

The members of Hubbard City Council met in regular session on Monday, April 16, 2018, in council chambers with President William Williams presiding. Approximately 5 people were in attendance.

Roll call showed the following members in attendance:

B. Viele T. O'Hara M. Toda J. Silvidi B. Kyle J. Crowe

It was moved by Mr. O'Hara with a second by Mr. Toda to excuse any absent officials. There were no questions or comments on the motion. Motion passed. Vote unanimous.

It was moved by Mr. O'Hara with a second by Mr. Toda to accept the minutes from the April 2, 2018 regular session as presented to council. Motion passed. Vote unanimous.

COMMUNICATIONS

We received the Girard Court...Girard Municipal Court 2017 Annual Report and that is all.

It was moved by Ms. O'Hara with a second by Mr. Toda to accept the communications and place them in their proper file. There were no questions or comments on the motion. Motion passed. Vote unanimous.

REPORTS OF STANDING COMMITTEES

FINANCE- Mr. Kyle- Everything is operating smoothly. I would like to thank the Auditor Michael Villano for doing a great job. That is all.

PARK & RECREATION- Ms. Viele- The next regular meeting of the Park & Rec. Board will be held this Thursday, April 19 at 7:00 pm in City Council Chambers. A second meeting to discuss details of the July 21st Touch a Truck Event will follow the regular meeting. The basketball courts at Mattinat Park are now open as half court playing fields. Grass mowing will begin as soon as the grounds dry out from the recent rains and snow. As always, the public is encouraged to attend and participate in the Park & Rec. meetings. Thank you

ECONOMIC DEVELOPMENT-Ms. Baumiller- Not in attendance

PLANNING & ZONING- Mr. Toda- Nothing Mr. President.

UTILITIES- Mr. Silvidi- A recent break was found in the storm line on East Hill near Fox. This was a 24" line and 52' was replaced. The road above this break had heaved and has been a problem. It is now repaired. During this operation, the camera was run prior and an additional 800' may also need to be replaced which the service director is evaluating. Hopefully, we can get this done before the paving in 2019. This job was contracted out and the repair was quickly completed causing minor inconvenience for traffic flow on East Hill. Thank you

STREETS & SIDEWALKS- Mr. Crowe- The street sweeping will begin next week, Monday, April 23. We ask that you to sweep the end of your driveway and sweep the curb off into the street for the sweeper to pick it up. We also ask that you avoid parking in the streets until the sweeper has gone by. Thank you that is all I have.

SAFETY- Mr. O'Hara- I have no report this evening.

REPORTS OF SPECIAL COMMITTEES

Mr. Williams- Mr. Silvidi, anything for the cemetery?

CEMETERY BOARD- Mr. Silvidi- In 2018, the first quarter, financially we are going to break even which is good considering the disaster we had the last quarter for 2017. We are starting off the year right up there. We are behind because of the weather (the spring that wasn't). We are looking to do foundations very soon and prepping for Memorial Day. That is it thank you.

REPORTS OF SPECIAL COMMITTEES

FIRE DISTRICT-Mr. O'Hara- I have no report this evening

REPORTS OF CITY OFFICIALS

SAFETY DIRECTOR- Lou Carsone – Mr. President, I have no report this evening.

SERVICE DIRECTOR-Dan Livingston- The only thing is I would like to emphasize what Mr. Crowe said. For anyone you know, please ask them to keep their cars on their driveways and off the streets while sweeping. I don't want phone calls saying they passed around my car when the street was swept. I can't emphasize that enough. That is all I have Mr. President.

LAW DIRECTOR- Mr. Villano- No report Mr. President thank you

TREASURER- Ms. Ruha- I have no report thank you

AUDITOR- Mr. Villano- Nothing to report this evening Mr. President thank you

It was moved by Mr. O'Hara with a second by Mr. Toda to accept the reports of standing committees, special committees and city officials. There were no more questions or comments on the motion. Motion carried. Vote unanimous.

MAYOR'S REPORT

Mr. Williams- since the Mayor is not here we will not have a Mayor's Report.

Mr. Williams-Mr. Kyle

EXECUTIVE SESSION

It was moved by Mr. Kyle with a second by Mr. Toda that council convene into an executive session pursuant to Ohio Revised Code section 121.22G for the sole purpose and consideration of contract negotiations. There were no questions or comments on the motion. Motion passed. Vote unanimous.

Mr. Williams- council will go back now to its regular order of business. Does anyone have anything under...

UNFINISHED OR OLD BUSINESS

MISCELLANEOUS BUSINESS

Mr. Crowe- Yes Mr. President, I just want to read a statement about the Trumbull County Council of Governments. It's just a little explanation because it is on our agenda tonight and now we are going public with it. This is it: Trumbull County Council of Governments is a volunteer association of local governments in Trumbull County. The cities, townships and villages in the county have joined the council to help each other as partners in areas of collaboration; resource sharing and challenge resolution with the common objective of improving operations and efficiencies for the benefit of Trumbull County as a whole. Local governments have common opportunities and issues and problems that transcend their individual jurisdiction. The council of governments, COG as it is called, will help meet the broader concerns that could be more efficiently solved through cooperative and coordinated approaches. It is vital to strengthen the capabilities of each unit of government by combining resources to meet the common challenges that may be beyond the capacity of individual units of government. That is basically the explanation. I will have the paper put that out there just so we all know where we are at. That is all I have.

Mr. Williams- Thank you, does anyone else have anything under miscellaneous?

PUBLIC ADDRESS TO CITY COUNCIL ON AGENDA ITEMS

Mr. Williams- If there is anyone who wishes to address city council on our agenda items this evening when recognized please step forward to the microphone and state your name and address for the record you will have three minutes unless extended by council vote. No one?

NEW BUSINESS & REQUESTS FOR LEGISLATION

It was moved by Mr. O'Hara with a second by Mr.Toda to have the law director draw up the necessary legislation authorizing the Safety Director and the Mayor to enter into a three year contract on behalf of the City of Hubbard, Ohio with the Sergeant Unit of the Fraternal Order of Police Lodge 132 declaring an emergency. There were no questions or comments on the motion. Motion passed. Vote unanimous.

It was moved by Mr. O'Hara with a second by Mr.Toda to have the law director draw up the necessary legislation authorizing the Safety Director and the Mayor to enter into a three year contract on behalf of the City of Hubbard, Ohio with the Patrol Unit of the Fraternal Order of Police Lodge 132 declaring an emergency. There were no questions or comments on the motion. Motion passed. Vote unanimous.

It was moved by Mr. Kyle with a second by Mr. Silvidi to have the law director draw up the necessary legislation authorizing the Board of Control to enter into a contract on behalf of the City of Hubbard with the American Federation of State County and Municipal Employees Ohio (AFSCME) Council 8 and declaring an emergency. There were no questions or comments on the motion. Motion passed. Vote unanimous.

ORDINANCES & RESOLUTIONS

Ordinance 4-18 Third Reading

AN ORDINANCE TO APPROVE, ADOPT, AND ENACT THE 2018 REPLACEMENT PAGES TO THE CODIFIED ORDINANCES: TO REPEAL ORDINANCES IN CONFLICT THEREWITH: TO PUBLISH THE ENACTMENT OF NEW MATTER: AND DECLARING AN EMERGENCY.

It was moved by Mr. Toda with a second by Mr. O'Hara that Ordinance 4-18 be passed as read. There were no questions or comments on the motion. Motion passed. Vote unanimous.

Resolution 4-18 Second Reading

AUTHORIZING THE BOARD OF CONTROL TO ENTER INTO AN AGREEMENT FOR THE ESTABLISHMENT AND MEMBERSHIP OF THE TRUMBULL COUNTY COUNCIL OF GOVERNMENTS

It was moved by Mr. Crowe with a second by Mr. Silvidi that Resolution 4-18 be passed as read. There were no questions or comments on the motion. Motion passed. Vote unanimous.

Ordinance 6-18 First Reading

CREATING THE POSITION OF SERVICE SUPERINTENDENT FOR THE CITY OF HUBBARD

Mr. Williams- Since there is no action on Ordinance 6-18 it will flow to a second reading

Resolution 5-18 First Reading

AUTHORIZING THE BOARD OF CONTROL TO ADVERTISE FOR BIDS PER THE COMPREHENSIVE IMPROVEMENT PLAN FOR THE CITY OF HUBBARD WASTE WATER TREATMENT PLANT, PHASE II, GRIT BUILDING UPGRADES AND AERATION SYSTEM IMPROVEMENTS

ORDINANCES & RESOLUTIONS

It was moved by Mr. Silvidi with a second by Mr. Crowe to suspend the second and third readings of Resolution 5-18. There were no questions or comments on the motion. Motion passed. Vote unanimous.

It was moved by Mr. Silvidi with a second by Mr. Crowe that Resolution 5-18 be passed as read. There were no questions or comments on the motion. Motion passed. Vote unanimous.

PUBLIC ADDRESS TO CITY COUNCIL ON NON-AGENDA ITEMS

Mr. Williams- If there is anyone who wishes to address city council on non-agenda items related to city council business when recognized please step forward to the microphone and state your name and address for the record you will have three minutes unless extended by council vote.

Angelina Roy 141 Christian Avenue- I wanted to tell Bonnie Viele thank you for trying to help with my pet situation next door. Unfortunately, it doesn't seem like we have made any progress at this point. I spent 3 1/2 hours on Saturday cleaning out my flower beds to walk over a couple of hours later and step in cat poop again. I would like to address council again as to whether there is a way...if there is no ordinance out there to deal with the problem we can create some ordinances. Is there some type of legal...what can we do?

Mr. Williams- I can't answer that. Mark, would you know?

Mr. Villano- I am sure we can draft some type of ordinance. The enforcement of it would be very difficult like how you would identify the cats? I am not saying it couldn't be done. It is something we would have to sit and talk to the police department about how we would enforce it. That is the only thing that I could suggest.

Mr. Toda- Are these stray cats or do these belong to your next door neighbor?

Ms. Roy- How would you explain it Bonnie?

Ms. Viele- They are actually cats that have been abandoned. This woman has I think four cats in the house. She does feed and take very good care of them. I have gone to the house numerous times and gave her information on an agency that will help her. I have got two people that will completely fund getting them fixed. I gave her my card. I gave her the agency's card. She has made no movement. I don't know what to do. In the past, there were some feral cats that I called animal control on. Does animal control still come out do you know Mr. Livingston? They use to come out and trap cats.

Mr. Livingston- they won't do cats

Ms. Viele- Oh Okay! I don't know...I can try stopping up there again this week. I have offered her carriers and traps. She does have the females in the garage. She has them quarantined. Hopefully, they don't have any kittens. She needs to take the first step. I have everything in line but she just won't move on it.

Mr. Livingston- what street do you live on?

Ms. Roy- Christian Ave.

Ms. Viele- I believe 5 cats from what I understand. What she admits to is five.

Ms. Roy- I could sit here with photos after photos. I took pictures of what I cleaned up. It is a wheelbarrow load of cat poop every time I clean my flower bed. Like I said, I walked from over there into my house went back to trim the shrubs (which you could go see. The shrubs are all trimmed) and my tennis shoes had cat poop on them (both of them). I had just cleaned up all the cat poop. The police officers have said and they told her the time they were out before that there is an issue with defecation on someone else's property. That means your pets. It doesn't have to be a dog, or a rabbit or a duck. It is any pet that is yours. She continues to feed them outside on her porch. The police

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Officer told her they would be considered her cats. That was two years ago. She continues to feed them. There are cardboard boxes all over the back patio where the cats lay. The cats that are in the garage, yes they are in the garage but they fight through the door and meowing and crying all night long keeping us up. If my dog barks I go and grab him and bring him in the house to shut him up. I have to listen to her cats constantly. If my dog pooped in their yard I would clean it up. I don't allow my dog in other people's yard.

Mr. Toda- Hey Lou, why can't we cite this lady for allowing her cats to poop on her property? If you let your dogs do that and you get spotted, you get a ticket. She has been warned and she has the cats and is feeding them. I think we need to just give her a warning type you know.

Mr. Carsone- If the ordinance covers cats! I don't know if it covers cats.

Mr. Livingston- inaudible

Mr. Toda- I would think it would cover any animal?

Mr. Carsone- Well, if it says any animal, it covers any animal. I don't know that.

Mr. Toda- Well can you check it and see? Even if we just gave her a warning maybe we would wake her up!

Ms. Roy- Can someone pull the old report? I mean he had a book in the back of his car or in the trunk of his car of ordinances. He pulled it out and showed it to me. It had to do with defecating on someone else's property.

Mr. Toda- animal or

Ms. Roy- any animal...it was just defecation on property. That is what he told her. If I have to come out here again he said I will cite you.

Mr. Toda- You want to check on that Lou and see? We sympathize with you. I am a cat lover. I have a cat myself but I won't put up with anyone else's animal pooping in my yard.

Ms. Roy- I have lived on a farm. I have lived all over. I had a very nice home when I had a cat. I have pictures of cats in my life. It just so happens I don't have one and at this point. I don't want one because I have a dog. I can't keep going through this. The kid's shoes all stink. Our clothes all stink. If you sit on the front porch the cats are on the porch they lay there. They make everything smell at my house.

Mr. Toda- May I suggest you get a kitten? You will be amazed how a dog will take to a kitten.

Ms. Roy- My Jack Russell will tear it up. I saved him from a shelter. He doesn't like people. He doesn't like animals unless he likes you.

Mr. Toda- never mind

Ms. Roy- That is why he goes in the kennel if someone comes to my house. I am a responsible owner.

Mr. Sivlidi- Did you try putting down moth balls out front?

Ms. Roy- I can't stand the smell. I am very sensitive to smell.

Mr. Crowe- Did you ever

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Mr. Williams- guys her three minutes is up. Did you want to extend her? Do you need more time?

It was moved by Mr. O'Hara with a second by Mr. Toda to extend the time by three more minutes. There were no questions or comments on the motion. Motion passed. Vote unanimous.

Mr. Crowe- Have you ever tried a hot wire?

Ms. Roy- no

Mr. Crowe- The cat hits a wire (a rabbit or anything) it will be up in the air and running away before it hits the ground. They don't come back.

Mr. Williams- I don't know if you are allowed to do that! Are you allowed to do that?

Ms. Roy- You know I have an old lady down the road

Mr. Crowe- I have seen it done. They will never come back.

Ms. Roy- I have my neighbor next door who is an ex police officer who wants me to shoot them. I get all kinds of wonderful suggestions from all the neighbors who won't come here.

Mr. Crowe- Really! If you listen to what the law director is saying we can sit here and talk about it and how you are going to enforce it but I have seen a hot wire where that critter, actually it was someone who had raccoons coming up eating there cats food. He didn't want the raccoon coming back.

Ms. Roy- Like I said, I don't want to break the law.

Mr. Crowe- You're not breaking the law! I shouldn't say that! It is a suggestion.

Ms. Roy- I don't want anyone in my yard getting electrocuted.

Mr. Williams- I think at this point the best course of action is, Lou if you could talk to Jimmy and look at this and find out who originally went up and saw her and look up the ordinance?

Mr. Carsons- How long ago did you say that was?

Ms. Roy-It was a couple of years ago. I think it was two summers ago if I am not mistaken because my dad was still alive.

Mr. Toda- You wouldn't remember the officer's name would you?

Ms. Roy- I can tell you one was a black gentleman and he was with someone else. That is all I know. They were both very nice but

Mr. Williams-okay

Ms. Viele- Mr. President

Mr. Williams- Yes Bonnie

Ms. Viele- Are you going home right after this? Were your neighbors at home?

Ms. Roy- They were home when I left.

Ms. Viele- Is it okay if I come up tonight? You know I have been there numerous times.

Ms. Roy- I know you have. That is why I came. It was to thank you first of all.

PUBLIC ADDRESS TO CITY COUNCIL ON NON-AGENDA ITEMS

Ms. Viele- I am trying. Usually people cooperate

Ms. Roy- If they aren't going to do anything I don't know what to do with it.

Ms. Viele- I have people willing to spend hundreds of dollars.

Ms. Roy- That is what really bothers me at this point.

Ms. Viele- Yes, it wouldn't cost her a dime!

Ms. Roy- They are in the garage. The windows are blacked out and all kinds of crap under the door so air doesn't go in.

Ms. Viele- It is not fair to the animals either.

Ms. Roy- That is a whole other issue with the mess.

Mr. Toda- I can't imagine what the garage looks like.

Ms. Roy- my daughter got in trouble for having *** in my mom's garage and here my neighbors

Ms. Viele- If you stick around for a few minutes, I will come up right when you're leaving okay?

Ms. Roy- Alright thank you

Mr. Williams- Anyone else?

My name is Donna Kriebel and I live on Gladys. I am actually just going to interject on what just went on here if I can? I am cat lover. I have done TNR for over 200 and some cats. Over at Hubbard Coal & Supply they had cats and they had kittens. I went in and got the kittens out. I TNR'd their cats. They are living happy there. The problem...I mean I don't know where this is but once they are spayed & neutered, they are not going to be doing what they are doing in your yard.

Ms. Roy- You don't think they will poop in my flower beds?

Ms. Kriebel- The chances of them roaming

Ms. Roy- My yard is their litter box.

Ms. Kriebel- I understand. I am just offering my services. I am offering to go speak to this lady with you if you would like it. There are a couple of colonies up in the acres that I have controlled (North side, East side). I personally take care of 80 cats a day. This lady maybe hearing from me, I might be willing to go.

Mr. Toda- couldn't hurt

Ms. Viele- I work with Corky at TNR. She is fantastic. They have done over 10,000 animals.

Ms. Kriebel- I do a lot with Corky. I am offering my services.

Ms. Viele- I got 16 in my neighborhood through Corky

Ms. Kriebel- wonderful

Ms. Viele- got homes for them. If you will wait around, we will go up and talk to the people and maybe convince them.

PUBLIC ADDRESS TO CITY COUNCIL ON NON-AGENDA ITEMS

Ms. Kriebel- okay thank you

Mr. Williams- thank you! Anyone else? If not, I would entertain a motion to adjourn.

ADJOURN

A motion was made by Mr. Toda with a second by Mr. O'Hara to adjourn.

Mr. Toda- hold up

Mr. Williams- Yes Mr. Carsone

Mr. Carsone- from online (and I will check our ordinances) I believe this is probably the most current defecating prohibited. It talks about animals defecating on other people's property. However, last line says enforcement shall be from the Animal Welfare League person after notification of the complaint from city hall personnel.

Mr. Toda- who are they?

Ms. Viele- I communicated with Animal Welfare League. They referred me to TNR. They won't do anything. They referred me back to Trap Neuter and Release. I talked to them on this case in particular.

Mr. Williams- well maybe we better be changing that ordinance.

Mr. Toda- we could modify the ordinance.

Mr. Carsone- I will get it down on paper and get it to Mr. O'Hara.

Mr. O'Hara- I got some information here. I don't know who put it in the mail box but it does state under here that cats running at large and nuisance control no person shall permit any act to scratch dig or defecate upon any lawn tree, shrub, plant, building or any public or private property other than the property of the owner or the person in charge of or in control of such cat. It is kind of cut and dry.

Mr. Villano- what is the penalty for that?

Mr. O'Hara- like I said I don't know where this information came from

Mr. Villano- is the penalty listed for the ordinance

Mr. O'Hara- No! At the bottom that was under number of cats restricted

Ms. Does it say where it's from

Mr. O'Hara-yes but this is something that we can use

Mr. Villano- you have to have some kind of enforcement on the end or it is meaningless.

Mr. O'Hara-no more than 3 cats with the exception of kittens no more than 6 months old be kept in any single family dwelling or any separate suite in a 2 family dwelling or any dwelling unit contained within a multi-family dwelling, building within the city. It says whoever violates this section shall be guilty of a misdemeanor of the fourth degree and a misdemeanor of the 1st degree for any subsequent violations.

Mr. Villano- that is a pretty stiff penalty for a cat

Mr. O'Hara- for a cat I know. I agree. I agree.

Ms. Roy- I agree but you have

ADJOURN

Mr. Williams- I am sorry I am sorry. Okay, so Tim you are going to get with Lou and see where we go from here.

Mr. O'Hara- Yes

There were no questions or comments on the motion. Motion carried. Vote Unanimous.

Lorrie Brown, Council Clerk

William Williams, President