



Conneaut settles two fed lawsuits

By **MARK TODD** - Staff Writer - mtodd@starbeacon.com

Star Beacon

March 03, 2010 01:21 am

— CONNEAUT — Two of three federal lawsuits that named the city of Conneaut as a defendant have been resolved, City Council learned at Monday's meeting.

One matter filed last year, involving a resident's Web site, was settled with the release of a statement from the city expressing regret over the matter. Another 2009 lawsuit, filed by a relative of a Conneaut man killed by police one year earlier, has also been settled, acting law director Luke Gallagher announced at the meeting.

The latter lawsuit, filed one year ago, stemmed from the Feb. 1, 2008, shooting death of Steven Anzells during a SWAT team raid at his Middle Road home. Police who went to the house looking for evidence in a murder case were confronted by Anzells, who was shot when he pointed a pistol at an officer.

Gallagher, in a report on federal lawsuits, said Monday the case was settled, but didn't elaborate. On Tuesday, Gallagher confirmed the suit's status, but said he had no particulars on the settlement.

The plaintiff, Anzells' brother, initially sought \$10 million from the city and a host of co-defendants. According to one source, the case was settled for a couple thousand dollars.

The lawsuit claimed the SWAT operation, conducted by Conneaut police officers and Ashtabula County Sheriff's Department deputies, was mismanaged and unnecessary. Because of Anzells' criminal past, the county's SWAT team accompanied police sent to the house to serve a search warrant.

Police carried a no-knock warrant, allowing them to forcibly enter the house. Officers said they announced their presence as they went through the door. They were met by Anzells, carrying a pistol.

Officers went to the house seeking evidence related to the November 2007 murder of Cheyrone Kelley, an Ashtabula man murdered in Conneaut.

The Internet lawsuit involved city resident Katie Schwartz, who operates the everythingconneautohio.com Web site. Posted on the site is contact information for various city offices.

Last year City Manager Robert Schaumleffel Jr., and former law director Lori Lamer sent Schwartz a letter asking her to remove the city listings, saying people could confuse her site with the city's office Web site. At a May 18 council meeting, Schaumleffel aimed some pointed remarks at Schwartz, saying he understood she was critical of him at a public meeting.

The matter was resolved late last week, according to reports. A statement issued by the defendants was key to the agreement.

On Tuesday, Schwartz said she will also receive \$2,500, money she plans to use to pay legal fees and compensate her for income lost due to the controversy.

"I'm relieved the situation reached a resolution," Schwartz said. "It's unfortunate it took so long," she said.

The third federal lawsuit, filed by former deputy police chief John Kuivila, is now in the court of appeals. The federal court ruled against Kuivila, who claims the city violated a verbal agreement pertaining to his employment.

Copyright © 1999-2010 cnhi, inc.