

Regular Session

March 19, 2018

The members of Hubbard City Council met in regular session on Monday, March 19, 2018, in council chambers with President William Williams presiding. Approximately 14 people were in attendance.

Roll call showed the following members in attendance:

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

It was moved by Mr. O'Hara with a second by Ms. Baumiller to excuse any and all absent officials.

Mr. Williams- Mr. Silvidi is out of town tonight. That is why he is not here.

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 March 5, 2018 regular session as presented to council. Motion passed. Vote unanimous.

COMMUNICATIONS

Just as a reminder- the filing deadline is Tuesday, May 15 for the 2017 Financial Disclosure Statement to be filed in 2018. 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- Everything is rolling along just fine. Thank you very much.

PARK & RECREATION- Ms. Viele- The next regular meeting of the Park & Rec. Board will be held Thursday, April 19 at 7 pm in City Council Chambers. The Touch a Truck Event is scheduled for Saturday, July 21 from 1 to 3 pm. Once again, Amy Zell, the Teen Librarian from Hubbard Public Library, will be coordinating the summer youth program at the park. It will run Tuesdays and Thursdays from 2 to 4 pm starting June 12 thru August 9. The basketball courts will open as half court playing fields. Thank you to the community members for their attendance and input to come up with a workable solution. As always, the public is welcome to attend and participate in Park & Rec. meetings. Thank you

ECONOMIC DEVELOPMENT-Ms. Baumiller- Yes actually, I am happy to announce the demolition of the Avis Matthews building is being done in anticipation of Cortland Banks new building. Also, I am excited to say that we are voting this evening for consideration for the zoning changes for the Circle K for the anticipation of their expansion. That will be all.

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

UTILITIES- Mr. Silvidi- Not in attendance

STREETS & SIDEWALKS- Mr. Crowe- No report tonight Mr. President.

SAFETY- Mr. O'Hara- On our last meeting on March 5th, we had an individual that was questioning or was concerned over some of the speeding going up and down Hager Street. I received a traffic tracking sheet from Chief Taafe documenting the patrols on the streets. Eight patrols were completed which lasted over three hours. There was one verbal warning issued for failure to come to a complete stop. I would just like to announce that the patrols will continue. That is all.

REPORTS OF SPECIAL COMMITTEES

CEMETERY BOARD- Ms. Baumiller- Actually, I have no report this evening. 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 – not in attendance

SERVICE DIRECTOR-Dan Livingston- not in attendance

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

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

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. Williams, I just wanted to report that we had Insight Pipe Contractors in town today and will be here also tomorrow. We had them cameraing different locations throughout the town where we had sanitary line problems in the past. We are going to be checking Erie Street from Taylor up to where Woodland begins, behind Elizabeth and Erie (our sewer line runs through the back yards and loop up the street). We are going to be cameraing that and Parish Avenue from Parish to the new connection cameraing that. We are also going to have that section of pipe relined. That is going to complete that project we did with the installation with the new line that we could not get the easement to build one. This is what the final solution was for that and Hall Avenue where we have been having issues. Where it needs cleaned we are going to clean. We should be getting a report in a couple of days on what we might need to do (if something needs to be done). The township and the city have been funded, once again, for the Scrap Tire Collection Program. Between the two of us, we are going to have \$4,111.00. I don't know how they came up with that figure. It must be formulas that work quite well for everyone. I don't think we have a date yet when that was set when we are going to have the pickup. If anybody wants to volunteer to help with that please get your back ready and a pair of gloves set. We started a process by meeting with the school officials and representatives of MS Consultants to research the widening of the bottom of Westview Avenue at West Liberty. That is going to help the school with some of that congestion that they have in the morning and afternoons with traffic up there. What we want to do is look into adding a right hand turning lane there. We are going to be looking at some grants to help the project. If we go with the grant we are looking for which is an 80/20. It appears we will get additional credit for it because our line crew will be adding to the project by having to move the telephone poles up there (our power poles). What we are looking at right now would be like an 80/20 project. We are going to be meeting again later this month. Excuse me, early next month on discussing that more. I would appreciate, as Mr. Crowe mentioned, if we could pass Resolution 3-18 tonight so that we can get moving on our street program. I think we are pretty much on the timeline we want. Getting it here, getting it passed and going out for bid is very important. That is all that I have.

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.

PUBLIC HEARING

FOR THE ZONE CHANGE FROM R-2 MEDIUM RESIDENTIAL TO C-1 CONVENIENCE COMMERCIAL FOR THE PROPERTY KNOWN AS 30 HAGER STREET, LOT #286, PARCEL #02-198900 IN THE CITY

PUBLIC HEARING

Mr. Williams- Our clerk will now show proof of publication of the public hearing and notification to the adjacent property owners (held up by clerk).

Is there anyone in the audience who would like to address council who is in favor of the zone change? Please state your name and address for the record. No one wants to speak in favor?

Is there anyone here who would like to address council who is opposed to the zone change? Please state your name and address for the record. No one, so with that we will return to our regular order of business. The public hearing has come and gone.

UNFINISHED OR OLD BUSINESS**MISCELLANEOUS BUSINESS**

Mr. Williams- I do have one request from our clerk for the members of council, when you are preparing your request for legislation if you would prepare copies so that she has one I have one and the law director has one I would appreciate that.

PUBLIC ADDRESS TO CITY COUNCIL ON AGENDA ITEMS

Mr. Williams- If there is anyone who wishes to address city council on the items on the agenda 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. Kyle with a second by Mr. Crowe to have the law director draw up the necessary legislation creating the position of Service Superintendent for the City of Hubbard.

Ms. Viele- I am strongly in Favor of having superintendents in our departments. I never thought they should have went away in the beginning but I don't find this job posting reflects what we need. I would like to know where it is going to be posted/advertised.

Mayor- Once the job is created we are going to be following the guide lines of the Civil Service Commission as far as posting. That would be handled by a meeting following that legislation being passed.

Ms. Viele- It is not a Civil Service positon though.

Mayor- There is still guidelines though.

Ms. Viele- There is still guidelines that you do.

Mayor- yes

Ms. Vielle- It will be advertised and taking resumes?

Mayor-yes

Ms. Viele-Then who makes the final decision on hiring?

Mayor- the service director and the Mayor, it depends on what the legislation reads.

Ms. Viele- Okay, thank you.

Mr. Williams- Is there anyone else?

Someone in audience yes

NEW BUSINESS & REQUESTS FOR LEGISLATION

Mr. Williams- One second... umm no because we are in request for legislation now.

There were no more questions or comments on the motion. Motion passed. Vote 5-1 Viele with the no vote.

ORDINANCES & RESOLUTIONS

Ordinance 3-18 Third Reading

AUTHORIZING A CHANGE IN ZONING CLASSIFICATION FROM R-2 MEDIUM RESIDENTIAL TO C-1 CONVENIENCE COMMERCIAL FOR THE PROPERTY KNOWN AS 30 HAGER STREET, LOT #286, PARCEL #02-198900 IN THE CITY OF HUBBARD, OHIO

Mr. Williams- so there is no motion to pass this or what is it just going to die?

It was moved by Mr. O'Hara with a second by Ms. Baumiller that Ordinance 3-18 be passed as read. There were no more questions or comments on the motion. Motion passed. Vote Unanimous.

Ordinance 4-18 First 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.

Mr. Williams- Since there is no action on Ordinance 4-18 it will move to a second reading.

Ordinance 5-18 First Reading

AUTHORIZING THE BOARD OF CONTROL TO ENTER INTO A CONTRACT WITH RICHARDSON TREE AND LANDSCAPE COMPANY FOR 2018, 2019 AND 2020, NOT TO EXCEED \$60,000.00 PER CALENDAR YEAR, AND DECLARING AN EMERGENCY

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

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

Resolution 3-18 First Reading

AUTHORIZING THE BOARD OF CONTROL TO ADVERTISE FOR BIDS FOR THE CITY OF HUBBARD 2018 STREET PROGRAM

It was moved by Mr. Crowe with a second by Mr. Kyle to suspend the second and third readings of Resolution 3-18. There were no more questions or comments on the motion. Motion passed. Vote Unanimous.

It was moved by Mr. Crowe with a second by Mr. Kyle that Resolution 3-18 be passed as read. There were no more questions or comments on the motion. Motion passed. Vote Unanimous.

Resolution 4-18 First Reading

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

Mr. Williams- Since there is no action on Resolution 4-18 it 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.

Thank you for having me. I have a question regarding

Mr. Williams- Please state your name and address for the record.

My name is Tawna Cooksey-James. I am currently residing within the city limits of Hubbard (8818 E. Liberty Street). I have a question regarding the Superintendent position (Superintendent of Services). I was in conference with a number of city residents regarding the utilities ongoing situation. It was the inconsistency and increase amount their utilities vary and are on a monthly basis. As a result, I was elected to come here to discuss this. Now, I wanted to know the Superintendent of Services will that person will oversee what services? Is that for utilities or is that

Mr. Williams- Mayor if you would...

Mayor- That would be the electric, the water, and the sanitary line collection part of it not the plant itself, as well as the street department.

Tawna- Okay, so they would also be in the position to explain and explore with Hubbard City citizens regarding the costs?

Mayor- If anybody ever has a question in regards to that you don't need to wait. You can whatever time you would want to come down and discuss that with either myself, Mr. Palestro or Mr. Livingston. All you need to do is give us a call. That is the way we could do that.

Tawna- I understand and I have done that. I spent two to three months in the summer doing that. This last month

Mayor- You met with Mr. Livingston in regard to the cost?

Tawna- Yes, the water and electric this last month. A bill was obtained where the water was at a 10. The next month we obtained a bill where the water was at zero. It is happening again. That is what I am meaning about the inconsistencies. It just seems like there is no consistency.

Mayor- What did Mr. Livingston tell you about that?

Tawna- Well the summer, before that bill, after two to three months of trying various things: having Bobby Orr come out, then having the meter replaced by John Masters and keeping track of all of this, we were able to get \$250 refunded. That was at the summer. Now again, I am currently residing I should say at 38 Fox Street. Now it is occurring again. You know when people do things individually, they are not aware that this is happening to other people. There were 60 comments on a social media platform.

Mayor- Social media...everything you hear there is right Tonya! That is for sure. I think again, if you said it was corrected and now you say your usage is going back up. You have changed

Tawna- erratically

Mayor- We can have them come back up and check it. This is without looking at your bill. It puts me behind. Something that should be more discussed, yes that position could help you with this. I think right now; again Mr. Livingston is not here, if you want to come down tomorrow we can go over it. Mr. Livingston won't be in for a couple of days I don't imagine. If you want to bring that back down, we can go back over the process and procedure he used and get the water department involved back with that again.

PUBLIC ADDRESS TO CITY COUNCIL ON NON-AGENDA ITEMS

Tawna- I was wondering if we could start to maybe begin to explore other utility services. I don't understand a lot about the system that is used.

Mayor- I don't know what you mean by other utility services. Explain that

Mr. Williams- Your time has expired

Mayor- Just let her go on!

Mr. Williams- Excuse me, I am not done yet. This really isn't city councils business. We don't take care of the... I mean I don't know what we can do.

Mayor- I would gladly if she wants to come down

Mr. Williams- There is a service director if there is a problem with your utility bill. We can't do anything about that. We don't have the power to do that.

Tawna- Okay, should I advise the people I am representing that they should all just go ahead and come down?

Mr. Williams-and talk to the service director

Mayor- Well, I think the most important thing... if everyone would call and we could make an appointment to do that. We can't go over 50 people's bills or 60 people that you said was on social media at one time. If anyone has an issue with their bill (which most people do) come down and discuss the bill individually with Mr. Livingston and/or (depending on if it is an electric bill) they might discuss it with Mr. Palestro. We are more than open to do that. We have done that in the past.

Tawna- The reason I brought it to council, forgive me I am new here, a few people brought up where surrounding cities and what their bills are because they have relatives and their bills were substantially lower. That is why I was wondering if anything could be explored regarding the system we use.

Mr. Williams- As far as

Tawna- Looking, comparing and contrasting to other cities and where they get, how they get and what do they pay for electrical or water or any of the utilities.

Mayor-because someone did bring it to my attention that someone had a three bedroom in Niles whose electric bill for a month was \$18.

Tawna-yea

Mayor- Yea that was pretty incredible wasn't it? Niles gets the electricity the same way do. I guess my point being here is I would love to see that electric bill they got for a three bedroom home and it being 1500/1600 sq. ft. where it was \$18. I would just love to see that bill.

Tawna- Okay, well maybe

Mayor- and if you got that bill bring that down with you because that would be something. But then again, in most cases we do our best to keep the bills as low as we can. We haven't had an increase in our water since I believe 2010 was the last one. Electric was 2000 or 1989 was our last rate there. People get confused with the rating the electric with the O charge which is all a part of our electric bill. A lot of that , again I don't want to take up too much time here as Mr. Williams said, a lot of that is brought on by our transmission charges and different costs that we have in buying our electricity. That would be something that we have had public meetings on. If anyone wants to set up an appointment and come down and talk to us, we are more than willing to talk to them about it.

PUBLIC ADDRESS TO CITY COUNCIL ON NON-AGENDA ITEMS

Tawna- Would you, the service director here would you all be open to exploring what is going on in Niles and why?

Mayor- Number one Tonya to be quite honest with you and again I know if it is on the internet it has to be true.

Tawna- I am not saying that.

Mayor- but I just don't think that anybody that has a three bedroom house in Niles electric bill is \$18.

Tawna – I am just going basically on my experience. That is why I am here.

Mayor- We have had some good rates. If our rates are high, which in the winter time you take into consideration all the things that were happening this winter being that the Northeast was as cold as it was. Again, our transmission costs were terribly high. That was the majority of that O charge that you see.

Mr. Williams- Isn't Niles Electric in a little bit of trouble too?

Mayor-Well, they were. You know they were. I am not quite sure but like I said we are more than open to talk with anybody. Just give us a call and so that we don't conflict with something else, we will set up a time and have everyone have you come down and we will go over that.

Tawna- thank you

Mr. Williams-thank you

My name is Angelina Roy. I live at 141 Christian Avenue. I am here to address an issue that has been ongoing. Mr. O'Hara has been kind enough the last couple of years to talk to me about it. We have an issue with cats in Hubbard. I moved here 4 1/2 to 5 years ago now and the problem is not going away. My house...the basement smells like cat urine. My flower beds are full of cat poop. Several of my neighbors have the same problems. I have had a police report a couple of years ago. I actually had the police to my home. They issued a citation to my neighbors stating that if they feed feral cats, they are their cats. If they defecate on my property it is their responsibility to take care of it. My parents both have passed since I have moved here. I have not had a lot of time to address the issue but quite frankly. I spent \$100,000 for a home that I am constantly cleaning my flower beds out. I have not put mulch out since I moved here because I have been too busy unloading the mulch out of my flower beds that are full of it. I have talked to animal control. I have talked to the neighbors themselves. The police have talked to the neighbors. Other neighbors have talked to the neighbors. The neighbors were kind enough a couple of years ago to buy a couple of hundred pounds of sand to put in the back yard to create a large litter box for the cats thinking that would help. It stinks!

Mr. Williams- How Many cats are there?

Angeline-I believe there are approximately 5 right now depending on the time of the year. It goes up and down. Several of the cats when I first moved here use to sleep on the roof of my garage. They have been on the neighbor's house. My mom bought a house up the road. They were up there. They are across the street. There is one home on Christian Avenue that the people left and they left their cats there and didn't take them with them. The neighbors were kind enough to feed the cats. I have offered if we would catch the cats to take them to a family farm. I have a great place for feral cats to live with plenty of acreage to go. I don't know what else to do.

Mr. Williams- What did animal control tell you?

Angeline- They don't deal with cats (Feral cats). They told me to catch them and take them to have them spayed or neutered and then release them. That is the options.

PUBLIC ADDRESS TO CITY COUNCIL ON NON-AGENDA ITEMS

Ms. Viele- Mr. President, I deal a lot with that issue. As a matter of fact, I rescued 16 last year. There is an organization called Trap Neuter and Release. There are some other organizations that I work with. If you would see me after the meeting, I will get your name and get you connected. They can come out and trap them. Are there kittens? Are they multiplying?

Angeline- Yes, they do every spring.

Ms. Viele- The kittens are supposed to be here early this year.

Angeline- The problem is I don't want to start a war with my neighbors.

Ms. Viele- Do the neighbors claim that they are their cats?

Angeline- They told the police that they were not their cats. Only the one they have in the house but they feed them all. The police department did tell them if you feed them they are your responsibility. There are six cat bowls out on their porch and they claimed at the time of the police report (if you look it up) that they own one cat. That's the problem. I understand the release if the organization does it but who is going to pay to take the smell out of my basement and who is going to pay to keep my flower beds mulched and looking nice. I have a nice home.

Ms. Viele- If we could remove the cats then

Angeline- but if they belong to the neighbors how can they remove them. I offered to trap them and take them. She can probably catch them. I have pictures when she gets groceries at her house and set them down, they are right beside her. When the van comes up the road, those cats come running from all over the neighborhood. All of the neighbors are aware of it. My question is if there are damages do I have to continue to call the police and take pictures of cat feces in my flower beds. My neighbor Bill Brandcroft (a couple of days ago) his yard is full of cat stuff. Every time he mows his grass his tires are covered in it. The neighbors on the other side of the house when he finally gets upset he says it. I have to listen to cats fighting all night long. My kids can't sleep. At this point, I am going to start recording them because something has got to be done. I understand they are wild animals. I grew up on a farm. I have a dog. I have had cats. I had a bird. All I am asking is somebody had got to take care

Mr. Williams- Excuse me, your three minutes is up. You guys want to

Ms. Viele- Can I just say, can you meet with me after the meeting?

Ms. Baumiller- I'll extend it

Mr. Williams- Bonnie...are you making a motion?

Ms. Baumiller- I am making a motion to extend the time...How much time do you need?

It was moved by Ms. Baumiller with a second by Mr. O'Hara to extend the time by 3 minutes. There were no questions or comments on the motion. Motion passed vote unanimous.

Angeline- My question is as a city, what do we want to do with the cat situation because it is not just our neighborhood? My mom was a kidney transplant patient and she couldn't even sit on my front porch. What do we do as a community about this problem?

Mr. Williams- Mark, is there anything we can do?

Mr. Villano- It seems that you have a good handle on an organization

Ms. Viele- I have a whole file. I have helped numerous people if you want to see me afterwards.

PUBLIC ADDRESS TO CITY COUNCIL ON NON-AGENDA ITEMS

Angeline- That is fine but will they remove them because I don't

Ms. Viele- I will tell you what the options are when we talk.

Angeline- That is my bigger issue at this point, my mom is gone. She has passed. My bigger issue is my property is being ruined. I am a single mother. I take pride in my home. I always have. I don't want to move but last year the for sale sign almost went up because of cats. I don't think I should have to pay if this continues

Ms. Viele- Okay, we can contact TNR (Corky there) and we will find a solution. Like I said, I took care of 16 that were dumped in my neighborhood.

Angeline- As long as there is a legal way to do it because I'll go out and pick them up if I could pick them up. If I could I would euthanize them myself. I grew up on a farm and I know how to do it.

Ms. Baumiller- Bonnie, would you be able to give me that information also? There is a gentleman on Fox Street that said he is having some problems with cats. If you have that information I can provide it for him.

Ms. Viele- TNR! I don't have a file with me. I have a whole file at home.

Ms. Baumiller- You could just bring

Ms. Viele- It is TNR of Warren.

Ms. Baumiller- You could just bring it to the next meeting that would be great.

Ms. Viele- okay

Mr. O'Hara- Mr. President, I have one thing. I did stop at the house on the way to the council meeting today. I spoke to one of the neighbors. I have spoken to Mr. Bancroft in the past. I do drive up and down the road and see cats lying under the cars. I probably saw four or five different cats today and saw pictures of the feeding process and everything. There are cats everywhere.

Angeline- They have cardboard boxes that they set up in the winter. They use to have a garage door with a cat door where all the cats would go into the garage. After my first go around with that, it seems to be closed up. Now, they are back to the porch. It has cardboard boxes all over it. There is a milk crate type thing with cardboard in it by the front porch and that is where the kittens are born every spring. They are encouraging them to come.

Mr. Williams- I mean I like the idea of doing this but I guess my biggest concern is are you going to get rid of these and there are going to be new ones coming. I don't know what we can do about that.

Ms. Viele- TNR! I know they have done over 10,000 cats. They had them neutered and some of them homes

Angeline- Seriously, my property is ruined. They got to go! They cannot continue

Mr. Williams- So Bonnie

Ms. Viele- I have a number of agencies so

Mr. Williams- You will talk to her after the meeting?

Ms. Viele- Yes. If you give me your name and

Mr. Williams- Thank you so much

Angeline- thank you

PUBLIC ADDRESS TO CITY COUNCIL ON NON-AGENDA ITEMS

Mr. Williams- Is there anyone else who wants to address council this evening? Yes. No you have to come to the microphone. I am sorry because we have to get it on record.

You will have to wait until I get there!

Mr. Williams- not a problem

My name is Mary Schullin and I live right across the street from here. I just want to ask where are those gas pumps going to go that they are putting in across the street when they make that? They are going to have gas pumps in the front aren't they?

Mayor-Yes

Mary- How far away from my house will they be? Because I will be writing to

Mayor-I don't know if we can give you an exact figure but

Mary- by law they have to have some kind of

Mayor- We do but I don't know right off that it is 100 ft., 20 ft. or 30. John can you answer that? This is John from Circle K do you mind Mr. President if he

Mr. Williams- no

John from Circle K showed drawings and discussed with Ms. Scullin and offered her copies.

Mr. Williams- Is there anyone else? 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.

Lorrie Brown, Council Clerk

William Williams, President