

The members of Hubbard City Council met in regular session on Tuesday, September 4, 2018, in council chambers with President William Williams presiding. Approximately 10 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

Mr. Williams- Okay we have no absent officials

It was moved by Mr. O'Hara with a second by Ms. Baumiller to accept the minutes from the July 16, 2018 regular session as presented to council. There were no questions or comments on the motion. Motion passed. Vote unanimous.

COMMUNICATIONS

We received from the Trumbull County Board of Health the agenda for their Wednesday, August 22 regular meeting and the minutes from their regular meeting on June 27 and the special meeting on July 27, 2018. We received the Income Tax Comparison for July & August ending August 31st, the Mayor's Court Report for July showing a total of \$3,188.00 and for August showing \$2,620.50, the reconciliation of Bank Statements for July 31st and August 31st, and a letter from the ACLU in reference to Ordinance section 509.09 (begging) which everyone should have a copy of. Also, a letter from Glenn Holmes concerning his opposition to the injection wells in Trumbull County. 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- All member of council should have received the finance committee meeting reports from June and July. I would also make notice, as mentioned in caucus, that Hubbard is one of three cities to qualify for the State Auditor's Award as listed in the Youngstown Vindicator. There is an article talking about that. Congratulations to Auditor Michael Villano and also congratulations to Mayor Darko for a fantastic job. We are running on a very smooth pace right now and members of council should be very pleased with the progress the administration has made. It definitely goes to the due diligence that has been made by all parties involved. That is all thank you.

PARK & RECREATION- Ms. Viele- The next regular meeting of the Park & Rec. Board will be held Thursday, September 20th at 7 pm right here in council chambers. The Touch a Truck was successfully held July 21st from 1:00 to 3:00. Discussion for next year's event has already started. Thank you to all the volunteers, vendors and families that attended. The Catch Kids Club's Summer Youth Program with Amy Zell finished up for the summer. The basketball courts are back to full court play. As always, the public is encouraged to attend and participate in Park & Rec. meetings. Thank you.

ECONOMIC DEVELOPMENT-Ms. Baumiller- Just briefly, with the weather so warm outside now, I know it is kind of early to be discussing this, but the Santa Claus is Coming to Town Parade is always in need of starting early so we can make it a success. We did meet myself, Marianne and the Mayor and discussed it briefly. We are going to sit down with the chamber board members and put everything into place. We will keep everyone abreast as to when we know dates etc. Also, I just want to commend the Mayor on your luncheon that you had for the seniors. It was a great success. It was wonderful seeing so many people there. If it is possible each year it keeps getting bigger and better. Again, thank you for having that. That will be all.

PLANNING & ZONING- Mr. Toda- I want to announce a meeting of Planning & Zoning Committee on September 26th. That is a Wednesday at 6 pm here in council chambers.

Mr. Williams- Anything else?

REPORTS OF STANDING COMMITTEES

Mr. Toda- No that is all.

UTILITIES- Mr. Silvidi- No report tonight Mr. President

STREETS & SIDEWALKS- Mr. Crowe- I will be asking for legislation to pave Drummond Avenue tonight. The street department itself has been cleaning and repairing catch basins this past month. I would like to announce that the leaf pick-up program for this fall will continue. We got our machine working in good order. That is all I have thank you.

SAFETY- Mr. O'Hara- I would just like to recap the police fleet monthly report. I believe everyone should have received a copy of. Just a review of it, as you can see we currently have 11 vehicles in the police fleet with the newest being a 2018 Ford Interceptor. The oldest being one of the detective vehicles which will need replaced. It is a 2008 and the floor boards are starting to rust away. We have 8 total cars on patrol. Two being in new condition, three being in good, three being in fair and one which is a 2008 Crown Vic which is no longer in use. That is all I have.

REPORTS OF SPECIAL COMMITTEES

CEMETERY BOARD- Ms. Baumiller- Actually, it is not a report, but we are going to be holding a meeting this Friday, which is September 7 at 9 am and anyone is welcomed to attend. Thank you

FIRE DISTRICT-Mr. O'Hara- Just like to announce that the next fire board meeting will be held on Wednesday, September 12th at 7:00. Also, I want to make note that the Chassis for the new truck has begun being assembled. Hopefully, it will be on schedule for July 2019. That is all.

REPORTS OF CITY OFFICIALS

SAFETY DIRECTOR- Lou Carsone – Thank you Mr. President, just a couple of items. There have been negotiations between the city and the school officials on the Resource Officer Program. Mr. Villano, the Law Director has been in communications with the council from the school. I recently got the latest draft. I would say, it is safe to say we are close to an agreement with them. We have a slot reserved for training for a resource officer in October. I think we are close to reaching an agreement with the school, so we should have a resource officer in place soon. Secondly, there is an active shooter drill that the police department will participate in with the fire department and other agencies on September 27th from 9 am until noon. It is going to take place at the St. Pat's campus at the youth center at St. Pat's. If any member of council would like to see that and be in the command post or want any information on that please let me know. Also, there is a pre-drill meeting on the 14th of September which is a week from this Friday. If any council person would like to attend, you are certainly welcome. That is at noon and that is at St. Pat's Youth Center. Our Chaplin's group is going to hold a community meeting on September 20th. This is hopefully the first in a series of meetings intended to give support and help any member of the community that is in any kind of distress due to any drug issues. Any family members that are having problems and so forth. That meeting will be on September 20th. It will take place in the senior center. It is at 6:30. They are going to have some pizza and refreshments before the meeting. The meeting will be between 7 and 8. That is all I have sir, thank you.

SERVICE DIRECTOR-Dan Livingston- Yes Mr. President just a couple of quick things. I just like to go on with what Mr. Crowe said. He will be asking to accept the bid with Butch & McCree Paving, LLC today. We opened the bids last week. Two weeks ago, I am sorry. They were the low bid on the OPWC project. They are a good company and we have used them before in the resurfacing program. That has been long waiting to get Drummond paved. I hope everyone is happy when it is complete. Secondly, he mentioned the leaf machine program (leaf pick-up program). Our mechanic is getting the machines ready. We will be advertising for seasonal workers again. Look into the local paper in the news for the advertisement on when they can come in and pick up applications. If you know anyone looking for a 10-week position that needs a seasonal job, please have them call me. Okay? That is all I have this evening thank you.

REPORTS OF CITY OFFICIALS

LAW DIRECTOR- Mr. Villano- I have no report this evening Mr. President thank you

TREASURER- Ms. Ruha- I have no report. You all have received the reconciliation. I have nothing to add to that. 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 and city officials.

Mr. Williams- special committees too?

Mr. O'Hara- special committees too

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

MAYOR'S REPORT

Thank you Mr. Williams and I want to welcome everyone back. As Mr. Livingston and Mr. Crowe have mentioned, we are going to be paving Drummond Avenue. It came in \$39,000 below the estimate which is a great thing. We do want to start as soon as possible. I was talking to Jerry about this. I think we are going to realize a much bigger savings because I believe half the cold patch that we used last winter, and the spring was used on Drummond Avenue. I am glad we got the grant and the sooner we get this done the better it is going to be. We have chased a couple of semis down that decided to use Drummond Avenue. We went out to the spot out there from Mt. Everett Road. We had a policeman go down and mention to him that he would be waiting at the bottom of Drummond if he comes back that way, but they explain to us that he was a new driver. I don't know if you guys noticed but they are using Bellwick and not going up and down Drummond. Also, the advertising for the second phase of the waste water treatment plant, I would really like to get that passed tonight. That is going to be addressing our grit removal process and that thing is on band aids. Also, that is going to be a new building for that. We are moving quite good/ quite well on the upgrade for that plant. I have to mention that we are probably going to be spending \$120,000 extra on non-potable water down there. We had some pumps out, we had some lime problems, and some hydro problems. Mark Ciccone told us he said, you know you got to step back from that and let him and his crew take a look at what they might be able to do. We had the leaks fixed, the hydrants, the motors in the pumps replaced. We still have one more pump to fix down there. It looks like when all that said and done, as a matter of fact, they used a non-potable to hose down the clarifiers a couple of weeks ago and they were cleaning that. It is saving us money. I think when it is all said and done for what they did it is going to be down 50% of the cost. If you see Mark, tell him thank you for doing that. The crew also for the good job they did. During August, I don't know how many of you were aware, but we did drain and clean the water tank. It really was the buzz word transparent. It was the first time I believe that we have ever used a direct feed from Aqua as we shut the tank down. We drained it and went inside and cleaned out the sediment that we all saw and disinfected the tank and so forth. We also put in the new mixer. All that was done with four water breaks (I believe). I think we may have had a spike with one of the days. All in all, it went pretty well. I think Mike you noticed up the street on our newly paved road we had one. We also got started on the State Route 304 Waterline Replacement program. It didn't rain in August until we started the program. It rained the first two days. All in all, things are going quite well. If you noticed at the end towards Bellwick is where we are putting the automatic flusher in. We are going to see how this works. We did talk to Niles (Dan and I) before we decided to do this. Where they put them in, they said they had great returns and the quality of water went up quite a bit. Hopefully, this one works and we can do some more. We are starting the process to complete the 2019 budget. It is going to be a budget that again provides the services our residents deserve. We are going to continue the paving program, improve our infrastructure, fund our safety forces and perhaps purchase a few more brackets for additional hanging pots. We are really getting a lot of feedback on that. This garden club wants us to do entire streets. I don't know if we are ready to do that. Couple of things I wanted to mention in speaking with Michael, just so

MAYOR'S REPORT

council can keep this in mind. Our OWDA loan which built the water tank and transmission line, we are going to have that done in 2020. That loan will be done. Our general fund obligation note that is going to be paid off in 2020 also. The bond for the waste water treatment plant as long as things go the way we planned, it that will also be paid off. The other big expenses we have out there right now is our bucket truck for the electric and that is going to be paid off. We are working right now and once we do that I am sure whoever is here is going to be doing some other things with the water as well as with the general fund money and a lot going towards paving and a lot of other projects I am sure. Last Thursday, we had a meeting at the Brentford house in regard to the injection well on Hubbard-Masury Road. We had about 150 people in attendance. The latest news on that is that the application was sent back from ODNR to the person that was applying for it. I guess it was not complete. They mentioned at that meeting that right now there are currently over 1,500 signatures on petitions that are being passed around that are objection to the well. They are going to be scheduling another meeting here in the near future. Mr. Crowe you were there, more of a planning meeting to get people together on committees and different things. Whether it be letter writing or how to get the news out of how much we don't want that in our community. I am just kind of mirroring what Mr. Kyle said about the city receiving the Auditor of State Award which is for a clean audit report. You know to meet that we had to meet requirements including the fiscal report being done in a timely manner, as well as them not finding any significant deficiencies. It was a good deal on that. Thanks to the group in the Auditor's Office and the job they did to achieve this. Really, I think it is as Ben said, I think it is a team effort on everybody here. As far as getting purchase orders in and doing the things that we need to do. Also, to city council for the fiscal health that we are in. Everyone had a role to play with that. Although, I want to mention the article in the vindicator. We will have people calling up and asking to borrow money from us. The general fund is not that high. I wish that it was. It's a little lower than that. I think it is was quoted at 2.9. We are not quite there, maybe one day. All in all, as Mike said we are running very smoothly, and he hopes it continues. I don't think there is anybody sitting in this room who doesn't hope the same. We submitted two projects for OPWC. The first one of course was Grandview which everyone here was aware of. The second one is to help us with the 304 paving. I was down at a meeting and I was talking to them about different ways we could finance that. They came up with that is the best way to do it. Hopefully, we are going to be able to get some money to help us instead of having to I think we are looking at 125 grand for the 20 % plus they think another \$75,000 for full depth repairs and little incidentals. With that being said, we might be able to get that, so it doesn't have to come out of the general. We had a pre-construction meeting with Circle K. They are getting ready to go. On September 14th they are going to be taking a look at the buildings they got to demo. They figure 180 days after that they are going to have it down and up and they will be in business. Another important thing we are going to do tonight is Lisha is going to be requesting us demolishing 120 Jackson Street. It is a real piece of blight in the neighborhood and it has been a long time coming. I got to mention that sergeant fisher had a lot to do with getting this done. We seemed to have been stuck with a lot of misconceptions of what we could not do in lieu of what we could do. Bill and our law director got together, and they got us out of that. We were spinning our wheels with that. We also in the process learned some things from the County Engineer's Office. Hopefully, this is the beginning of the end for that eye sore. We will get that going and have the three readings. I wish we could pass it sooner, but we need to do that for notification of whoever owns the place. We are not quite sure. Anyway, that is all I have but I might want to mention too touch a truck did go quite well. I really was...my grandchildren were in town and enjoyed it. I don't know how much bigger they can get but I am sure they plan on doing so. Also, the senior luncheon, if I could take credit for it that I would but Marianne Hallapy well had 95% of what to do with that. As I said, we had 120 happy senior citizens. They all had a good time. Next year, as you said Lisha, we are hoping to be bigger. That is all I have.

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

UNFINISHED OR OLD BUSINESS

Mr. Williams- Mayor, you have discussed or talked about this before we left in July about Cortland Bank. There was some issues with the storm water. Have you

Mayor- We are still working on that. We have/one of the things/our main goal here is to protect Wheeler Street and Jackson Street from storm water. Right now, they are getting a lot of run off from that area. We feel we got an opportunity here working with Cortland Bank that we could solve that issue. They came back with some plans that they gave to Mr. Livingston that we weren't too happy with, but we are still working with them on that. We had a meeting here about a week or so ago and we are still working with them. Part of it is going to be a joint effort with Cortland of getting that water and funneling it so it is not in people's back yards and front yards as a matter of fact on Wheeler.

Mr. Williams- okay thank you

MISCELLANEOUS BUSINESS

Mr. Williams- Under miscellaneous? No.

PUBLIC ADDRESS TO CITY COUNCIL ON AGENDA ITEMS

We don't have an agenda, so we will move to new business & requests for legislation

NEW BUSINESS & REQUESTS FOR LEGISLATION

Mr. Williams- Mr. Toda you have a request this evening?

It was moved by Mr. Toda with a second by Ms. Baumiller to have the law director draw up the necessary legislation to change the three councilmen at large positions terms from 2 years to 4 years beginning with the 2020 election and changing the 4 ward councilmen and President of council from 2 years to 4 years beginning with the 2022 election. There were no questions or comments on the motion. Motion passed. Vote unanimous

It was moved by Ms. Baumiller with a send by Mr. Toda to have the law director to draw up the necessary legislation authorizing the Board of Control to enter into a contract for the demolition for 120 Jackson Street in Hubbard, OH per chapter 1345 of the codified ordinances of the City of Hubbard and declaring an emergency.

Mr. Crowe- I do have a question.

Mr. Williams- Go ahead Jerry

Mr. Crowe- 120 Jackson Street, what was the owner's name?

Mr. Williams- They don't know who owns it at this point in time.

Mayor- The owner is deceased.

Mr. Crowe- pardon me

Mayor- The owner is deceased.

Mr. Crowe- Okay, thank you.

Ms. Baumiller- Do you know what property we are talking about Jer?

Mr. Crowe- Yes, I do now.

Ms. Baumiller- okay

NEW BUSINESS & REQUESTS FOR LEGISLATION

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. Silvidi to have the law director draw up the necessary legislation expressing Hubbard City's concerns and objections to the disposal of liquid waste resulting from hydraulic fracking including the disposal in Brine injection wells. 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 auditor to advertise for bids for a complete package of various insurances for the City of Hubbard, Ohio for the 2019-2021 policy years. 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 accepting the amount and rates as determined by the budget commission and authorizing the necessary tax levies and certifying them to the County Auditor. 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 to adjust the City of Hubbard Law Directors salary to \$32,000.00 effective January 1, 2020. 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 to adjust the City of Hubbard Mayor's salary to \$45,000.00 effective January 1, 2020. 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 to have the law director draw up the necessary legislation authorizing the board of control to advertise for bids for the City of Hubbard Waste Water Treatment Plant, Phase II, improvement project. There were no questions or comments on the motion. Motion passed. Vote unanimous

It was moved by Mr. Silvidi with a second by Mr. Crow to suspend the 24-hour notification of Resolution 12-18 and place it on the agenda. There were no questions or comments on the motion. Motion passed. Vote unanimous

It was moved by Mr. Crowe 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 with Butch & McCree Paving, Inc. for resurfacing of Drummond Avenue, for the bid price of \$75,705.00, and declaring an emergency. There were no questions or comments on the motion. Motion passed. Vote unanimous

It was moved by Mr. Crowe with a second by Mr. Silvidi to suspend the 24- hour notification of Ordinance 20-18 and place it on the agenda. There were no questions or comments on the motion. Motion passed. Vote unanimous

ORDINANCES & RESOLUTIONS

Resolution 12-18 First Reading

AUTHORIZING THE BOARD OF CONTROL TO ADVERTISE FOR BIDS FOR THE CITY OF HUBBARD WASTE WATER TREATMENT PLANT, PHASE II, IMPROVEMENT PROJECT

It was moved by Mr. Silvidi with a second by Mr. Crowe to suspend the second and third reading of Resolution 12-18. There were no questions or comments. Motion passed. Vote unanimous.

It was moved by Mr. Silvidi with a second by Mr. Crowe that Resolution 12-18 be passed as read. There were no questions or comments. Motion passed. Vote unanimous.

ORDINANCES & RESOLUTIONS

Ordinance 20-18 Second Reading

AUTHORIZING THE BOARD OF CONTROL TO ENTER INTO A CONTRACT WITH BUTCH & MCCREE PAVING, INC. FOR RESURFACING OF DRUMMOND AVENUE, FOR THE BID PRICE OF \$75,705.00, AND DECLARING AN EMERGENCY

It was moved by Mr. Crowe with a second by Mr. Silvidi to suspend the third reading of Ordinance 20-18. There were no questions or comments. Motion passed. Vote unanimous.

It was moved by Mr. Crowe with a second by Mr. Silvidi that Ordinance 20-18 be passed as read. There were no questions or comments. 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.

Shawna Achten 53 Brookside Dr. Hubbard, OH- Good evening, on July 31st my normal family life and my dog's life changed forever. I was letting him out to go potty in my own back yard and the nightmare began. The neighbor David Evans dog got loose yet again and came into my yard from two doors down and began attacking my dogs. Before I go any further you need to know, that on July 7th this same dog, this man's dog attacked and nearly killed my neighbor's dog along with inflicting many injuries on the owners. You would think this dog would be euthanized or at least seized from the owners (from the irresponsible owner). No, you're wrong. I was wrong. That is why I am here, to make sure that we fix these broken laws. I am currently working with Glenn Holmes on the state level. I hope you will work with me and my fellow victims to change the law on the local level referencing Ohio Revised Code 955 which I gave you all copies of. There are not statutes that permit local police, township trustees or county dog wardens to punish the owners of dangerous dogs or seize the dogs when they inflict harm on humans or their pets even after multiple attacks. The most township police can do is cite an owner with a minor misdemeanor for not keeping their dog on their property even if it gets loose and attacks someone. Unfortunately, I also learned that many agencies aren't even aware of the relevant existing laws that there are and how to enforce them when someone is attacked by a dog. It is my understanding that city leaders have more flexibility to enforce their own rules in this situation. The township leaders don't. By now reinforcing repercussions for dog owners who are careless, negligent and irresponsible, dog owners are able to keep their dogs with the only penalty being a small fee. Meanwhile, the victim suffers and lives in fear of the next attack. I believe establishing and enforcing stricter rules that aren't too vague for local authorities to interpret is the answer to empowering them to have better responses. It is up to the state legislators, local councils and trustees to do that to protect the citizens from subsequent attacks from dogs that need to be deemed dangerous or have been deemed dangerous by the dog warden to be removed from the property. I will do whatever I can to help. Thank you for your time and I look forward to working with you.

Mr. Kyle- Mr. president three minutes

Mr. Williams- do you need more time?

Ms. Achten- I read all that but if you have any questions on what I want fixed

Mr. Williams- how much time?

Mr. Toda- three minutes

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

PUBLIC ADDRESS TO CITY COUNCIL ON NON-AGENDA ITEMS

Mr. Toda- My question is was these previous attacks reported to the Hubbard Police Department?

Mr. Achten-yes

Mr. Toda- They were to the Chief?

Ms. Achten- They were township

Mr. Toda- oh township

Ms. Achten- They were township, but the same laws are in effect for the city also. I don't want ... I am trying to get it changed everywhere.

Mr. Toda- You are in the township?

Ms. Achten- I am in the township but I do want to get it changed everywhere to make everybody aware.

Mr. Toda- In the township and the city, we do have leash laws. Your dog if it is outside it has to be on a leash. I don't see why they couldn't have done something if the dog is coming into your yard. It is not on a leash obviously. I am not understanding why something couldn't have been done there. Once again, that is township

Mr. Williams- Mayor

Mayor- Actually, they were cited once, maybe Mark can help me and my understanding of this. Once it goes to court, the dog can then be deemed either vicious or dangerous or nuisance by the judge. Once they have that hearing. I think you mentioned to me that they were cited for something not on a leash or something.

Ms. Achten- for not having a dog license and they were cited for not keeping their dogs on their own property

Mayor- and the report will have it I am sure the attack on it

Ms. Achten- I know the Mayor has a copy of all the pictures, the actual police reports and everything. My concern is that they are not / the law right now that states...it is very vague and does not allow them to do what needs to be done.

Mr. Villano- Our ordinance mirrors ORC 955. The animal basically had to attack I think it is the third time I believe. It has been a long time since I read this. First, it is deemed a nuisance or vicious dog and then it moves to the next level and then I think after the third attack it can be euthanized. I am almost certain of that. Whether the same animal gets cited and there has been a record kept of this. I mean I have the information on this

Mr. O'Hara- excuse me Mr. President

Mr. Williams- go ahead

Mr. O'Hara- Mark is there anything that can be done so it doesn't get to the third chance? The third chance could be the loss of a

Mr. Villano- you want a practical answer?

Mr. O'Hara- Well my thing is the first time he gets loose is bad. The second time he gets loose it could be a loss of an animal, there could be injuries sustained. I did see the news when this occurred.

Ms. Achten- yes

PUBLIC ADDRESS TO CITY COUNCIL ON NON-AGENDA ITEMS

Mr. Villano- The other thing (it is just my opinion) we have these rules. The rules are there to be enforced. At the same time, if a home owner chooses to have this vicious dog and the dog attacks someone there is liability to the individual that owns the animal. I would think most people with some level of thinking would realize "gee I have a dog that mauled someone, I am probably going to get sued over this," maybe I should get rid of the animal. There are things that we are not looking at here. The animal is just an animal. I think the rules that apply to the animal are one set of rules and then we have to look at the individuals who own the animals and their level of responsibility for confining the animal. There are and you hate to say it but a means of recourse for someone who would be injured by an animal against the owner of the animal.

Mr. O'Hara- I know there was an occurrence, I believe it was in Struthers, not too long ago where a kid actually got attacked. It clamped on to the arm and they couldn't get the dog off the kid's arm. I believe that was the third time that they had filed a complaint against this dog owner so it's

Mr. Villano- I mean I don't know what became of that, but they had a post about a kid got attacked in Youngstown last month as well. It was pretty substantial injuries.

Mr. O'Hara- but giving them three opportunities to rectify the problem

Mr. Villano- Well you are giving the animal three opportunities basically before you euthanize the animal. The home owner should wake up the first time it happens.

Mr. O'Hara- should

Mr. Villano- or not even have an animal like that but I don't think government can actually think for people that

Mr. O'Hara- who can't think for themselves

Ms. Achten- If you read in the laws, yes it does state three times. You are very correct on that. My problem is why are we waiting three times? Why are we waiting for three people to be injured or three animals to be injured? It could have been a kid. The issue with mine, the gentleman which I stated his name was David Evans. I live in Stoneybrook and he has since been evicted on non-payment of rent. He still owns this dog. Is he here next door to your family here in Hubbard? Your sister? Your mother? We don't know. Why are we allowing it to go three times? That is what I want to change.

Mr. Williams- Did he go to court yet?

Ms. Achten- Yes, he got two \$25 fines and two \$50 fines and that was it.

Mr. Williams- and they didn't find the dog to be vicious or anything?

Ms. Achten- Nope. Judge Adler, I believe his name is. He did nothing. I was not allowed to speak. Now, I am going in front of him on the 14th, next Friday. I am actually suing him. Yes, but even if I get the judgement for me that he has to pay, I have it all on video as you saw on the news, I have to track him down. I was told I have to track him down, where his bank is and where he works at to get my money back. But it is...yes, it is about the money! I would like to get my money back, but it is more about I want this prevented. I don't want somebody living the way I am living, in fear every day when I walk out now. I took my dog with me the other day to the flea market. A big dog came by and I shook. I was paranoid. I don't want anybody else to live like that. Would you want your sisters, your kids, your mothers or Aunts to live like that? It is not right and that is why I am wanting the laws changed. They need changed.

Mr. Williams- What do you want it changed to?

Ms. Achten- As I put in there, you have a dog approaching or menacing okay in the ORC 955.28 it states that, and they are calling it property the other animal is the

PUBLIC ADDRESS TO CITY COUNCIL ON NON-AGENDA ITEMS

property of a person except a cat or dog. It is allowed to kill...it is allowed to threaten or chase any other animal poultry, a cow or a rabbit but it is allowed except another dog or a cat? The except another dog or cat needs to be removed. It needs to be removed because it also says other (wait let me find it) I am sorry it says domestic animal well a dog or a cat is a domestic animal.

Mr. Williams- If I could...we can't pass an ordinance that is in direct conflict with the ORC correct?

Mr. Villano- No! We couldn't be more...we couldn't pass an ordinance that would allow us to execute a dog after one dog bite or something to that effect.

Ms. Achten- Not even execute but at least seize. Seize them, hold them responsible. I mean give them higher fines. Do something! You have to be able to revise it somehow.

Mayor-That is where I think Mr. Holmes and Mr. Ryan come in.

Mr. Williams- Yes because if the ORC says this, we can't have something that says if it doesn't state dog or cat in the ORC they supersede anything we would do anyhow. Wouldn't they?

Mr. Villano- Are you reading something out of our ... did you get that down at the city building? I haven't read that in a while the exact ordinance and the language in it. I am pretty sure ours mirrors 955.

Mr. Williams- Well this is 955.221.

Mr. Villano- I don't have it in front of me now.

Ms. Achten- I could hand you one.

Mr. Williams- Jerry give Mark

Mr. Villano- I mean you have to have some time. You would have to read the whole section. One paragraph

Mr. Williams- Read that and let us know what you think.

Mr. Villano- I will do that. This was a topic at Municipal Attorneys two years ago. I have notes on it.

Multiple thank you's

Mr. Toda- next up

Mr. Williams-Is there anyone else who wishes to address city council?

I really don't need a microphone I talk very loudly. My name is Joy Squibbs I live at 141 Viola Avenue in Hubbard, OH. I have been trying to rectify a situation since August 3rd. I have come to you today to ask for a reasonable solution to my issue. I stress the term reasonable because what I have been given through the Mayor's Office and through the Zoning Office is unreasonable. I have a home that was built in 1952. I didn't build the house. I purchase the home in 2008. I have been living there for 10 years. When I purchased the home, I didn't have children that drove. Now, I have four adult children that drive and have vehicles. I am asking for a reasonable solution to widen my driveway. I have photos of my driveway. Today at the zoning office when I applied for my permit, I was denied because I can't go to the left of my driveway because it will be in my front yard. I can't go to the right of my driveway because that is the neighbor's yard. I have your codes that I cannot be how much I can be off the neighbor's yard. I apologize Mr. Law Director, you do know the answer to this and I am addressing this to you at this point. If I am Allowed. Sorry! Am I allowed to do that?

PUBLIC ADDRESS TO CITY COUNCIL ON NON-AGENDA ITEMS

Mr. Williams- Not really, you are addressing city council.

Ms. Squibbs- Oh you are not part of city council?

Mr. Williams- No he is not. He is the city's Attorney.

Ms. Squibbs- who in the ward knows the specific measurements of my driveway? What I am allowed to be and where?

Mr. Williams- I would just like to say at this point what you are talking about does not concern city council.

Ms. Squibbs- Oh it does!

Mr. Williams- No, it does not! City council if you remember is a legislative branch of government.

Ms. Squibbs- okay

Mr. Williams- We pass ordinances

Ms. Squibbs- okay

Mr. Williams- We don't enforce them. We don't have anything to do with day to day operations within the city. That is why you have an executive branch

Ms. Squibbs- correct

Mr. Williams- to handle the day to day operations of the city. The legislative branch legislates and appropriates.

Ms. Squibbs- who is the legislative branch?

Mr. Williams- We are

Ms. Squibbs- okay

Mr. Williams- We passed a city ordinance that is you're zoning laws. Well, I can't say we did. At this point in time the zoning laws were passed in 1972 that you are to follow.

Ms. Squibbs- So I am grandfathered in?

Mr. Williams- The laws were passed in 1972. There is no grandfathering

Ms. Squibbs- okay

Mr. Williams- If you want to talk that way

Mr. Williams- There is zoning that says you can put in a driveway I am sure.

Ms. Squibbs- okay

Mr. Williams- That is not...I don't mean to be little your problem

Ms. Squibbs- No not at all

Mr. Williams- but that is not what we do

Ms. Squibbs- I was told to address you.

Mr. Williams- Who told you to address us?

Ms. Squibbs- the Mayor

PUBLIC ADDRESS TO CITY COUNCIL ON NON-AGENDA ITEMS

Mayor- inaudible

Mr. Williams- okay

Mayor- As you all know the laws against what she is currently doing which is parking in her front yard.

Mr. Williams- right

Mayor- She came to me and said solve the problem. I can't. The only thing I can tell you is that if she is parking in her front yard, she is in violation of the laws that city council made. Her case is now with widening it. If she can't widen it, the only thing she could do as she was told is to apply for a variance and see if it's passed. That would be one step, or the other step would be come and ask city council to completely abolish the law and everyone in town could park in their front yards. Wouldn't that be great?

Ms. Squibbs- Again, not reasonable. I didn't ask him to do that.

Mayor- Well no but this is what I said, she insisted that I do something that I can't do which is to tell her it is okay to park in the front yards because it is not! The only way you can do that which I explained to her is to come to city council and say change the law and that is what you are asking.

Ms. Squibbs- What else did you say Mr. Mayor?

Mayor- I told you I can't help you with your

Ms. Squibbs- What else did you say Mr. Mayor?

Mayor- What tell me?

Ms. Squibbs- I could move my garage back to extend my driveway not knowing where I live.

Mayor- not knowing the layout of your house which I did also mention. That is only one of the things. I will be quite honest the other thing I suggested is if you got that many cars park them in a public parking lot and or move them around.

Ms. Squibbs- and shuttle them

Mayor- shuttle them, what else can you do?

Ms. Squibbs- Is that reasonable?

Mayor- Is it reasonable for your neighbors to sit out and look at 5 cars parked in your front yard?

Ms. Squibbs- I wasn't going to go into detail but I don't know if I am allowed at this point. Am I allowed to go into detail yet?

Mr. Williams- go ahead

Ms. Squibbs- I just want to make sure with the 3 minutes or if I am extended my 3 minutes.

Mayor- I hope they extend it.

Mr. Toda- I will extend it 3 minutes.

Mr. Williams- her 3 minutes hasn't ran out yet!

Ms. Squibbs- Mr. Mayor Darko also said to me is the problem is that you have too many children with cars. He also said that.

PUBLIC ADDRESS TO CITY COUNCIL ON NON-AGENDA ITEMS

Mayor- No, I said too many cars.

Ms. Squibbs- You said children sir.

Mayor- No, I said cars ma'am. You can sit and put words into my mouth, but the bottom line of the conversation is that you came to me saying tell me it is okay to park 5 cars in my front yard.

Ms. Squibbs- I didn't say front yard.

Mayor- you said

Ms. Squibbs- I said the road because it started with Mr. Carsone.

Mayor- which is also something I can't change!

Ms. Squibbs- correct

Mayor- the bottom line is, I can only follow the laws that are set. You have a hard time understanding that.

Ms. Squibbs- No sir, I don't have a hard time understanding.

Mr. Williams-Excuse me! At some point are you going to have something to say to us or are you two going to sit here and argue? If this is going to continue, it is over.

Ms. Squibbs- No, I don't want to argue. I was instructed by the Mayor to please come and address city council and to ask either to help me with the ordinance of changing why I can't widen my driveway to resolve the situation or the weekends that my stepchildren do come to visit who have cars if I could please call down to the police department (again this is a Friday night and Saturday night only). If they could please park on the street in front of my home. The service director said excuse me safety director said I could not. However, taking my cars to a public parking lot and then shuttling my children back to my home ... I have in front of you (I can give you copies) is my homeowners policy that I pay. My homeowner's policy for my home will cover a burglary if the car is on my driveway or in my yard from 12 am to 6 am. That doesn't decrease property values from 12 am to 6 am because I don't really think that there is a real Estate Agent showing a home from 12 am to 6 am when the car is parked in my yard. There are several other residents that have their cars in their yards at night from 12 am to 6 am (I have photos). I don't need to show them to you. You know they exist. I just need a reasonable

Mr. Williams- No, we don't know they exist if we don't see them. You act like I drive up your road after midnight. I am sorry I am in bed.

Ms. Squibbs- I guess the other issue is with the safety from 12 am to 6 am that the cars can't be on the road. I can't ask you these questions?

Mr. Williams- Yes, you can ask. Go ahead

Ms. Squibbs- So what is the issue from 12 am to 6 am? Why can't the cars be on the street?

Mr. Williams- Mr. Carsone, would you like to answer that question?

Mr. Carsone- The only thing I can say about this is that ordinance has been in effect long before I was an employee of the city. I don't know the thought process of the people that passed it, but it does exist. The police department is in charge of enforcing it.

Mr. Williams- So you don't see any use in having this?

Mr. Carsone- No, I didn't say that at all. It is just there

PUBLIC ADDRESS TO CITY COUNCIL ON NON-AGENDA ITEMS

Mr. Williams- I just thought you would explain why it would have been passed at one time.

Mr. Carstone- It was there because the police officers (at that time was a very small city) kept track of who was on the street. It was a mechanism for keeping track of who was on the street overnight. There were people over the years that used the streets as... I don't want to say storage but continually parked there and it prevents that. At this point in time, it is there, and it is enforceable. We enforce it.

Ms. Squibbs- the safety

Mr. Carstone- not to mention snow removal

Ms. Squibbs- Correct, I also said to the safety director I have been here for 30 years if there is a snow I will put the car in the driveway.

Mr. Williams- Unfortunately, other people don't do that even when there is a snow emergency and there is a parking ban.

Ms. Squibbs- okay

Mr. Williams- People park on the roads and we have to have them moved and ticketed

Ms. Baumiller- I just have a question. Now, you have like 4 or 5 cars in your household?

Ms. Squibbs- 7

Ms. Baumiller- Oh 7! I was going to say is it a problem to at night lining them up one right after another. So that

Ms. Squibbs- They go into the street, from my driveway at the top with my garage to the end of my driveway. They go into the street.

Mr. Toda- Excuse me what was your address again?

Ms. Squibbs- 141 Viola. I am not understanding again just about the portion that I want to widen

Ms. Viele- Mr. President, can I ask a question?

Mr. Williams- Yes, but one second

Ms. Viele- Is your driveway a single driveway now?

Ms. Squibbs- Yes Ma'am

Ms. Viele- I think the Mayor mentioned that you could go to the zoning board and ask for a variance to widen your driveway

Ms. Squibbs- That was not explained to me today when I spoke to Joyce. She told me that I needed to come to the city council meeting.

Ms. Viele- You could get a variance which means they give you an exception. I have a neighbor who just widened his driveway to a double wide, cut the curbs, black topped it clear out to the street. No permits, no variances, no nothing, honestly, I reported it, and nothing has been done yet of that (at 152 Fox Street) probably two months ago. I reported it to the zoning department. I reported it. I think I was told at that point that the person should have went and got a variance to widen the driveway.

Ms. Squibbs- Okay so I

PUBLIC ADDRESS TO CITY COUNCIL ON NON-AGENDA ITEMS

Ms. Viele- I mean if you had a double driveway and maybe wanted to make it triple they would say no. If you have a single driveway they might give you the variance to make it double.

Mr. Livingston- Joy how far off is your driveway from the neighbors?

Ms. Squibbs- I have a photo would you like to see it?

Mr. Livingston- I am just asking foot wise.

Ms. Squibbs- umm 1 foot

Mr. Toda- It is 1 foot off the property line?

Ms. Squibbs- Yes sir

Mr. Livingston- Right now your current driveway?

Ms. Squibbs- correct

Mr. Livingston- It is 1 foot.

Ms. Squibbs- off the neighbor to the right

Mr. Livingston- You couldn't even get a variance because you would be on their property.

Ms. Squibbs- right

Mr. Williams- She would have to go the other way Danny. Please don't ask people to come up here Michael. They are not allowed to enter without my permission.

Mr. Toda- okay

Mayor- Well Michael you are Planning and Zoning, is there any way you could call a meeting?

Mr. Toda- That is what I was going to suggest. See me after this meeting.

Ms. Squibbs- Thank you

Mr. Williams- I have a couple of questions before we get too much further. Why would Joyce tell her to come here?

Mayor- I don't know why.

Mr. Williams- You know what, I will get an answer to that tomorrow.

Mayor- A variance might be the way to go if you are going to put the drive in. At first, you said you didn't think that was a very good idea but if we could get a variance on that but if you are asking council to change any legislation she would need to come here.

Ms. Baumiller- Isn't that like false hope because if she is taking it to the left she said it is going into her front yard?

Ms. Squibbs- but it is not my front yard it is adjacent to my home where drive is continued up

Mayor- That is the right side of it?

PUBLIC ADDRESS TO CITY COUNCIL ON NON-AGENDA ITEMS

Ms. Squibbs- the left side of it. The right side is my neighbor's front yard. The left side of my driveway...I am not allowed to go over there sorry. I would show you the photo, but I am not allowed.

Mayor- the left side

Mr. Williams- I am not trying to be...that is the rule

Ms. Squibbs- Billy, I have known you for 1,000 years

Mr. Williams- I know

Ms. Squibbs- Anyhow I would need to speak

Mr. Toda- See me after the meeting

Ms. Squibbs- okay

Mr. Williams- I don't understand why Joyce wouldn't have told her of her options of getting a variance and walked her through the process.

Mayor- If you're looking at your driveway to the right

Ms. Squibbs- is my neighbor's property

Mayor- that's the 1 foot

Ms. Squibbs-that's the 1 foot

Mayor- to the left you got what?

Ms. Squibbs- I have property that very well without being in front of my door or in front of a window, I am asking for merely 4 feet.

Mr. Toda- Okay, see me after this meeting.

Mr. Williams- thank you

Mr. Villano- Mr. President- I checked into this today for Joyce.

Mr. Williams- Okay, go ahead Mark.

Mr. Villano- Most of the attention was on that side of the room. Joyce, our zoning inspector, I think the only avenue would be to go get a variance. Let them look at it and see what she is proposing to do. See if they will permit it if it fits in with the character of the neighborhood. The requirement in our zoning book is a dwelling or house only needs two parking spaces per dwelling. You have to remember things have changed but you know most people had one car when these books were written or two at the most was a luxury. Seven is parking lot in my opinion but that would be the best course of action.

Ms. Squibbs- Family dynamics have changed since 1972. Unfortunately, divorced people are now remarried with step children who still like to visit.

Mr. Villano- You could get a minivan and car pool or something.

Ms. Squibbs- I am glad you revisited that because according to my homeowner and car insurance policies (again which I have) if my cars where on my property and there was a burglary... You can't stop burglars they are going to come. Bad people are bad people. If the car is broken into on my property, the contents are covered. You get it all back. If I take any of my cars to a public parking lot who is patrolling it? That is for the safety director to answer. Who is patrolling the parking lot, so no one breaks into my car? If my car is broken into in a public parking lot contents are not covered.

PUBLIC ADDRESS TO CITY COUNCIL ON NON-AGENDA ITEMS

Mr. Villano- Here is what you are not looking at

Ms. Squibbs- reasonable

Mr. Villano- We are being reasonable. What you are missing is the argument what are we going to do when the next person comes in and says we have 9 cars that we need to park. That is only 2 more than the seven that is 5 more than what the zoning book calls for.

Ms. Squibbs- two days every other weekend, I asked to park on the street. I called the police and said

Mr. Villano- Can't you make arrangements with one of your neighbors and park a couple of cars at the end of someone who has a double driveway across the street or something?

Ms. Squibbs- funny you should say that, I was told that one of my neighbors called. I asked all my neighbors. I don't know if they are going to tell the truth, but I asked. The one neighbor to the left who is a foot off has 4 cars. Tess god love her 84 years old still drives and leaves her house every day. If I am leaving a car at the bottom of her driveway, what is the difference if I put it on the road? My car is not covered on her driveway for contents if it is broken into.

Mr. Villano- Well I hope to God you don't buy a boat and a motor home!

Mr. Williams- Okay, we got to wrap this up.

Ms. Squibbs- Okay thank you

Mr. Williams- thank you, anyone else? Yes sir.

My name is Joshua Welsh I live at 286 Parish Ave. As Mrs. Squibbs mentioned, I also have the same issue with having multiple vehicles in the household and not having any room to put them. I don't have a lot of room to the right of my driveway. I would like to put the cars left of the driveway and put in a turn around. My mother spoke to Joyce today. She was not offered a variance. She was not offered anything in regards to that. She had also spoken to the Chief of Police who recommended we come here and speak to you guys in reference to this to see exactly what could be done. Whether it is changing an ordinance or adding a new ordinance that allows additions to driveways that allows making a single driveway into a double driveway to the left in front of a house or something along those lines. I am also looking for what Mrs. Squibbs is looking for a reasonable solution to this problem.

Mr. Livingston- Excuse me did you say a double driveway and a turn around?

Mr. Welsh- No, I said I have a single driveway to either turn it into a double driveway or just add a turn around.

Mayor-attached garage or not?

Mr. Welsh- detached

Mayor-detached in the back. How far from your house is it?

Mr. Walsh- about 3 feet

Mayor- 3 ft. from the back of your house?

Mr. Welsh- from the corner of the house...if this is the back of my house, I have just enough room to walk. There is a deck that hangs off my house. I have room to push my lawn mower between the deck and my garage.

PUBLIC ADDRESS TO CITY COUNCIL ON NON-AGENDA ITEMS

Mayor- I see a lot of people up there put the parking and allow for parking in the back. Yours must be closer because of the deck

Mr. Walsh- I have a deck and I also have a 2 ½ car garage.

Mayor- 2 ½ cars...how many cars do you have?

Mr. Walsh-5

Mayor- you have 5. Well let me tell you, I don't know what to say

Mr. Villano- economy is booming

Ms. Viele- Mr. President

Mr. Williams- Yes Bonnie

Ms. Viele- being familiar with and being at a lot of zoning meetings, when you go to the zoning meetings you have to show a hardship. That is what the variance is for. You have to come up with a reason, a legitimate reason. If you do apply for a variance you have to show a hardship. In your case it probably is a hardship. You have too many cars!

Mr. Welsh- It is not too many cars there are multiple people in my household. We all work at different times of the day! If I come home at 5 in the afternoon and my mom and dad want to go out before I come home and then they are out I come home, and I am at the very front of the driveway. I go to work at 6:30 in the morning. I am not going to go wake him up and say hey I need you to move your cars. There are two cars so that I can get out

Ms. Viele- I had friends who lived on Parish and they put gravel across the front. They made a parking lot parallel to the street. That has been taken out since. I don't know if they were forced to take it out. The neighbor I was citing with widening their driveway without permission and cut the curb and all that they don't have a garage. They converted their garage into a bedroom. Basically, by your definition, they are parking in the front yard because they don't have a garage.

Mr. Welsh- I agree with that

Ms. Squibbs from audience- I have that picture too

Mr. Williams- excuse me

Ms. Squibbs- Oh, I am not allowed to say that. Sorry

Ms. Viele- I think your best bet is to go to the zoning board.

Mr. Livingston- wait a minute not the zoning board, the Board of Appeals

Ms. Viele- yes Board of Appeals

Mr. Livingston- everybody is saying Planning and Zoning

Ms. Viele- Yes, there are two zoning boards. You want to go to the Appeals Board

Ms. Baumiller- Excuse me

Mr. Williams- Lisha

Ms. Baumiller- With all due respect, you indicated that one of your situations was like if your parents go out before you get home from work and you get home and you are way up front. You are permitted to park on the street up until 12 am couldn't you before you go to bed do the switching of cars

PUBLIC ADDRESS TO CITY COUNCIL ON NON-AGENDA ITEMS

Mr. Welsh- my father also gets home...he works night shift. He gets home a lot of times after midnight (whether it is at midnight or after midnight). so I will still have to wake him up from working until midnight and wake him up at 6:30 when I want to go to work.

Mayor- you can't move the car yourself?

Mr. Welsh- I can but that is not the point

Mayor- You are asking us to change a rule because you don't want to move a car?

Mr. Welsh- I want to add a turn around

Mayor- We really couldn't find a solution to this tonight. I think Mike if you could get together with them and see

Mr. Toda- Yes, you see me after the meeting too

Mr. Welsh- absolutely

Mr. Williams- so you are going to see him after the meeting?

Mr. Crowe- Mr. President, I just wanted to make a comment. About 45 years ago, we had 13 people in our house with 2 cars and my dad walked to work. Things have changed!

Mr. Welsh- Well I work in Warren sir, so I am not going to walk to Warren every day.

Mr. Crowe- I am just talking about everybody got a car now. We had 9 drivers and 2 cars.

Mr. Welsh- That is like one of the reasons why I am here. Mr. President, the law hasn't been changed since 1972. We are in 2018 now.

Mr. Williams- It is also a law for how the houses were built on Parish Ave.

Mr. Walsh- I understand that.

Mr. Williams- Your houses are also very close. I have 4 children. We had 7 cars. Do you know how many times I played car tag in the morning, so I could go to work because I went first?

Mr. Welsh- I understand that.

Mr. Williams- It is not a reason to change a law because you have to move a car.

Mr. Welsh- It is not so much that sir. There is also a lot of people on Parish that have double wide driveways. Why can't I be one of them? Or turn around? Why can't I be one of them?

Mr. Williams- We have to wait for the zoning to see if it fits. Are their lots larger than yours?

Mr. Welsh- I can't say I am not Trumbull County

Multiple talking

PUBLIC ADDRESS TO CITY COUNCIL ON NON-AGENDA ITEMS

Mr. Williams- all we have to do is look at the zoning map and it will tell you how wide they are, I am not trying to start an argument with you. You are throwing out all these hypotheticals. Yes, those could be larger lots. The houses were built different. They put a double driveway in. My house has a double driveway. My neighbor's house has a single drive way.

Mr. Welsh- I want to make mine wider to a double drive way.

Mr. Williams- Well, if yours can fit the zoning as mine does, you probably could.

Mr. Welsh- Well let's make it happen.

Mr. Williams- That is up to you to make it happen, not me!

Mr. Welsh- alright understood

Mr. Williams- It is not up to me. It is up to you. Unless, there is something we need to change. We are in the zoning book at this time.

Mr. Welsh- I will gladly attend the meeting when you plan on changing those.

Mr. Williams- Okay, is there anything else we can help you with?

Mr. Welsh- That's it

Mr. Williams- I appreciate you coming in and telling us about your problem. I hope Mr. Toda can help you find a solution to your problem.

Mr. Walsh- As do I. Thank you for your time.

Mr. Williams- thank you. Anyone else? Yes ma'am

Hello, my name is Samantha Phillips I live on 4249 Glenwood Dr. in Vienna. I just want to reinforce what Shawna was saying. I had a very similar incident obviously this is a different township, but I am just saying to reinforce what she said. I had an incident were two pit bulls actually mauled my arm. You can't really tell now but the scars are still there. Basically, the owner faced the same penalties as the owner of the dog who mauled Shawna's dog did. If I can add anything on to what Shawna said one recommendation might be to higher the penalties that these dog owners have to pay when their dogs do harm to others, whether it is someone else's pet or a human being. It might be a good idea to consider it because actually in my case, the dog owners paid \$100 dollars each. There were two incidents. The dogs that attached me attacked 4 people in 24 hours. Even though the Ohio Revised Code does say after the third time they are supposed to be seized or euthanized, it doesn't always happen. I think maybe in cities such as Hubbard, you should maybe reconsider the ordinances. If there is any way you can do this and try to increase the penalties that dog owners have to pay just because that might be a deterrent. They might say, oh I have to pay \$400 if this dog attacks three times. I know from my own experience that if it happens once it can happen again. In my experience the dog got loose attacked my mom. Ten days later, it attacked my mom again, it mauled my arm and I had to go to the hospital and get 10 stitches. I just think that is something to add on to what Shawna said before. If possible to try to higher the penalties from before and maybe have increasing penalties each time there is an attack or a bite. Just something to consider. Just wanted to throw that out there.

Mr. O'Hara- I agree

Ms. Phillips- I know you can't say to euthanize a dog after the first time, but I think that money can be a deterrent and cause people to rethink whether they want to keep an animal that they cannot responsibly control.

Mr. Livingston- Did you ever look into suing the owner of the dog?

PUBLIC ADDRESS TO CITY COUNCIL ON NON-AGENDA ITEMS

Ms. Phillips- You can file a civil law suit which I did in my case but that is a very long process. What it does is go after their insurance. They can still keep their dogs. In my case is a big problem. In my case, I have two pit bulls living next door that have attacked my dog, me and my mother. There is no way or punishment to keep these people from owning these dogs. You can do civil lawsuits, but you can't do any other lawsuit that can actually cause the dog to be taken away unfortunately. I just wanted to give that recommendation. I don't know if it that would be possible.

Mr. Williams- thank you. Could I just ask, I am pretty blown away by this whole thing?

Ms. Phillips- it's crazy

Mr., Williams- Yea because when you read it by the third time this dog should be a vicious dog and be taken away and the courts aren't doing that.

Ms. Phillips- Yes that is kind of precisely the problem. Shawna and I kind of teamed up. The letter she read, I wrote to Senator Glenn Holmes because that really is the problem. You know police don't really know the procedures for these things. In my case, they didn't cite the owners after each attack. The courts don't really know what to do or how to go about taking care of these problems and because of that dog owners don't really feel the need to correct their irresponsible behavior or be accountable. The courts aren't coming in to play here unfortunately. As a city council, there may not be a lot you can do on that. I think one thing Shawna wanted to say too is the fact that reaching out to you, to the senators to get the Ohio Revised Code changed. Again, you can't change that, but they can. I think she wants to say I think it is important to have this petition council members could sign if you feel so inclined. That would be really helpful to have more people and people who are in influencing positions kind of behind this. It is crazy because if it could happen in my little township of Vienna or her township of Hubbard it can happen anywhere. Unfortunately, it does happen everywhere.

Mr. Crowe- When did that attack happen to you?

Ms. Phillips- My attack happened June 23rd. The day before it actually attacked a little boy and attacked a cop. Once it happens one time, it happens over and over and creates this cycle of fear for the victims. Like Shawna, I am afraid to go outside. That is why I think it is important on the state level, county level and city level. I think it is important to have support for this and make people aware of the problem.

Mr. Williams- So these dogs are still in your neighborhood?

Ms. Phillips – yep

Unknown talking

Ms. Phillips- They were labeled dangerous dogs, so they have to have the dangerous dog sign in the yard. They are still allowed to go for walks around the neighborhood. They are still allowed to be taken out on leashes and they had to pay a small fine but if you're wealthy small fines don't really matter.

Mayor- How about the liability insurance did they... did the judge order them to get a certain amount?

Ms. Phillips- Yes, so they have to get liability insurance which is helpful because it may cause them to reconsider owning a dog. It is something like a million dollars or \$100,000 liability insurance. That is in place and that seems to be working. I don't know about Shawna's case but in my case, it seems to be working out

Mayor- There seems to be there is a good chance if they continue to keep the dog they would have to keep it insured. I don't know what insurance company is going to keep insuring somebody with 2 dangerous dogs.

Ms. Phillips- I agree

PUBLIC ADDRESS TO CITY COUNCIL ON NON-AGENDA ITEMS

Mayor- It is just not good business.

Ms. Baumiller- It is just scary to think that you have three chances before something gets done. Okay, maybe it only hurt somebody the first time and maybe it only mauled (well not ONLY mauled) an animal the second time. What are they waiting for it to kill somebody?

Mr. Williams- The first time you can understand. You know things between dogs, things happen, but twice what did you say twice in 24 hours with your family?

Ms. Phillips- It was actually 4 people who were attacked in 24 hours. I mean it was crazy because my mom and I are sitting in our garden. They got loose came over and attacked us. We caught everything on video because we have security cameras. Ten days before that they attacked my mom and tried to maul my pug and nothings being done. That is why I wasn't going to speak today but I just wanted to reinforce what Shawna was saying. I think it is a big problem and I know there is not a lot you can do at the city level, but it helps to make you aware and try to get some support for when we go to the state and try to make a difference.

Multiple thank you's

Mr. Williams- anyone else? If no one else wishes to speak 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