

The members of Hubbard City Council met in regular session on Monday, June 4, 2018, in council chambers with President William Williams presiding. Approximately 4 people were in attendance.

Roll call showed the following members in attendance:

B. Viele    T. O'Hara    L. Baumiller    M. Toda    J. Silvidi    B. Kyle    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 May 21, 2018 regular session as presented to council. There were no questions or comments on the motion. Motion passed. Vote unanimous.

### **COMMUNICATIONS**

We received the Mayors Court Report for May 2018 showing a total of \$4,956.80, the income tax comparison 2017/2018 thru May 31<sup>st</sup>, the Reconciliation of Bank Statements Month Ended May 31, 2018, the minute from the Trumbull County Board of Health regular meeting April 25, 2018 and everyone should have received the designated depository agreement from First National Bank and a memo from the Engineer's office showing the two permits for sewer taps that were issue for the month of May. That is all.

It was moved by Ms. 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- I would like to announce there will be a Finance Committee meeting on Monday June 11<sup>th</sup> at 1:30 pm here in the City Building. That is all.

**PARK & RECREATION-** Ms. Viele- The next regular meeting of the Park & Rec. Board will be held Thursday, June 21<sup>st</sup> at 7:00 pm in City Council Chambers. There are four properties that the Park & Rec. Board maintains. They are Mattinat, Waugh, Hillcrest and the little eagle field on Myron Street. It is quite a task keeping up with the grass mowing with this spring weather. Touch a Truck plans are being finalized for July 21<sup>st</sup> the Catch Kid Club summer youth program will run June 12<sup>th</sup> thru August 9<sup>th</sup>. As always, the public is encouraged to attend and participate in Park & Rec. meetings. Thank you

**ECONOMIC DEVELOPMENT-**Ms. Baumiller- Just briefly, I would like to welcome the Woodland Winery that opened on Saturday. It is really a nice little establishment there. I know they are open Thursdays, Fridays and Saturdays at this time. Their food license isn't available but they do make all their wines in house. I encourage everyone to stop down and patronize them. That is all thank you.

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

**UTILITIES-** Mr. Silvidi- No report tonight Mr. Chairman thank you.

**STREETS & SIDEWALKS-** Mr. Crowe- The brush pick up starts next Monday, June 11<sup>th</sup>. That is all I have Mr. President.

**SAFETY-** Mr. O'Hara- I would like to announce a Safety Committee meeting set for Monday, June 11<sup>th</sup> at 2:15 in council or a the administration building.

**REPORTS OF SPECIAL COMMITTEES**

**CEMETERY BOARD-** Ms. Baumiller- Yes a couple of things. First of all, anyone who was up to the cemetery for the Memorial Day Ceremony, I am sure will agree that the grounds were just beautiful. The crew is doing an outstanding job. We had several people stop before and after the ceremony to comment to myself and Mr. Silvidi and the crew how pleased they were. We also want to announce that we are having a meeting this Thursday, that would be the 9<sup>th</sup> no the 8<sup>th</sup>. I am sorry the 8<sup>th</sup> at the cemetery at 9:00 am. Everyone is welcome as always. I am sorry that is the 7<sup>th</sup>, Thursday, June 7<sup>th</sup> at 9:00 am. Just to reiterate from our last meetings conversation, Mr. Silvidi was able to go back thru the records and locate the money that was questioned in question from the insurance check the \$17,355.85. Now it brings more of a question that in 2010, where did that money go? I just want to ask because Ms. Viele is the one that brought it to my attention do you because you were on the board at the time what they did with the money.

Ms. Viele- it was put in the bank and when I left it was still there.

Mr. Silvidi- Why did you ask where the money was then?

Ms. Viele- You weren't aware of it existing. I don't know. Mr. Livingston, where you there then? When the damage

Mr. Livingston- I remember it going in the bank

Ms. Viele- we never replaced the roof. We never replaced the awning. That is what the money was designated for. That is why I asked what happened to it.

Mr. Livingston- We put it in the bank. You were on the board when we deposited it.

Mr. Williams- When you got the money to fix it why didn't you fix it with the money?

Mr. Livingston- because it really wasn't that bad

Mr. Williams- no, no, Danny, Danny I am asking Bonnie. Danny, Danny I am asking Bonnie she was on

Ms. Viele- I am one of three board members.

Ms. Baumiller- but you were the one that brought it up

Ms. Viele- yes

Mr. Williams- oh you weren't on the board then

Ms. Baumiller- You are the one that asked us what did we do with the money. We did locate the money that you were talking about in reference. We did locate the time frame because you said you didn't think you were on the board at that time but in fact you were on the board so I am asking why did you question this money.

Ms. Viele- because I wanted to know what it was used for It wasn't used for the purpose the insurance company gave it to us for. I just wondered where or if it was in a separate line item.

Mr. Williams- well if you were on the board at the time why didn't you do the repairs when you received the money?

Ms. Viele- I was one of many and as Mr. Livingston said

Mr. Williams- you were one of three

Ms. Viele- could you to this day see any damage to the awning?

Mr. Livingston- if you remember Bonnie the fascia was replaced.

**REPORTS OF SPECIAL COMMITTEES**

**CEMETERY BOARD-**

Ms. Viele- that was it, we didn't spend \$17,000

Mr. Livingston- the roof wasn't that bad but they gave it to us because they said it was going to need replaced. It went into the bank.

Ms. Viele- yes okay

Mr. Livingston- that is all I remember

Mr. Williams- So were you implying that there was some type of impropriety with the money?

Ms. Viele- No, I am just keeping up with where the money is? We probably didn't itemize a lot of things. I don't know

Mr. Williams- So everything was itemized from 2010 to the present that you were questioning? You got an itemized statement from 2010 to the present?

Ms. Viele- No, I do not.

Mr. Williams- so how do you know the money wasn't done with something in 2011?

Ms. Viele- I know the roofs weren't replaced. I live within site of the cemetery.

Ms. Baumiller- I am sorry what year did you leave the board. I am not familiar

Mr. Williams-no no wait I am not finished yet

Ms. Viele- come on

Mr. Williams- because I have the floor. No because actually Bonnie

Ms. Viele- I got the records here

Mr. Williams- the money is the board's money. It is the cemetery's money if they the trustees decided to spend that on something else that is well within their purview. It is their job to do what they need to do to run the cemetery correct?

Ms. Viele- I left in 2012

Mr. Williams- so you had \$17,000 for almost two years. Did you pass any budgets in that two years?

Mr. Silvidi- you okay's every financial report because I went through the minutes.

Ms. Baumiller- so every finance report was approved and okayed by you in that time period. My question is now you are questioning our current board/your accusation was where is the money? We found what you are talking about

Ms. Viele- I will come to the meeting and we will hash this out.

Ms. Baumiller- you will be able to listen at the meeting but you won't be able to speak at the meeting

Ms. Viele- that is fine.

Multiple

Ms. Viele-\$32,000 miscellaneous funds is it in the cash

**REPORTS OF SPECIAL COMMITTEES****CEMETERY BOARD-**

Mr. Silvidi- it is the same format...May I speak... that the cemetery board has used since 2010. I am willing to bet if I asked Mr. Livingston, it was the same format for ten years prior to that which has gone through audits every two years. All of them passed. I went back and looked at the minutes the last couple of days and you signed off on the same format that you are questioning today with the current board (the same format). You signed off every single meeting that you approved that financial report and now you don't approve of it. I have the records and I can show that.

Ms. Viele- fine

Mr. Silvidi-The \$17,000 Mr. Livingston did put it...it is in the ledger book and he did put it in the general fund. What the board with it I don't know but it did go to the cemetery.

Mr. Williams- Did the...Can I ask you this do you have a balance right now in your checking account?

Mr. Silvidi- yes sir

Mr. Williams- how much money? Round figure

Mr. Silvidi- \$87,000

Mr. Williams- there is your \$17,000. It is in the checking account. It hasn't been used yet because the roof hasn't been repaired.

Ms. Viele- no

Mr. Williams- How do you know?

Ms. Viele- What? How do I know it hasn't?

Mr. Williams- yea

Ms. Viele- I live right there

Mr. Williams- How do you know the money hasn't been used?

Ms. Viele- I don't know that

Mr. Williams- It is still in the checking account.

Ms. Viele- I just asked the question of where it was and

Mr. Williams- it is in the checking account

Ms. Viele- and if it was earmarked for anything?

Mr. Williams- for two years you didn't seem to care where it was when you were on the board.

Ms. Viele- I was one of three people so. Okay

Mr. Williams- but did you not vote at your monthly meeting okaying the financial report?

Ms. Viele- I voted no sometimes on issues.

Mr. Silvidi- you voted yes on the financial reports

Mr. Williams- every time?

Mr. Silvidi- the ones that I have looked at yes sir

**REPORTS OF SPECIAL COMMITTEES**

**CEMETERY BOARD-**

Mr. Williams- okay thank you

Ms. Viele- I just had questions and other people had questions on this report.

Mr. Silvidi- what other people?

Ms. Viele- township people

Mr. Silvidi- who

Ms. Baumiller- who? We will be more than happy to address their questions just like we did yours.

Mr. Silvidi- I would like to call and address it

Ms. Baumiller- we would like to know who

Ms. Viele- I am not going to say until I ask them

Mr. Silvidi- I figured that

Mr. Williams- If you are not going to name people it is never a good idea to say someone told me or someone complained because most of the time it kind of looks like you are making it up.

Ms. Viele- Have you seen the finance report. I talked to Mr. Tom Jacobs who is a Township trustee. He had not seen this report he said. He said he didn't get paid. He did get paid. He did get paid for twelve meetings. I am not sure you had twelve meetings last year. He didn't know the meetings were open to the public. He didn't know the cemetery was run by Ohio Revised Code. He said he never reads Ohio revised Codes. He said if he has questions he asks Mr. Hanley. He was totally in the dark.

Mr. Williams- so your problem is with the townships representative

Ms. Baumiller- well since this is

Mr. Williams- I have the floor at this time thank you. So your problem is with the townships trustees' representative then?

Ms. Vielle- Somewhat

Mr. Williams- or do you have a problem with our representatives?

Ms. Viele- He had no clue. They said I intimidated him.

Mr. Williams- so did you

Ms. Viele- I think I embarrassed him. He didn't even know the public could come to the meeting. He isn't new. He has been a trustee for eight years.

Mr. Williams- so did you make your

Ms. Viele- eight years he has been there and he doesn't know open meeting law

Mr. Williams- excuse me, excuse me

Ms. Viele- I thought I had the floor

Mr. Williams- no you have it as long as I say you do

**REPORTS OF SPECIAL COMMITTEES**

**CEMETERY BOARD-**

Ms. Viele- oh ...okay

Mr. Williams- So have you brought your concerns to the township trustees that they have appointed someone that you don't feel is a very good representative?

Ms. Viele- I don't know what their decision will be

Mr. Williams- yes or no you have either told the trustees or you haven't

Ms. Viele- I have talked with Mr. Hanley and I have talked with Mr. Jacobs.

Mr. Williams- So you told Mr. Hanley that you thought Mr. Jacobs was not a good representative

Ms. Viele- I gave Mr. Hanley the financial report. He questioned

Mr. Williams- That is not what I asked you Bonnie.

Ms. Viele- What?

Mr. Williams- I asked you, did you tell Mr. Hanley that you thought Mr. Jacobs was not a good representative.

Ms. Viele- I did not tell him that. I told him his replies to my questions and he was a little surprised and he asked the same questions to Mr. Jacobs and got the same answers. He said gee you're right he has no clue.

Ms. Baumiller- my question

Ms. Viele- He just signs what they put in front of him is what he said. It is also a matter of I still don't know what the \$32,000 miscellaneous is.

Ms. Baumiller- okay

Mr. Williams- Wait so what you told me is from 2010-2012 that miscellaneous that is how that report was made every month?

Mr. Silvidi- yes the way the report is made today

Mr. Williams- did you question that when you were on the board? What the miscellaneous was?

Ms. Viele- I don't think there was that high of miscellaneous kept

Mr. Silvidi- Ms. Viele you don't know... you are saying stuff

Ms. Viele- I will go back I have my records

Mr. Silvidi- I looked it was the same.

Ms. Viele- okay

Mr. Silvidi- \$30,000 in one year

Ms. Viele- How do you lump new equipment with expansion project. How is that a line item? That is two different things. How do you put those together?

Mr. Silvidi- Are you now a State Auditor?

**REPORTS OF SPECIAL COMMITTEES**

**CEMETERY BOARD-**

Ms. Viele- no but

Mr. Silvidi- because the auditor's looked at that

Ms. Viele- No my home budget looks better than this

Mr. Williams- Mr. Mayor

Mayor- I don't mind having a cemetery board meeting during our council meeting BUT maybe we can have it after if anyone has any questions

Mr. Williams- This just seems to be something personal going on.

Ms. Viele- It is. They are personally attacking me for

Mayor- Oh well, now, now

Ms. Baumiller- Excuse me! You're the one that wrote the letter to us.

Mr. Williams- Look, I am only going to say this one more time. You don't talk unless I give you the floor because one, Lorrie has to keep track of who is doing what

Ms. Baumiller- I just thought we were under my particular

Mr. Williams- I had the floor last. We are going to end this now!

Ms. Viele- Can I make one more comment?

Mr. Williams- NO you can't

Ms. Viele- okay

Mr. Williams- I don't want to hear any more about this. I read the last minutes. This is all some personal BS that is going on and it is not going to enter this Council Chamber again.

Ms. Viele- I did not bring it up originally. Okay, you can break the gavel if you want.

Mr. Williams- It's mine. It's mine, so if I want to break it I will break it.

Ms. Viele- okay

Mr. Williams- you will not speak unless you are given the floor. Okay?

Ms. Viele- Alright

Mr. Williams- Now we will move on. Where were we Lorrie?

Clerk- cemetery board

Mr. Williams- Are you done with your report Lisha?

Ms. Baumiller- I mentioned we are having our meeting. I mentioned thanking the grounds keepers. I addressed our last situation. I encourage anyone who has any questions whether it is from council or whether it is from the floor any questions concerning the cemetery board would address myself who is the Chairman, Mr. Silvidi who handles the book work and then maybe go to the next person down the line instead of bypassing the chain of commands. We are more than happy to produce anything to anybody. We are not hiding anything up there.

**REPORTS OF SPECIAL COMMITTEES****CEMETERY BOARD-**

Mr. Williams- okay okay

Ms. Baumiller- and that is all I am going to say

**FIRE DISTRICT-**Mr. O'Hara- I would like to announce our next meeting is Wednesday, June 13<sup>th</sup> at 7:00 at the fire station. That is all.

**REPORTS OF CITY OFFICIALS**

SAFETY DIRECTOR- Lou Carsone – not in attendance

SERVICE DIRECTOR-Dan Livingston- Other than mentioning what Mr. Crowe said, the brush pick up begins for one week starting next Monday. Everything is what we talked about earlier. We will stay at each house no more than 10 minutes and move on.

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

TREASURER- Ms. Ruha- Thank you, Mr. Kyle will be presenting an ordinance that I have requested naming First National Bank our Depository... Designated Depository Facility. I do want to point out, I am going to request it be an emergency. He is doing that. The scope of services has absolutely not changed in this agreement. In fact, they have only been enhanced because of our compensating balances. It is working out very well. Thank you so much.

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

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

**MAYOR'S REPORT**

Thank you Mr. President, a brief report it will be. As we were talking in caucus, Friday night we had 2.1 inches of rain on one section of our town. That rain came down in a 45 minute period. We did have some issues at the waste water plant. The amazing part is it had nothing to do with the flow going into the plant. It is because of the water that got into our clarifying pumping station. It was a problem that we experienced years ago but this was with the water coming off the hill and running down the street. It did flood an area in the basement so we are drying out the pumps at this point. We don't think there is going to be an issue with the pumps. We are keeping our finger crossed that there will not be. We never had to bypass. All that rain, we had some sections on Saul Ave. that we have some pictures of and the streets were just flooded. It was because it was an isolated event. The water going into the plant wasn't that much. I don't know if anyone noticed but thanks to the work of the Women's Junior Garden Club, the flowers that are on Main Street, the city bought the brackets the garden club got the flowers and put them up. They watered them the first day. We are taking some time and are going to water them every other day. I think they are a great addition to the city. I think it makes North Main look pretty nice. They want to try to expand it next year but I guess that would be left up to maybe you guys...a lot of watering it truly is. I want to thank Union Cemetery. The place did look really great. It was a great parade or precession we should say. Unfortunately, the heat did put a damper on it with the High School Band. We had some students who kind of volunteer to come out and do all that and the school was closed. We had some issues with the heat but all in all it was a great day. That is all I have.

It was moved by Mr. O'Hara with a second by Ms. Baumiller to accept the Mayor's report.

**MAYOR'S REPORT**

Ms. Baumiller- It is actually a comment. I want to say I love the flowers. I think they look beautiful. I call you the day they went up. I noticed them immediately. I think it is a great asset to the area. It definitely enhances our small town. I hope we can do it up and down both sides.

Mayor- we are getting a lot of compliments on that part so hopefully we can expand it.

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

**UNFINISHED OR OLD BUSINESS****MISCELLANEOUS BUSINESS**

Mr. Sividi- Yes Mr. Chairman I have a couple of things. Special thanks again, I can't say enough about how great the grounds were for the parade Memorial Day at the cemetery. Thank you to the boy scouts and the cub scouts and the parents along with the VFW what they did in putting the flags up for our Veteran's all the work our police department did. They were out there our utility departments anytime we needed something we called they came up they took care of it. Mr. Killian took care of the sound system all the folks who participated in the parade including the VFW again our band and city officials. I hope I got everybody, just a great job, again thank you to that group. I didn't get chance to go to the new winery Lisha brought up Wednesday I think

Mayor- Woodland Cellars

Mr. Silvidi- Woodland Cellars I enjoyed it. My wife and I went down Saturday early afternoon. The atmosphere is nice in there. We enjoyed it so stop in there. It is worth going. Thank you

**PUBLIC ADDRESS TO CITY COUNCIL ON AGENDA ITEMS**

Mr. Williams- If there is anyone who wishes to address city council on any of our three 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**

Mr. Williams- the only request we have this evening I believe is with Mr. Kyle

It was moved by Mr. Kyle with a second by Mr. Silvidi to have the law director draw up the necessary legislation designating First National Bank as Public Depository for Public Funds, active, interim, and inactive for the five-year term commencing June 1, 2018 through May 31, 2023, and declaring an emergency. There were no questions or comments on the motion. Motion passed. Vote unanimous

Mr. Williams- Okay there are no more requests correct? Nope

**ORDINANCES & RESOLUTIONS**

Resolution 9-18 First Reading

**AUTHORIZING THE BOARD OF CONTROL TO ADVERTISE FOR BIDS FOR THE STATE ROUTE 304/WEST LIBERTY STREET WATER LINE REPLACEMENT PROJECT**

It was moved by Mr. Silvidi with a second by Mr. Kyle to suspend the second and third readings of resolution 9-18. There were no questions or comments on the motion. Motion passed. Vote unanimous

It was moved by Mr. Silvidi with a second by Mr. Kyle that resolution 9-18 be passed as read. There were no questions or comments on the motion. Motion passed. Vote unanimous

**ORDINANCES & RESOLUTIONS**

## Resolution 10-18 First Reading

A RESOLUTION TO AUTHORIZE A RIGHT OF WAY OCCUPANCY PERMIT AND DESIGNATING HISTORIC DISTRICTS AND UNDERGROUNDING AREAS

It was moved by Mr. Silvidi with a second by Mr. Crowe to suspend the second and third readings of resolution 10-18. 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 10-18 be passed as read. There were no questions or comments on the motion. Motion passed. Vote unanimous

## Ordinance 11-18 First Reading

ADOPTING AN ALTERNATIVE TAX BUDGET FOR THE CITY OF HUBBARD, OHIO FOR THE YEAR COMMENCING JANUARY 1, 2019, AND SUBMITTING COPIES OF SAME TO THE TRUMBULL COUNTY BUDGET COMMISSION AND DECLARING AN EMERGENCY

Mr. Williams- Since there is no action ordinance 11-18 will flow to a second reading.

**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.

Bob Kopanic- I live on Forest Hill. Some of you guys know me and some of you guys don't. I ride a bike through here and stuff. One of the things I am noticing in the city, I like the city I want it to stay the way it is and I think most of you do, we are getting a lot of rentals over here and properties are starting to look bad (some of them). I seen the same thing happen in Liberty. I owned an apartment complex in Liberty. Mine was beautiful. Harry Limm, his whole street was beautiful (Green Acres Drive). Harry sold his apartments off and the landlord started letting it go down. You see them vacant, doors are open you go down there and trash is sitting out there. What happens is it lowers the valuation of all the properties down there. We need to incorporate a rental inspection in the city. They are doing it in Girard. If you live in Girard the last few years the properties are starting to look terrible. I think that is the reason they are doing it. We need to do it before we start seeing these issues. What happens is your properties start going down in value and they will reappraise your property? Instead of your property being \$100,000, it is now \$80,000 and we have less tax revenue coming in. The city is going to be hurting. Our schools are going to be hurting and everything else. That is what I am asking for is for us to take a look at that.

Mr. O'Hara- Is there anything in what we have now Mark pertaining to

Mr. Villano- Only our general zoning code (zoning book). This is where we could go around and inspect exteriors of properties like we do at the present time. We don't really have any type of a system to register landlords that exclusively rent properties. We certainly don't have any mechanism for doing inspections of the properties on any regular basis.

Mr. O'Hara- I do agree with Mr. Kopanic.

Mr. Kopanic- We need to start... this is not something you are going to turn a key and turn it on. It is going to be a long process.

Mr. O'Hara- The longer we wait, the further behind we are going to get.

**PUBLIC ADDRESS TO CITY COUNCIL ON NON-AGENDA ITEMS**

Mr. Kopanic- That's right! We don't want to wait until we become a slum city. If you take a ride through Girard and start driving through the neighborhoods (I go down to the hot dog shop down there every so often) and take the back streets, I look at these back streets I don't want to live there. If somebody wants to take a ride down through there Girard is not all that bad right now. That is probably one of the reasons why they incorporated a rental inspection. It is not the houses it is the rentals. Landlords are coming in and saying I want to make the most I can off of this property. I am going to invest \$100,000 and I am going to try and make 12 or 15 a year instead of making 7 or 8 a year. I am going to make a few bucks more and I don't give a darn what happens five years from now. I care about the city and I think most of you guys do. You got your properties here and everything else. I am seeing this as I ride through the city with a few here a few there. We need rental inspections.

Mr. Williams- okay

Mr. Kopanic- okay thank you

Mr. Williams- thank you. Is there anyone else who wishes to address city council? No. 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.

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Lorrie Brown, Council Clerk

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William Williams, President