

**50th GIRARD CITY COUNCIL
MONDAY, MARCH 9, 2020
REGULAR MIINUTES/JOURNAL**

PLEDGE

ROLL CALL

| | | |
|------------------------|------------------------|---------|
| PRESIDENT OF COUNCIL | MR. REYNALD J. PAOLONE | PRESENT |
| FIRST WARD COUNCILMAN | MR. KEITH SCHUBERT | ABSENT |
| SECOND WARD COUNCILMAN | MR. MARK STANDOHAR | |
| PRESENT | | |
| THIRD WARD COUNCILMAN | MR. JEFF KAY | PRESENT |
| FOURTH WARD COUNCILMAN | MR. THOMAS GRUMLEY | PRESENT |
| COUNCILMAN-AT-LARGE | MS. LILY MARTUCCIO | PRESENT |
| COUNCILMAN-AT-LARGE | MR. JOHN MOLITERNO | PRESENT |
| COUNCILMAN-AT-LARGE | MR. SAM ZIRAFI | PRESENT |

MOTION GRUMLEY SECOND KAY TO EXCUSE COUNCILMAN SCHUBERT FROM THE MEETING OF MARCH 9, 2020.

SCHUBERT
STANDOHAR
KAY 2
GRUMLEY 1
MARTUCCIO
MOLITERNO
ZIRAFI
PASSED 6-0 VOTE

COMMUNICATIONS

ADDITIONS & DELETIONS

ACCEPTANCE OF THE AGENDA

MOTION MOLITERNO SECOND ZIRAFI TO ACCEPT THE AGENDA OF MARCH 9, 2020 AS WRITTEN.

SCHUBERT
STANDOHAR
KAY
GRUMLEY
MARTUCCIO
MOLITERNO 1
ZIRAFI 2
PASSED 6-0 VOTE

APPROVAL OF THE MINUTES

MOTION ZIRAFI SECOND MARTUCCIO TO ACCEPT THE MINUTES OF REGULAR MEETING OF FEBRUARY 24, 2020 AS WRITTEN.

SCHUBERT
STANDOHAR
KAY
GRUMLEY
MARTUCCIO 2
MOLITERNO
ZIRAFI 1
PASSED 6-0 VOTE

CITIZENS' COMMENTS

None

REPORTS OF OFFICERS AND DIRECTORS OF THE CITY

MAYOR

JAMES J. MELFI

PRESENT

The Mayor said he had just a couple of items this evening. One, since they last met, they may have heard in the news that they were listed in the top ten of affordable places to live in Ohio. It was done by an organization called Home Snacks. Never heard of them but anytime someone wants to say something nice about us we accept it. The Mayor also stated that more importantly, he apologized in advance because he may get a bit excited, every two or three years this occurs so he asked everyone please bare with him. He further stated that you may have noticed we are suffering from total clean-outs of homes. Primarily these are rentals, older homes. Melfi stated these individuals who own these homes feel that the City must partner with them in their venture because they merely pull everything out and put it on the devil strip, any day of the week. If you are familiar with the City's garbage contract, the garbage contract states that they will remove on a weekly basis two garbage cans from each residence. The Mayor further stated that our complaint is not with the garbage company. They are an outstanding organization and they go way above the call of duty for us on a regular basis. The Mayor stated his complaint is with the property owners who feel that, do not live in that house of course, and feel they have the right to dump the contents, the entire contents, of that home in the devil strip. It happens any day of the week, weekends, Mondays, and the residents who live nearby have to endure that until the Mayor or Safety Service Director or Councilperson that calls it in or someone else in the administration that sees it, makes the Safety Service Director aware of it, and then he calls the garbage company. Melfi stated most of the time, almost all of the time the garbage company removes it which is totally unfair to them. They are not paid extra to do that. The Mayor said this evening he is staying calm, because he is little upset with this, this is just about it, he stated he is just about at his boiling point. The Mayor stated he is asking city council to give the administration the authority to lease or purchase, borrow a roll-off and then when this occurs, and we've all been around long enough to know it occurs everywhere, we will then use city employees to remove that immediately, not Thursday night, not Friday morning, not Saturday morning, immediately. The Mayor said we will then bill the property owner \$500.00. You may say they may not pay, that's fine. The Mayor said then, as Jerry does on a regular basis for water or maintenance of grass, will then lien the property and that individual, if you are familiar with how liens work with taxation, that \$500.00 when the person goes to pay their taxes on that property, that first \$500.00 will immediately go to the City of Girard. The Mayor said this is a bit stepping over the authority of what we normally have the authority to do. Melfi said that city workers do not remove private debris from devil strips on a regular basis. He stated we may see something, tires for example. We cannot have this anymore. The neighbors are suffering because of these slobs, cleaned it up a little bit. They are suffering. The Mayor said if you drove up the streets where this normally occurs on a regular basis, the neighborhoods, there are plenty of good neighbors who maintain their properties and keep them clean, put out their one or two cans a week and go about it. We are not going to allow this to happen anymore. It will not happen anymore. The Mayor stated that these landlords that don't want to spend a couple of hundred dollars to get a roll off and do it properly, we will do it for them and we will charge them, we will lien their property, \$500.00 every time. That's it. The Mayor stated that no more will Mrs. So and So have to look out for 5 or 6 days at trash. It will not occur anymore because as soon as we are told of it we will have that taken care of that day. They are not going to endure it anymore. It is over. So, the Mayor stated he came to the conclusion that \$500 would obviously cover the manpower, cover the cost of the rollover, dumpster, and obviously possibly create a bit of a profit for us and that is just fine. If you think we are partners with you in your rental, you're wrong. We are not partners with you. Melfi said some of these landlords think we are partners with them and we are here to pick up their garbage. That ends. That ends with council's support.

COMMENTS:

Councilman Grumley asked the Mayor what if they put this to, not that he wants to take work from city workers, but they have heard during their street committee meetings and everything that they are trying to get more done with the tarring and so forth of the streets and that they are short handed already. He stated if they have to go pick up trash on top of it he is concerned with how many streets they will be able to get done. Grumley asked if Republic would be interested in an additional charge they could still keep it the \$500 charge and whatever they negotiate with Republic, do something like that rather than consume the time they need with the streets and so forth. The Mayor stated he has no problem with doing that. It is a good option. The Mayor further stated the fact is that it takes it a bit

out of our hands in the sense that we just relay it to them and they may not get to it immediately. The Mayor stated that he wants the people to feel, the neighbors in that neighborhood, the people that have to endure this type of thing, he wants them to understand that we don't want it there beyond a day. Melfi said that is the only problem he sees with that. It may take it out of our hands. At least the timetable of it. The Mayor said he did think of that as well. Councilman Grumley said he is in agreement and he probably calls Jerry more than anyone sitting at this table and it is ridiculous. Grumley said it is the same rental properties just a couple months apart and it is ridiculous. Melfi said we are not in their business. Councilman Grumley said while they are on that subject, how do they stand with, how current are they with the inspections of these facilities. Grumley said it is the same homes and when you see what is coming out of those homes he can only imagine what the interior looks like. Grumley asked if they are sure they are getting the proper inspections because every time a renter comes out a new inspection is supposed to occur. Are they sure they are keeping up with that part of it? The Mayor stated he feels fairly confident, he will let Jerry speak about that, but he feels fairly confident that they are on top of that. Melfi said let's not kid ourselves, the housing stock of the Mahoning Valley, not just Girard, is old so this is what occurs on a regular basis. We are getting these landlords that are maybe not from your town and they could give a damn about your town. They could care about that 90 year old woman that has lived there for 70 years and you don't see her garbage can because she brings it out at night and she keeps her yard perfect. The Mayor said she is not going to endure that anymore and he doesn't care how they get it done. He doesn't care if the Mayor and Service Director have to go pick it up, it's not going to be allowed to continue. President of Council Paolone said don't forget the scavengers that go through it and throw it all over the streets. That happens to. Service Director Lambert stated that the only problem they have is that if the landlord keeps the rentals in their name and they don't put it in their tenant's water. Water, it's easy, we don't turn it on until it's been inspected, but if that particular landlord keeps it in his name we may not get it all. Grumley stated he thought they passed an ordinance, Councilman Moliterno said he thought they did too, Grumley continued that he thought they passed an ordinance last year that rental properties had to. Lambert said he is not sure about that. The Mayor stated that some rental properties are going to remain a mystery. We know that. Grumley said that this is another opportunity to flush them out. The Mayor responded absolutely. Councilman Moliterno said, to Tom's point, he doesn't have a problem putting additional pressure on a landlord anyway. Moliterno stated that it is ultimately their responsibility. It is their house. If that means that they end up paying then they end up paying. Moliterno said we simply can't be concerned about it. We have to deal with the issue and he agrees, and he's sure the rest of council agrees, that they need to address it and they can do it tonight. Jerry stated he does not remember there being an ordinance that states they have to put it in their name specifically. Paolone said he thinks it went the other way but he can't say for sure. Paolone said he thought they said the landlords were responsible for the water bills if the tenant doesn't pay. Lambert said they passed that a few years ago. That the landlord would pay if there was a balance on the account. Lambert further stated he doesn't remember them passing anything saying that they had to put it in their name. Councilman Martuccio said that if they have an ordinance that states that you can't put your garbage out more than 24 hours prior and you have to pick up your cans more than so if they are there at the cleanout, their garbage is sitting there Tuesday, can't the landlord be written up for that? Isn't there a fine with that? The Law Director answered by saying that yes they can be cited and fined but it is going to take weeks, months, for them to either wind up in court. Kren said he thinks that what the Mayor is proposing is to immediately remove the trash bypassing this whole thing. Martuccio said if we have had this ordinance all this time if they had maybe been doing this all along then perhaps it would not have escalated to the point it is now because people would know I am going to get cited if I put this out on Tuesday. She said that is just kinda her spin on it. The Mayor said that unfortunately that is a whole different thing. He stated that for the homeowner, who for some reason, we have many cases where people don't obey that ordinance. They put that trash out on Sunday night and it doesn't get picked up until Thursday night. In a lot of cases those are residences, single family residences. The Mayor stated don't ask him why they do that. There are some issues. We have seen them all. Melfi said that that has nothing to do with a devil strip full of garbage. Two trash cans on a devil strip by somebody who is mixed up is a whole lot better than a devil strip, six feet high, that a neighborhood has to incur a danger, because lord knows what is in it. A lot of construction materials, a lot of junk. The weather is getting warmer, kids are going to be playing, kids are going to be pulling junk out, toys and such. He further stated that just this week he has seen old toys. That is a whole different thing. Melfi said besides, let me tell you this, you think those landlords are worried about getting cited. You are going to have to find them and mail it to them and then, oh jeez, we're going to go to court again aren't we. No. We are going to take it into our own hands. The Mayor said let him worry about

the manpower. Ok. Fair enough? Grumley said he was just asking the question. The Mayor said we are not going to put up with it anymore. When they start getting \$500 liens on their property then he bets it won't happen again. Melfi asked, you wanna bet? Then if they have two or three apartments and there are two or three and they get nailed for \$1,000, they are not from Girard, they aren't at this meeting. They are not reading the paper. They may read the paper. Melfi said but let me tell you this when they get nailed once or twice or three times and now it's a \$1,000 or \$1,500, guess what, they won't do it again now will they. We are not trying to bypass the court. We are getting immediate action on a problem that is, he doesn't want to use the word epidemic and be dramatic, it's out there. If you are living next door or three doors up or four doors up and there is a strong odor and a lot of that crap is in your street, in your neighborhood, we're supposed to live this way? Martuccio said she agrees. The Mayor said we are not living this way anymore. Lambert said they had 18 today, 18 residences that had their garbage out there. Martuccio said so today is Monday so if you have 18 today, and she agrees with him, we have to take care of it and she is in favor of it, but she is just saying should they be cited. She gets it they they have to go through the court. She thanked them for explaining it. Lambert stated that Monica gets the calls and she relays to me or he gets them personally. Jerry said the zoning guys are out there all the time but just today they had 18.

SAFETY/SERVICE DIRECTOR **JERRY LAMBERT** **PRESENT**

Service Director Lambert stated the only thing that he had was that since the temperature was over 50 today they were out doing fire hydrants. He said they did, between the fire department and water department, they addressed about 50 of them today and only found one bad one so he was very, very happy with that result. Lambert said they were able to go on Shannon from the high school to Churchill and Highland from Churchill to the high school, Park Avenue from High to Shannon, that was the water department. The fire department was on Patricia, Dravis, Woodlawn, Beechwood and Beaver. They were a few that had a little bit of low pressure that Howard is going to address tomorrow and by the next meeting hopefully he will have a report on exactly what the pressure was, water volume and how many they are going to have to replace. Jerry said that in January they did have a couple that were bad. The one that they replaced right away was at the corner of Navajo and Apache, it's replaced. Then there was a second one on 427 Mosier Road that had to be replaced and it's been done. He stated there are a bunch of them that they have had replaced just since December. They have replaced probably 8 since December and there is more to come.

COMMENTS:

LAW DIRECTOR **BRIAN KREN** **PRESENT**

Law Director Kren stated he would be glad to meet with the zoning or health and safety committee to draft an ordinance about what the Mayor brought up. He isn't sure which committee would be handling that. Kren stated secondly, he should be meeting with, sometime this week, Dennis Meek to make sure that we have all of the specs and drawings for the Upper Lakes property before we submit the advertisement. So, once we have the first advertisement run and bid date he will have the Clerk email council so that they are all aware of that.

COMMENTS:

Councilman Martuccio asked the Law Director if they have anything or can he look into would it be possible to have an ordinance when they sell a commercial property that somebody just doesn't buy it to just sit on it for another five years. Do they have any say so in any of that as a City? The Law Director said that that is a little in depth of a question and he will have to look into it. Martuccio thanked him.

AUDITOR **JULIE COLEMAN** **PRESENT**

Auditor Coleman stated that she wanted to point out that she passed out this evening the amended revenue changes for the current tax and camera distributions which she recommended and discussed during their last finance meeting. Coleman stated her recommendations to changing the current percentages are inciteful to the requests and expenses we know exist in 2020 and also support the success of the new year's annual appropriations.

COMMENTS:

TREASURER **MARK ZUPPO** **ABSENT**

FIRE CHIEF **KEN BORNEMISS** **ABSENT**

POLICE CHIEF **JOHN NORMAN** **ABSENT**

COMMITTEE REPORTS

FINANCES-MOLITERNO-GRUMLEY-ZIRAFI

No report. Councilman Moliterno said there will be a finance committee on the 23rd meeting coming up at the next council meeting and they also have the Judge that will be meeting with them that evening to talk a little bit about the finances of the court. Moliterno said Mayor and members of administration if you could please be at that. President of Council Paolone asked if he wanted that at 6:15 and Moliterno responded that 6:30 pm should be fine.

COMMENTS:

ECONOMIC DEVELOPMENT-MARTUCCIO-STANDOHAR-MOLITERNO

Councilman Martuccio said she would like to ask for a 6:00 pm meeting on the 23rd. She stated that our Trumbull County Treasurer, Sam Lamancusa, has agreed to meet with them, so it would be part economic development and to answer their questions on the status of their buildings. Martuccio said that if everyone could be there it would be very nice. Shop local.

COMMENTS:

BUILDING & GROUNDS-SCHUBERT-MARTUCCIO-STANDOHAR

No report.

COMMENTS:

HEALTH & SAFETY-GRUMLEY-SCHUBERT-KAY

No report. Councilman Grumley said he will ask for the ordinance for the rental cleanout.

COMMENTS:

STREETS SIDEWALKS & EMPLOYEE WELFARE-STANDOHAR-KAY-GRUMLEY

Councilman Standohar stated that he spoke with the Service Director today and they are just finishing up with the internal measurements of the streets so that in regards to 50-03, they will ask for postponement until the next meeting this evening. Obviously, once those measurements come in Dennis Meek will do his thing and then the committee will meet at that time prior to the next meeting, he certainly hopes so, and they will get that done the last meeting in March.

COMMENTS:

UTILITIES-ZIRAFI-MOLITERNO-SCHUBERT

No report.

COMMENTS:

ZONING-KAY-ZIRAFI-MARTUCCIO

No report.

COMMENTS:

ORDINANCES

50-03

THIRD READING

A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE & SAFETY TO ADVERTISE FOR BIDS FOR THE PAVING OF CERTAIN STREETS WITHIN THE CITY OF GIRARD.

MOTION STANDOHAR SECOND MARTUCCIO TO POSTPONE THIRD READING OF 50-03 UNTIL MARCH 23, 2020 MEETING.

SCHUBERT

STANDOHAR 1

KAY

GRUMLEY

MARTUCCIO 2

MOLITERNO

ZIRAFI

POSTPONEMENT PASSED 6-0 VOTE

Councilman Moliterno stated that the amendments for 50-08 were presented to them by the Auditor this evening and were discussed at the last finance committee meeting where all of the members of council were in attendance so he is going to move to add the correct percentages into 50-08.

50-08 **THIRD READING**

AN ORDINANCE FOR THE PURPOSE OF AMENDING SECTION 307.10 OF THE CITY OF GIRARD CODIFIED ORDINANCES REGARDING ALLOCATION OF CIVIL PENALTIES FOR AUTOMATED SPEED VIOLATIONS.

THE PAVING OF CERTAIN STREETS WITHIN THE CITY OF GIRARD.

In Section 1 amended to read-36% to the general fund, 25% to street construction fund, 4% to the recreation fund, 5% to the capital improvement safety fund and 30% to fund 900 which funds police cars.

MOTION MOLITERNO SECOND ZIRAFI TO AMEND 50-08 AS ABOVE.

SCHUBERT
STANDOHAR
KAY

GRUMLEY
MARTUCCIO
MOLITERNO 1
ZIRAFI 2

AMENDMENTS TO 50-08 PASSED 6-0 VOTE

MOTION MOLITERNO SECOND ZIRAFI FOR PASSAGE OF 50-08 AS AMENDED.

SCHUBERT
STANDOHAR
KAY

GRUMLEY
MARTUCCIO
MOLITERNO 1
ZIRAFI 2

50-08 PASSED 6-0 VOTE

50-09 **THIRD READING**

AN ORDINANCE ESTABLISHING THE DISTRIBUTION RATES FOR INCOME TAX COLLECTIONS FOR CALENDAR YEAR 2020 AND DECLARING IT AN EMERGENCY.

In Section 1-amended to read-general bond fund 9%, garbage fund 3.5%, and cemetery fund 0%.

MOTION MOLITERNO SECOND ZIRAFI TO AMEND 50-09 AS ABOVE.

SCHUBERT
STANDOHAR
KAY

GRUMLEY
MARTUCCIO
MOLITERNO 1
ZIRAFI 2

AMENDMENTS TO 50-08 PASSED 6-0 VOTE

MOTION MOLITERNO SECOND ZIRAFI FOR PASSAGE OF 50-09 AS AMENDED.

SCHUBERT
STANDOHAR
KAY

GRUMLEY
MARTUCCIO
MOLITERNO 1
ZIRAFI 2

50-08 PASSED 6-0 VOTE

50-10 **THIRD READING**

AN ORDINANCE CREATING ANNUAL APPROPRIATIONS FOR THE FISCAL YEAR 2020 IN THE CITY OF GIRARD, OHIO.

MOTION MOLITERNO SECOND ZIRAFI FOR PASSAGE OF 50-10.

SCHUBERT
STANDOHAR
KAY

GRUMLEY
MARTUCCIO
MOLITERNO 1
ZIRAFI 2
50-10 PASSED 6-0 VOTE

50-11

THIRD READING

AN ORDINANCE AMENDING ORDINANCE 6658-95 TO INCREASE THE SALARY FOR THE PART TIME POLICE DISPATCHERS OF THE CITY OF GIRARD.

MOTION MOLITERNO SECOND ZIRAFI FOR PASSAGE OF 50-11.

SCHUBERT
STANDOHAR
KAY
GRUMLEY
MARTUCCIO
MOLITERNO 1
ZIRAFI 2
50-11 PASSED 6-0 VOTE

NEW LEGISLATION

MOTION MOLITERNO SECOND STANDOHAR FOR LEGISLATION THE CODIFICATION OF THE ORDINANCES PASSED LAST YEAR.

SCHUBERT
STANDOHAR 2
KAY
GRUMLEY
MARTUCCIO
MOLITERNO 1
ZIRAFI
PASSED 6-0 VOTE TO PREPARE LEGISLATION

MOTION GRUMLEY SECOND MARTUCCIO FOR LEGISLATION FOR STIFF PENALTIES ON CLEAN-OUTS.

SCHUBERT
STANDOHAR
KAY
GRUMLEY 1
MARTUCCIO 2
MOLITERNO
ZIRAFI
PASSED 6-0 VOTE TO PREPARE LEGISLATION

ADJOURNMENT

MOTION GRUMLEY SECOND KAY TO ADJOURN THE MEETING OF MARCH 9, 2020.

SCHUBERT
STANDOHAR
KAY 2
GRUMLEY 1
MARTUCCIO
MOLITERNO
ZIRAFI
ADJOURNMENT PASSED 6-0 VOTE

REYNALD PAOLONE

MONICA URBANIC