

The members of Hubbard City Council met in regular session on Tuesday, January 16, 2018, in council chambers with President William Williams presiding. Approximately 6 people were in attendance.

Roll call showed the following members in attendance:

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

It was moved by Mr. O'Hara with a second by Ms. Baumiller 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 Ms. Baumiller to accept the minutes from the January 2, 2017 regular session as presented to council. There were no questions or comments on the motion. Motion passed. Vote unanimous.

COMMUNICATIONS-

We received information from OML for the 2018 newly elected council training series classes. I have the forms if anyone is interested. I spoke with Fred Hanley and the township will be here at the second meeting in February. That is all.

It was moved by Mr. O'Hara with a second by Ms. Baumiller 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-2017 has been closed and finalized. We are rolling into 2018. Thank you

PARK & RECREATION- Ms. Viele- The next regular meeting of the Park & Rec. Board will be held Thursday, January 18th at 7:00 pm in City Council Chambers. The board has received its budget amount for 2018. Blanket orders have been drafted and will be presented at the meeting for approval. Ms. Davis a teacher at Hubbard High School called to inform me that government students now have an option of attending Park & Rec. Board meeting to obtain credit. I look forward to their input into the basketball court situation. Newly appointed board member Mike Kerr will be joining the board at this meeting. Thank you to Mr. Kerr for stepping forward to serve our community. That is all thank you.

ECONOMIC DEVELOPMENT-Ms. Baumiller- At this time, I have no report thank you.

PLANNING & ZONING- Mr. Toda- No report Mr. President

UTILITIES- Mr. Silvidi- Yes Mr. President, I have a brief report. I would like to take the opportunity to thank the city utility departments for the excellent service provided to the city in 2017. It is always good to know that any service issues found are always immediately dealt with and the problem is fixed. The service director recently informed me that there were 24 water breaks in 2017. As of last week, we have had three thus far. I do plan on, as I have in the past, to meet with the service director and the Mayor concerning any utility issues and I will have a report next month from Eddie Palestro on the utilities dept. Thank you.

STREETS & SIDEWALKS- Mr. Crowe- The weather over the weekend kept the street department busy. The freezing rain on Friday required the salt and then the overnight snow required the plows. There was a waterline break on Elmwood that I visited that morning. The water was coming down Moore Street then puddling and froze. Somehow our crew was able to remove that ice. It puddled and froze. The plows were back out including today to clear the additional snow we got. I think the street department did a fine job. That is all I have thank you.

REPORTS OF STANDING COMMITTEES

SAFETY- Mr. O'Hara- The safety director notified me that in 2017 the police department was required by Ohio Collaborative to institute a community relations policy that meets the requirements of the collaborative. The policy was approved by the police chief and safety director and was sent to the state for certification. Part of the documentation that was sent involved the FOP Shop with a Cop Program from last Christmas. This was favorably reviewed by the state and we expect to receive official certification soon. That is all.

REPORTS OF SPECIAL COMMITTEES

CEMETERY BOARD- Ms. Baumiller- I would just like to take this time (unfortunately I wasn't here last meeting) to congratulate Jeff Graban and wish him well on his retirement from the Hubbard Union Cemetery. Jeff actually worked quite well with so many collaborative projects that we did including the renovation of the chapel. Jeff is fabulous with the people during their grieving time and he worked very well with the funeral directors. Myself and my committee feel very confident with Mr. Graban's replacement and will be able to maintain the same excellent standards. Again, I wish Mr. Graban very well. That is all.

FIRE DISTRICT-Mr. O'Hara- During our last meeting, which was conducted on January 10th, we had sworn in our newest member to the board of directors for the Eagle Joint Fire District. It was Mr. Hernandez. We still have one vacancy which is expected to be filled by Mr. Mike Pieton. I would like to thank John Dowell and Marianne Hallapy for their services for the last three years. That is all.

REPORTS OF CITY OFFICIALS

SAFETY DIRECTOR- Lou Carsone – I don't have a report this evening but I would just like to make a comment. I would just like to extend my gratitude to the Hubbard FOP for their efforts in the Shop with a Cop Program that they did this Christmas. The program mentioned by Councilman O'Hara. They did a nice job with that and made a nice Christmas for a number of children. Thank you that is all I have.

SERVICE DIRECTOR-Dan Livingston- I have no report this evening. I just want to tell Mr. Silvini that since I gave him the number three so far this year, we had four more over the weekend. We are now at seven water breaks this year. We are up. We had a couple of bad ones over the weekend. We had three in a day and a half.

Mayor- I wanted to mention the one on Similar where

Mr. Livingston- where the road caved

Mayor-that was something

Mr. Livingston- I would like to thank Mr. Jason Riffle for coming out and bringing his steam shovel out and digging the road up with his thing and helping us backfill to make that road safe for travel again.

Mr. Williams- that was unbelievable the way that was washed out

Ms. Baumiller- I know it was

Mr. Livingston- thank you

LAW DIRECTOR- Mr. Villano- not in attendance

TREASURER- Ms. Ruha- I have nothing to add other than what I reported on in caucus.

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

REPORTS OF CITY OFFICIALS

It was moved by Mr. O'Hara with a second by Ms. Baumiller to accept the reports of standing committees, special committees and city officials.

Ms. Baumiller-I do

Mr. Williams- oh you do

Ms. Baumiller-Just out of curiosity, is there one area that has had more water breaks than another or is it pretty much random?

Mr. Livingston- Random! We have had them everywhere we had one on Similar, one on Glenwood down there by Oaknoll. We seem to have a lot on the line on 304.

Mayor- I think all in all the changes in these temperatures is causing most the issues. The previous two years our breaks have been rather low but the changes haven't been as extreme in what we seen this year (10 below and the next thing you know we are at 64). It causes a lot of issues underground and also sometimes with the water itself. No not one place per say.

Ms. Baumiller- I was just curious if it was in one place

Mayor- No, it has moved around quite a bit. Every ward I think has experienced a break.

Ms. Baumiller- I have had enough if another ward would like to take them.

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

Mr. Williams- Mayor Darko please remember you have three minutes unless extended by council vote

MAYOR'S REPORT

Good Evening to Everyone,

I am pleased to present you with Mayor's Annual Report. This past year marked more progress in stabilizing our City's Finances and progress on various projects and improvements. I mean this when I say it, I feel very lucky to have City Council members who have been elected and serve with one purpose; to do what's best for the City and the people who live and work here. I know most of you have been here before and we have worked together and the way you approach your jobs is a big reason for our success. Our City Staff have shown themselves to be committed to serving our citizens in a professional and caring manner. This includes everyone from our Directors and Chief, Financial and Legal Team, our Volunteers on Boards and Commissions and to the folks who carry out the day to day activities our citizens depend on. A special thanks to our City Transformation team who continue with our Senior Checkup program and also do many other things that you might not see and are behind the scene that helps our community. The City Transformation Team is comprised of our Police Chaplains; they do some really great things. I especially want to recognize our Volunteer Firefighters and all that they do. We all know they are a very special group of individuals. It has been an honor to represent you and the citizens of the City of Hubbard as their Mayor and I do look forward to working with everyone in the future.

Let's begin with our Budget: First, I want to say that I will not be supplying specific numbers this year on the day to day activity of the departments. It will be the pleasure of the Safety Director and Service Director to do that in their upcoming reports. They are going to be supplying you with all the little numbers that kind of make this whole thing work. The 2017 Budget showed growth in the cash position of all funds. We accomplished maintaining our spending below receipts once again. The 2018 budget recently approved by Council reflects conservative spending. Our 2018 Budget for General Fund, Street, Electric Water and WWTP is \$13,854,485. That is a very slight increase from last year.

MAYOR'S REPORT

The General Fund's appropriation is \$7350 above 2017, again a slight increase. The Police Budget would account for approximately \$5000 of this increase. An interesting note I wanted to make in 2012, our Police Budget represented 80% of our General Fund Budget. This year it is 73%. Our cash position is continuing to improve. We are maintaining a healthy balance that will allow us to do the things we need to do. An example, I would urge everyone to visit the Senior Center and take a look at the new floor we had installed (Tim and Jerry got a chance to see it). The carpet there was of 1990 vintage put in when we moved up here from the old building. I think there was a stain for every year we had it. We had it cleaned a few years ago and the stains would not go away. One day we just decided to get a new floor. Being the balances that we have, we could do it. That is what we all worked for. That is what we have got. It is a great place to be when in 2012 putting that floor in would be about the last thing we would have wanted to do. The place looks great and the senior citizens appreciate it. I might mention also that with a Senior Levy Grant, we did put in a handicap accessible door and everyone appreciated that. We are continuing with an emphasis on Training in the Police Department that the budget reflects which council passes. We have continued upgrading our patrol vehicles. We will continue to do so with a purchase of a new vehicle this year. I can't say enough about this program. In 2012, you saw a lot of Crown Vic's down there with some of them with the paint coming off and some of them with mileage we don't even want to think that our guys were driving. Now, just about all the Crown Vic's are gone. (Memories) We got four new up-to-date in our fleet and needless to say our maintenance costs are going down. I just think that was one of our goals and we have gotten there. We are working hard to keep expenses and city operations under control. Our constant effort is to balance wishes and needs so that the citizens are best served by their tax dollars.

Our Waste Water budget will have an increase of \$112,000. This is approximately a 7 percent increase. We will be making preparations for Phase II plant upgrades. We have sent our Permit to Install Application along with a check to the EPA for plan approvals. Once that is all processed, we will be asking council for the approval on our suggestion of financing. Most of this upgrade will involve our grit removal process. We have plans in motion to reline three different sanitary lines. There will be additional camering for a couple of areas that have been sources of backups.

Our Water Budget will realize an increase of \$50K this year. We have the additional cost of our Backflow Administrator. We will be attempting the tank cleanout this year plus adding the mixer, once some technical issues are worked out. We are putting together plans once again to accomplish this.

We had discussion with our consultants about replacing the water line that runs out State Route 304. We need to do this. The line has been the home of numerous water breaks. We want to include an automatic flushing unit on the line. We did have plans last year to ice pig that line but we determined replacing the line would be a much better option, so we changed our direction on that matter. We have started the process to replace the line. We also replaced commercial water meters last year throughout the city and will continue to do so this year. We want to replace the old ones to insure proper readings. We will also be installing a generator at our Creed Ave Pump Station this year. Haloacetic Acid was one of our issues last year. Our running average at one of the locations we test was above the Ohio EPA standards. Our water Department, Water Administrator George Ginnis and Aqua worked towards meeting the requirements and we did for the next quarter. It took a lot of coordination but we accomplished what we set out to do. The levels of Haloacetic Acid are now where they need to be.

Our street department reflects an increase in a budget for the 2018 from 2017 with a \$96,000 difference. We have the truck payment as well as money appropriated for a new salt building. We will be asking council very soon to go out for bids for the building once we receive the completed bid package. The building will store our salt, our ICM mix as well as our mixed product. There will also be room in the building to put under roof the material our water department uses to fill water breaks. We did purchase a pickup for the department last year. We did make an extra payment on our new truck last year so we are ahead of the game on that. I believe we have three payments left. Then we can evaluate the fleet and possibly purchase another. Our 2017 Paving Program went well and was completed early. Myron Street was done in the fall. We are at the mercy of the OPWC timeline. Myron Street was done with 54% of the cost being a grant from OPWC. Our portion was 57K. We have received more thank yous and about times on Myron being paved than any other street we ever paved. A road traveled more than anyone ever realized.

MAYOR'S REPORT

We were awarded a grant to pave Drummond Avenue this year. The engineer estimate is \$114,600. As of right now, our commitment would be \$40,600. We have initiated the process for this year's program. The streets have been sent to our engineers to apply a price and when we get that back, we will be meeting with Council to make the determination on how much money we want to turn into asphalt. We will be asking to meet with Councilman Crowe, Chairman of the Streets Department and his committee to review the candidates for the program. We will be talking with ODOT on their plans on paving Rt. 304 (East Liberty) so we might prepare for that.

The service director will have some of the interesting figures for the electric department. They were busy last year and accomplished quite a bit. The crew did an outstanding job maintaining and enhancing the system. I want to also mention Ed Palestro and his management of our system and his commitment and dedication to keeping our lights on and moving the department forward. I am going to mention the outages again, were less than one percent based on hours of outage and hours in one year. Concerning the Budget, we finished under the appropriated amount most in part due to the amount of power that we purchased. The 2018 budget is approximately 3% lower than 2017.

Last year we did our bi-annual duty and clean out Mud Run under and around the bridges from East Water to Myron. This year I would like to have a Catch Basin Repair Program that would put us ahead of the curve you might say. Our crew does a good job in repairing or re bricking but putting new precast basins in would be the key. We have quite a few that have been damaged, uneven and low. I want to make an investment this year to correct this.

Since 2009, our court costs and waiver cost in Mayor's Court have remained the same. We will be making some minor changes to our cost structure. Court Costs will see an increase of \$10.00 that will help cover our local costs. We will also be increasing our waiver charges for those folks who pay without coming to court. We also are adding a charge for those who do not appear when required and for asking to change their court date. Marianne has maintained her certification as the Clerk of Courts by attending required training. She continues her efforts to lower the delinquent accounts. She has been very successful with this as the Mayor's Court Reports reflect the success.

The closing of BWAY in the city of course was the news which disheartened all us last year. Sherwin Williams, I believed it opened that plant in 1952, 65 years ago. We all feel for those who lost their jobs and we hope and pray for their success in finding a new one. The withholding tax from BWAY accounted for (if you would average the past 4 years) over two and one half percent of our annual collections at approximately \$50,000/per year.

We did attempt to receive monies from the Community Development Block grant for a target area in the fourth ward this year. We were hoping to receive a grant for infrastructure repairs, paving and possibly for improvements in our city parks. Our response to the mailing of the surveys was not good so we went door to door. Jerry, Lisha and Marianne, thanks for walking and knocking on doors to get the survey's. We tried very hard. We reduced the target area and we did not qualify in the reduced area but it was not from the lack of effort. There were others who helped the door to door and I do appreciate their efforts.

Countryside at Elmwood opened their new expansion with additional rooms as well as a memory care ward. We were told that the expansion would create opportunities for employment.

City Council will be considering a Zone Change for Circle K so that they may proceed with an expansion with an investment of or near 3 million dollars. This will also generate new opportunities for employment.

In closing, everything we're doing couldn't be done without cooperation of City Council and the city team. Thanks again to our Safety Forces for all that they do. Let's work together, to keep moving forward. Thank You

It was moved by Mr. O'Hara with a second by Ms. Baumiller to accept the Mayor's report. There were no more questions or comments on the motion. Motion passed. Vote Unanimous.

UNFINISHED OR OLD BUSINESS-

MISCELLANEOUS BUSINESS

Mr. Silvidi- I do have some information concerning the bi-weekly home recycling pick-up. I had asked a couple of meetings ago whether the city received any information on that. I did get some back. In 2016, 396 1/3 tons were recycled. In 2017, 443 1/2 tons were recycled. This amounted to 839 1/3 tons for the past two years. I took an average weight of a car (this is equivalent to a mid-size car) and taking 525 automobiles and throwing them in a trash field. I want to thank Mr. Livingston in his effort coordinating the city recycle plan. I think it has been successful and is a great thing for the city. Thank you.

Mr. Williams- Does anyone else have anything under miscellaneous? Okay, we will move onto since there are no ordinances or resolutions tonight we won't have address on agenda items. We will move onto...

NEW BUSINESS & REQUESTS FOR LEGISLATION-

Mr. Williams- we have one...Mr. Silvidi

It was moved by Mr. Silvidi with a second by Mr. Crowe to have the law director prepare the necessary legislation authorizing the board of control to enter into a contract with ATC Sequoia LLC for the perpetual lease of city property located on Creed Avenue for the amount of \$130,000. There were no questions or comments on the motion. Motion passed. Vote unanimous.

PUBLIC ADDRESS 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.

My name is Jason Cook and I live at 384 Collar-Price Road in Brookfield, Ohio. I am not a Hubbard City resident. I was approached by a couple of members of your community about addressing the absence or misconceptions of a possible tethering law. I have spoken with Mr. O'Hara and I have expressed that I would like to get him some models of some other communities tethering laws that local communities have passed recently. I would like council to consider. I think it is important to understand that there is a difference between a tethering law and what we have in the Ohio Revised Code as far as protecting companion animals. In this case, we are talking about dogs being left outside. What we need to do and what these nine other communities have done is said that it is not enough to have adequate shelter, access to good wholesome food and clean water. We need to improve and better the lives of these dogs. It is also a matter of public safety. A lot of times when I go to local governments, I tell them we are not just trying to better the lives of the dogs. If you have a chained up or tethered dog, it is a significant risk to public safety. The CDC has done multiple studies that a chained up, unneutered males dog is 3X more likely to bite somebody. I just want to say, it is not that we are just trying to get these dogs inside, I want to create a safe community for you because I don't want to see people get bit. Now, when I talk to local communities like Poland Village, Boardman Township and Howland Township a lot of them are surprised that these laws aren't covered under the Ohio Revised Code. They are enforced by like our Humane Society's and our Police Departments but they are extremely limited. If you follow the media, you can see the outpouring of disbelief of a lot of these dogs that are left outside. These Humane Society's and Police Departments hands are tied because these individuals are following the letter of the law at the state level. What I have done, I work with a law attorney. Her name is Dana Panella. She has drafted a model ordinance that has actually been adopted by 34 municipalities. The biggest one being Cleveland, Ohio which addresses this short coming and actually gives you as a municipality, under your limited home rule, the power to regulate the tethering of dogs. When I say regulate, sometimes these communities will go as simple as there has to be somebody at the home if the dog is going to be tethered or penned outside. Some of them go a little bit further and put specifications for what type of tether. You know it has to be 20 ft. long or it has to have swivels at both ends. Some communities even address about the shelter itself. It has to be so high off the ground, three sides or it has to have a flap and it has to have proper insulation. What I will present to Mr.

PUBLIC ADDRESS ON NON-AGENDA ITEMS-

O'Hara is probably the greatest thing I would love to see passed. It is going to be up to your law director and your police department because that is who would enforce it and obviously, your residents and what they feel comfortable with. Tonight is going to be a really cold night. I don't get any complaints about the dogs in the City of Hubbard. I assume your police department is doing an amazing job. I do think it would be beneficial to the dogs and the residents if you expanded upon your legislation to include the specifics of tethering. Like I said, even if you just cover some basics as the owner being home, specifications on the tether and dogs can't be outside during certain weather conditions. It is an amazing start. Every community that I speak to are very receptive because nobody wants to see a dog chained up outside. I will be more than happy to get these models together for you. I can work with your law director. If he needs to speak with Ms. Panella (at my own cost) I will cover her time to come down and talk with you. That is how important it is to me. I don't want to go over my 180 seconds!

Mr. Williams- You may have already.

Ms. Baumiller- I will extend it

It was moved by Ms. Baumiller with a second by Mr. O'Hara to extend the time by 3 minutes.

Clerk- who seconded that?

Mr. Williams- Lisha then Tim Seconded

Clerk- Tim seconded, okay

There were no questions or comments on the motion. Motion passed. Vote unanimous.

Mr. Cook- okay, continuing, two years ago a dog was chained up in Campbell. Although the dog had shelter, the dog eventually succumbed to the elements. I named that dog Charlie. That is what my motivation behind going to these communities is. I never want to see that happen to another dog again. I am so proud of all those municipalities and townships that have passed laws. I just encourage you to take advantage of the material that I am going to present to you. You guys have been so proactive already. Mr. O'Hara already showed me some changes you made to your local ordinance probably without the prompting of any residents. That is great a lot of communities aren't that proactive. I would just like to get that together for you. I don't know what the time frame is. It is something we really need to discuss. A lot of communities will pass them as emergencies. Like I said, I don't get any complaints from Hubbard. I think we are okay if we just go slow and steady and make sure what we pass is enforceable and you understand what you are passing is what your residents want. I will be more than happy to help you. That is really all I have to add.

Mr. Williams- okay, thank you so much

Mr. Cook- your welcome

Multiple thank yous

Mr. Williams- Is there anyone else who wishes to address city council this evening? If not I would entertain a motion to adjourn.

ADJOURN

A motion was made by Mr. Toda with a second by Ms. Baumiller to adjourn. There were no questions or comments on the motion. Motion carried. Vote Unanimous.

