

The members of Hubbard City Council met in regular session on Monday, May 20, 2019, in council chambers with President William Williams presiding. Approximately 17 people were in attendance.

Roll call showed the following members in attendance:

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

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

It was moved by Mr. O'Hara with a second by Ms. Viele to accept the minutes from the April 15, 2019 regular session as presented to council. There were no questions or comments on the motion. Motion passed. Vote unanimous.

### **COMMUNICATIONS**

We received the Income Tax Comparison Through April 30, 2019, the Mayor's Court Report for April 2019 showing a total of \$2,607.00, the Reconciliation of Banks Statements for month ended April 30, 2019 and a letter from Nell Higgins concerning commercial zoning on West Liberty. The letter will be forwarded on to Mr. Toda. That is all.

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

### **JOINT SESSION WITH TOWNSHIP TRUSTEES**

It was moved by Mr. Kyle with a second by Mr. O'Hara to go into joint session with the Township Trustees concerning Hubbard Union Cemetery. There were no questions or comments on the motion. Motion passed. Vote unanimous.

Mr. Williams-Before we get started, I would like to welcome the Township Trustees: Mr. Jacobs, Mr. Hanley and Mr. Hernandez. Oh boy, who would have thought Rick! Who would have though all those years ago?

Mr. Hernandez- We go back a long way.

Mr. Williams- Yes sir. We are here for our yearly duty to set the millage for Hubbard Union Cemetery.

It was moved by Mr. Kyle with a second by Mr. O'Hara to set the yearly mileage at .2 of a mill for Hubbard Union Cemetery.

Mr. Williams-Is there any questions or comments?

Mr. Crowe- Yes, is this the current millage now?

Mr. Williams- That is what it has been for...

Mr. Crowe-okay

Mr. Williams- Yes, we have done .2 for how long Fred?

Mr. Hanley-73 years

Mr. Williams- Okay, anything else?

Mr. Crowe- That answers that question.

Mr. Williams- Where was I at? Questions and comments...any others?

**JOINT SESSION WITH TOWNSHIP TRUSTEES**

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

Mr. Williams- I guess that's it, unless there is anything someone would like to discuss about the cemetery at this point or

It was moved by Mr. Kyle with a second by Mr. O'Hara that council convene back into its regular session.

Mr. Williams- I would just like to thank the township trustees for being here tonight. As always, we have a great relationship and we are going to keep that going. If you guys want to do it at your place next year, we could do it there. Okay?

Mr. Hernandez- Just to second that, we appreciate that and anything the township could do for the city or the city for the township. We are always open ears for any development anything to stimulate our economies to help both our areas. That is the goal.

Mr. Williams- I think we work well together. I think we set an example for some other places around here that maybe they could follow. The JEDD was a great thing for all of us. Hopefully, that will expand a little bit.

Mr. Hanley- Mr. President, you can check with trustee Hernandez by ORC

Mr. Williams- Do we have to have it here?

Mr. Hanley- It is to be held at the municipal corporation.

Mr. Williams- I read that and did find out that is supposed to be held the second meeting in May. We always had it in February. I didn't see...I don't remember reading

Mr. Hanley- You are always welcome if you want to violate the sunshine law. If you ever want to chuckle you could come to one of our meetings. They are long.

Mr. Williams- Ours aren't that long really. Okay, Lor.

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

Mr. Williams- thank you again

**REPORTS OF STANDING COMMITTEES**

**FINANCE-** Mr. Kyle- Yes, I would like to schedule a finance meeting for Thursday, the 30<sup>th</sup> at 2:30 pm. This is a tentative meeting for the finance committee. Other than that, everything is operating perfectly fine. Hopefully, we will have some more updates at our next meeting. Thank you

Mr. Toda- What was that time?

Mr. Kyle- 2:30. That is all.

Mr. Williams- thank you

**PARK & RECREATION-** Ms. Viele- The Park & Rec. Board's next regular scheduled meeting will be June 20<sup>th</sup> at 7 pm in City Council Chambers. Mike Kerr is the planning chairman for the Touch a Truck Event to be held January (Yeah right January) July 27, noon to 2 with more updates soon. The Board is submitting a grant request to obtain playground equipment at Matinatt Park. Once again, Amy Zell will be directing the Catch Key Kids Club Summer Program. As always, the public is encouraged to attend and participate in Park & Rec. meetings. Thank you

Mr. Williams- thank you

**ECONOMIC DEVELOPMENT**-Ms. Baumiller- Not in attendance

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

Mr. Williams- thank you

**UTILITIES**- Mr. Silvidi- Not in attendance

**STREETS & SIDEWALKS**- Mr. Crowe- Yes Mr. President, the only thing I have tonight is the branch pick-up. It will start the week of June 10<sup>th</sup>. It will be that week and that week only. It will be one pass through town. That is all I have thank you.

Mr. Williams- thank you

**SAFETY**- Mr. O'Hara- Yes, thank you Mr. President, Safety Director Carsone had notified me earlier in the week and had provided me some information. Recently, a conduit which houses several data transmission lines between the Municipal Building and the Police Department was leaking water into the basement of the Police Department. The problem was found to be a break in the conduit. Superintendent Mr. Palestro repaired the break in the conduit solving the problem. While investigating the leak into the Police Department basement, it was discovered that the water retention system for the Police Department was collapsing. MS Consultants is currently reviewing the system and will be providing suggestions and costs in repairing the sinking retention pond. That is all.

Mr. Williams- thank you

#### **REPORTS OF SPECIAL COMMITTEES**

Mr. Williams- We won't have anything for the cemetery since Lisha and JD aren't here.

**CEMETERY BOARD**- Ms. Baumiller- Not in attendance

**FIRE DISTRICT**- Mr. O'Hara- Yes, I just came from a special levy meeting that we had at the fire department, discussing part time firefighters concentrating on first shift. It is going to be an ongoing process. We have several meetings lined up. We have a committee formed to discuss how to resolve these issues. I will keep everybody updated on the progress.

Mr. Williams- Thank you

#### **REPORTS OF CITY OFFICIALS**

**SAFETY DIRECTOR**- Lou Carsone- Thank you Mr. President, a couple of items. First of all, a follow up on Councilman O'Hara's report. Late this afternoon, Mr. Palestro advised me that MS Consultants will be providing us with two options to repair or replace that retention system late this week or early next week. I will let everyone aware when I get those. I have no idea what the cost is going to be or what the solutions will be. I will keep everybody updated on that. In another matter, we have had some issues with parking on the street at the corner of North Main and Walnut due to the ice cream place that just moved in there. People are parking right up to the intersection making it difficult to turn onto Walnut Street and difficult to see turning out of Walnut. There were never any no Parking signs from here to corner to keep traffic away from those corners. I spoke to Mr. Palestro last week and we went down and staked that out. There will be no parking here to corner signs put up shortly that should alleviate that parking problem on the street. In another matter, since we lost one of our clerks, who took the position as the Mayors Secretary, we have begun our search for a new clerk at the police department. We have received some applications and resumes, and we will begin the process to find a new clerk. Also, Sgt. Thompson, you all know will be the new police Chief on the retirement of Jim Taafe at the end of the year, has begun shadowing Chief Taafe and is beginning to delve into the ins and outs of that particular job. That is all I have.

Mr. Williams- thank you

**REPORTS OF CITY OFFICIALS**

SERVICE DIRECTOR- Mr. Livingston- Yes, two quick things. Just want to follow up on Mr. Crowe's report, the branch pick-up the week of June 10th. I encourage people to look into the local news on the instructions on how to bundle it and what size. We only have time to stay at any one house for 10 minutes with the chipper. We will do every street once and get as much as we can that week. Second thing is, in every one of your boxes this evening I put in a paper in about the Memorial Day Parade on Monday. Where it starts up and where it lines up. If any of you councilmen want to march in the parade, the directions are right there. You can follow up on that. That is all I have tonight Mr. President thank you

Mr. Williams-thank you

LAW DIRECTOR- Mark Villano- Not in attendance

TREASURER- Marsha Ruha- I have nothing this evening thank you.

Mr. Williams- thank you

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

Mr. Williams- thank you

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

**MAYOR'S REPORT**

Not in attendance

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

Mr. Williams- I have something under miscellaneous. I would like to announce that on Wednesday, May 22<sup>nd</sup> at 8:30 am

Mr. Kyle -29<sup>th</sup>

Mr. Williams- Isn't that the 22<sup>nd</sup>?

Mr. Kyle- Oh, I am sorry the 22<sup>nd</sup>

Mr. Williams- It better be. That is where I put it. Wednesday, May 22<sup>nd</sup> at 8:30 am City Council will have a special meeting to consider legislation. That is all I have...anyone else?

Mr. Toda- What time was that?

Mr. Williams- 8:30 am

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

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

I don't know if this is something you guys want me to talk about. Let's talk about Maple Grove Cemetery!

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

Mr. Williams- No you will do that at the end of the meeting. Yes, at the end of the meeting. Right now, this is about our agenda. Thank you

No problem

Mr. Williams- no one?

**NEW BUSINESS & REQUESTS FOR LEGISLATION**

It was moved by Mr. O'Hara with a second by Ms. Viele to have the law director draw up the necessary legislation adjusting the compensation of the auxiliary part time patrol officers to \$15.00 per hour. 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. Viele to have the law director draw up the necessary legislation adjusting the compensation of the data clerk to \$12.50 per hour. There were no questions or comments on the motion. Motion passed. Vote unanimous.

It was moved by Ms. Viele with a second by Mr. O'Hara to have the Law Director draw up the necessary legislation authorizing MS Consultants on behalf of the City of Hubbard to file the Nature Works application with the Ohio Department of Natural Resources.

Ms. Viele- should we put an emergency clause on this legislation?

Mr. Williams- Well if you wanted it to go into effect immediately, it would have to be by emergency. If not it would be 30 days after it is signed.

Ms. Viele- It has to be in June 1<sup>st</sup> , so does it have to be...should I add emergency clause to that

Mr. Livingston- It is a resolution, so it doesn't matter.

Mr. Williams- Oh, is it a resolution.

Ms. Viele- Yes, it is a resolution.

Mr. Livingston- Yes, so it doesn't matter.

Ms. Viele- So it will go into effect immediately?

Mr. Williams-Yes

Ms. Viele- Oh okay, thank you.

Mr. Williams- thank you Dan. I didn't even look to see that.

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

**ORDINANCES & RESOLUTIONS**

Ordinance 5-19 First Reading

ADOPTING AN ALTERNATIVE TAX BUDGET FOR THE CITY OF HUBBARD, OHIO FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2020 AND SUBMITTING COPIES OF SAME TO THE TRUMBULL COUNTY BUDGET COMMISSION.

Mr. Williams- Since there is no action on Ordinance 5-19 it will flow to a second reading

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

Mr. Williams- is there anyone who would like to address 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.

Tim Brannan 634 Moore Street. Majority of you people know me. You don't see me that often up here. Maple Grove cemetery is terrible. You got a good guy down there cutting. Dutch is a hard worker. I have nothing bad to say about him, but you guys waited too long to get him down there. That grass is 2 feet high. I mean it is up to my knees. It is a disgrace. You guys are supposed to be taking care of that. You people but yet you don't. Your Planning & Zoning Director goes around this town and notifies your elder, disabled and poor people about their lawns being too high and to do something about it. Yet you guys don't see it. You guys don't see the cemetery so, out of sight out of mind. It is ridiculous. You have Dave Cook who stopped down today to check on Dutch to make sure he got everything smooth. I have nothing bad to say about Dave Cook either. He is a hard worker. Every time I see him, he is doing something. Whenever I see Dave Cook cutting grass, at the McBride House or down at Tylee Park, with his knowledge. I wouldn't think that somebody that was hired in at the street department or friends and family let them cut the grass. Dave has got too much knowledge.

Mr. Williams- What did you just say?

Mr. Brannan- I said, whenever people gets hired into the city offices, into the city wherever, whether it is friends or family, let them go down and mow the grass.

Mr. Williams- That is the street departments responsibility to mow the grass there.

Mr. Brannan- Oh, there is enough of them. It doesn't have to be Dave Cook.

Mr. Williams- That is not our call.

Mr. Brannan- A lot of those guys aren't even knowledgeable, and you have outsourcing getting ditches clean. The street Department use to do the streets, sweep the streets and don't do that anymore. That is being outsourced. The sewage drains were done by the street department. That was outsourced on Park. Then you had a city worker standing there scratching his head leaning against a truck watching them.

Mr. Williams- Is that true Dan? City worker was standing there watching.

Mr. Livingston- What?

Mr. Williams- A city worker was standing there watching an outside contractor...where at?

Mr. Brannan- on Park. They were putting a line down the sewer and snaking it.

Mr. Livingston- They were cameraing it.

Mr. Brannan-what ever

Mr. Livingston-Well we don't have a camera. We were cameraing lines to see which ones need fixed and which ones are cracked and separated. That is what you seen shoving down there. The city does not have or can afford that kind of equipment. That is all that company does is camera lines and clean them out. They don't repair them.

Mr. Brannan- This ain't the first time I have been up here talking about Maple Grove Cemetery. You know a portion of the taxes from the township and the city pays to have a crew up at union. Is that correct?

Mr. Williams-yes

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

Mr. Brannan- Since you don't have the money to go down and do Maple grove and you only have one person there, why don't you send that crew up there that keep that cemetery looking like a golf course?

Mr. Williams- They aren't city employees. They don't work for the city.

Mr. Brannan- Who pays them?

Mr. Williams- Hubbard Union Cemetery does. It is a separate entity.

Mr. Brannan- It's a separate entity. So, the city doesn't do that?

Mr. Williams- The city tax dollars go to it but the city itself...no it doesn't. The city and the township oversee it.

Mr. Brannan- Peoples taxes go to them, but they don't got anything to do with the city? Is that what you are telling me?

Mr. Williams- Yes, we do not maintain Hubbard Union Cemetery.

Mr. Brannan- I understand you don't maintain it.

Mr. Williams- A board oversees it.

Mr. Brannan- It is the taxpayer's money from the city and township.

Mr. Williams-It is a separate entity from the city. Why aren't you at the township trustees' meetings telling them to go send their people to go do it.

Mr. Brannan- Because they are right here.

Mr. Williams- Why didn't you tell them? Did you go to their meeting and tell them the same thing?

Mr. Brannan- I could do that?

Mr. Williams- Those people don't work for the city. They don't work for us. They are not our employees. They are employed by the Hubbard Union Cemetery.

Mr. Brannan- Okay

Mr. Williams- and your comments about the street sweeping, how much did we save by not using our old street sweeper that was falling apart?

Mr. Livingston- \$ 30,000 a year

Mr. Williams- That is why we did that!

Mr. Brannan- That way the guys can take and ride around in your trucks some more.

Mr. Williams- Do you really think that Tim?

Mr. Brannan- Yea I do. I am not

Mr. Williams- That we would make a decision like that

Mr. Brannan- I am not the only one that sees the city trucks lingering out in the township.

Mr. Williams- Where in the township?

Mr. Brannan- I can't recall

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

Mr. Williams- Oh okay. Is his three minutes up yet?

Clerk-yes

Mr. Williams- Would anyone like to extend his three minutes?

Mr. Brannan- It took me a while.

Mr. Toda- I will extend his three minutes.

Mr. Williams- Is there a second?

Mr. Crowe- second

It was moved by Mr. toda with a second by Mr. Crowe to extend the time by

Mr. Toda- 5 minutes

Mr. Livingston- You can't do it. It has to be by 3 increments

Mr. Toda- Oh, by 3-minutes okay. 6 minutes

Mr. Williams- What?

Mr. Livingston- No, it is three minutes each time.

Mr. Toda- Well, three minutes then.

Mr. Williams- Okay by three minutes.

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

Mr. Williams- Okay, you can continue now. What else would you like to talk about?

Mr. Brannan- Well, I would like to find out what you are going to do about the cemetery?

Mr. Williams- Have you spoken to Mr. Livingston?

Mr. Brannan- No, I haven't.

Mr. Livingston- Is he down there cutting today?

Mr. Brannan- Yes, he was.

Mr. Livingston- Was there two young gentleman weed whacking today?

Mr. Brannan- There was.

Mr. Livingston- We will catch up. It has been a little wet number one. I stop down there today. I seen you down there around your family plot I believe.

Mr. Brannan- That is correct. It was me and my wife and it is two hours. It took us four hours to clear our lots.

Mr. Livingston- Mr. Schuller was on the tractor with the two younger boys were cutting the weeds.

Mr. Brannan- That is true.

Mr. Livingston- They will be cutting their everyday this week.

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

Mr. Brannan- I don't want to hear it is too wet to get back there.

Mr. Livingston- Well, it is not going to dry out until we cut it.

Mr. Brannan- That is correct, the thing about it is as well as that thing is tapered there aint no standing water. So, it can be cut.

Mr. Livingston- I never said there was any standing water.

Mr. Brannan- You guys just goofed. You waited too long. If you can go around and tell elderly to get their grass cut, then you guys can get down there and cut that. Planning & Zoning is going around and telling people that they need to get their grass mowed.

Mr. Livingston- Yea, if they don't cut it

Mr. Brannan- Well what is good for them, is good for you.

Mr. Livingston- That is what we are doing down there. We are cutting it.

Mr. Brannan- Well, you don't wait until it gets 2 feet high!

Mr. Livingston- I didn't see anything 2 ft high down there.

Mr. Brannan- Oh, you are full of crap. I got

Mr. Williams- Whoa! Whoa! We don't talk like that here.

Mr. Brannan- What is crap a

Mr. Williams- That is the last time you are going to say that.

Mr. Brannan- Is that a bad word?

Mr. Williams- Yea we don't talk...please sit down. That is it. That is it, please sit down. I am not going to have

Mr. Brannan- I don't understand

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

I want to make a comment. I am on the Cemetery Board

Mr. Williams- If you could

Tom Jacobs-The other two Mr. Silvidi and Ms. Baumiller. You said the grass is two feet high?

Mr. Williams- at Maple Grove

Mr. Livingston- at Maple Grove

Mr. Williams- but not at Hubbard Union. What he stated about Hubbard Union is we should have the employees of Hubbard Union cut Maple Grove Cemetery. I explained to him we can't.

Mr. Jacobs- We have our hands full with Hubbard Union. We don't have time to go to Maple Grove to do that.

Mr. Williams- We couldn't do that legally anyhow.

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

Mr. Jacobs- no that is right. The people that are working Hubbard Union are strictly doing work for Hubbard Union. We cannot have our workers going to another cemetery doing work.

Mr. Brannan-I understand what you are saying but maybe they ought to get crew every year to go down there.

Mr. Jacobs- Who is going to pay for it?

Mr. Williams- Look guys we are not going to have a discussion out on the floor. Thank you, is there anyone else who wishes to address city council this evening? If not, I would entertain a motion to adjourn.

**ADJOURN**

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

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Lorrie Brown, Council Clerk

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William Williams, President