchased this building has done other projects within the city that they have been happy with. He is renovating this back into a theater. The plan is to rent the front portions of the building once renovated and as they work their way back. Code enforcement on Main Ave led to this project and they plan on continuing to do code enforcement up and down Main Ave. He said partners like Mr. Ellis, the Shea Theater's new owner, and Made on Main are what we need to move the city forward. He thanked the staff for getting these projects as far along as they are. He said a lot of good things are happening on Main and around our city and they are excited. The Chestnut Village project is coming along, the hotel, the hospital, housing starts, etc. There are millions and millions of dollars being invested here and he hopes more people jump on board.

President John Roskovics stated it was a beautiful day on Saturday. He loves it when the boats pull up to the lift bridge. There was a boat there on Saturday for the longest time. The lift bridge was up and no one was honking their horn and no one was yelling. People were just enjoying watching the boat. Mr. Timonere said he believes this is one thing that allows our port to stand out over others since it is an active, industrial port. He said we have the railyard, vessels, ship repair, etc. Dredging is currently happening. The Army Corp met with them and updated them on all that. We now have to think about other adaptive uses for the dredge materials as the aquatic environment that was built by the break wall will be filled up in the near future and we will start to see habitation start to come out of here. We will have to find another area for adaptive reuse of the dredge material. Those are the types of discussions they are having not only with city leaders but with other partners throughout the county.

Ms. Holman asked if anyone had a sense of when the new gas station on Rt. 20 will be having its opening. Mr. Timonere stated they have not heard of a final date yet. He believes there are still some cosmetic things that need to be done inside and stocking. He will try to get the council an update on when they think they will be finished with construction. He said it looked really nice there.

Public Communications on General Matters

Luanna Hale addressed the council with the following concerns and questions.

Questions and thoughts I have about Ashtabula's direction.

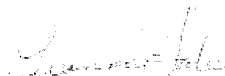
My family moved me to Ashtabula in 1941, and minus four years in college and another five years of teaching in other areas, I have lived here all my life. I love the area . . . it's beauty, it's people, it's history, it's location in the heart of the nation, and more.

I would be MUCH distressed to see it go the way of Gary, Indiana, or other towns that have experienced deterioration due to industry that did not care about the area . . . that may not have had concern for the future of a home on Lake Erie.

1. Why did Petmin choose Ashtabula?
2. Has effort been made to learn what has happened in communities where they have been located? Have they looked out for these communities?
3. Why has Petmin chosen Ashtabula? Why don't they locate nearer to where their product is to be used?
4. News releases have reported they will be filling 100 jobs. Is this the team they would bring to build the plant? How many permanent jobs? How realistic are these numbers?
5. How might the plant affect the many projects in the Harbor . . . including the Hotel? Are we sure the air will be as fresh and healthy as it is?
6. How would Lake Erie be affected? How will their sewage and such be handled?

The amazing people of Ashtabula County have been working hard to create a beautiful environment that attracts thousands of visitors. Questions are natural and people who care want to learn as much as they can. People who were not aware of the potential good struggled to accept the Lodge which has become such a beautiful asset. Are we giving careful attention to the expansion of tourism to our area?

Respectfully submitted,



6434 Hiram Ave
Ashtabula 440-812-0239

She also provided a report written by a friend and resident, Mark Plagakis which is below.

Petmin USA's Pig Iron Plant Will Put Profits Before Community Well-Being

The state of Ohio is suing Norfolk Southern over the company's train derailment in East Palestine, Ohio Attorney General Dave Yost recently announced.

"This derailment was entirely avoidable," Yost said at a press briefing, "and I'm concerned that Norfolk Southern may be putting profits for their own company above the health and safety of the cities and communities that they operate in."

It has been reported that 80% of Norfolk Southern's massive profits go to executives' pockets. Cutting corners on safety in inspections and prevention led to their East Palestine disaster in Feb 2023.

This Puts a spotlight on communities, such as Ashtabula, that embrace dealing with corporations intent on putting profits in front of the negative impact they will undertake and bring.

During the last public meeting regarding the Petmin Pig Iron Plant (it was conducted via Zoom on May 7, 2020), the company abandoned their pledge to partner with a third-party plant that would recapture and sell their carbon emissions. The promise to build a foundry with best-in-class lowest greenhouse emissions is no more. Their revised proposal to the Ohio EPA, raised the quantity of carbon dioxide they will be pouring into our air from 190,489 tons per year to 391,357 tons per year. Carbon Monoxide from 88.23 tons per year to 546.22 tons per year. The reason is that it would compromise their necessary profit margin, and they didn't have enough money to follow through with their original vows. Instead, they promised to review financial feasibility in 2 years after opening operations. At such time, they will determine whether operating an actual state of the art clean facility will generate profits great enough to satisfy their pockets. Still, the increased numbers passed, and Petmin received Ohio EPA approval. Air quality will be monitored by a station located in Conneaut, Ohio. Petmin testified that monitoring is expensive, and it would not be financially prudent for them to monitor neighborhoods within a 5 mile radius of the Kinder Morgan location.

Perhaps a catastrophic chemical spill by Norfolk Southern is what will take to spark some awareness to what our city and county leadership's favorite predatory foreign corporation will do in the pursuit of "profits above all". They will disregard the well-being of our community as well as the well-being of the ozone layer.

Mark Plagakis, April 16, 2023

Mark was in the audience but did not approach the podium. Mr. Timonere addressed their concern about Petmin abandoning their pledge to partner with a third-party plant that would recapture and sell their carbon emissions, stating Petmin held this meeting three years ago. Mr. Plagakis stated during their meeting in 2020 they stated they were not partnering with a company to recapture and sell their carbon emissions. Mr. Timonere stated that at that time what they said was they did not have a contract in place with a company, so, because they did not have a contract in place with a company, they did not want to mislead someone, so they went back and adjusted their air permit as if they were going to release all of the CO2 while they were still working on contracts. Mr. Plagakis asked if they still did not have a contract and Mr. Timonere said he could not speak for them at that time.

Mrs. Hale stated she would like answers to her questions for herself and the community.

President John Roskovics let Mrs. Hale know we are not ignoring her. We have not really heard from them, as a council, in a couple of years now. He did not believe we could answer her questions.

When Petmin was having their environmental meetings at Kent University, they were going to those back about 4 to 5 years ago. Since then, the council has not received much information.

Executive Session (if needed)

N/A

Adjournment

The meeting was adjourned at 8:38 PM by Council President Roskovics.

Ashtabula City Council will meet again on Tuesday, September 5th in Council Chambers. The Pre-Council meeting will begin at 6:30 p.m. followed by the Regular Council Meeting at 7:00 p.m.

DATE APPROVED:

9/5/2023

ATTESTED BY:

John S. Roskovics
John S. Roskovics, President of Council

ATTESTED BY:

McKenzie J. Burgan, Clerk of Council

Phyllis Dunlap, Temporary