

MINUTES

Niles City Council held its regular meeting Wednesday, October 18, 2006 at 6:00 p.m. in Council Chambers, Safety-Service Complex, Niles, Ohio. The meeting was called to order by President Robert Marino, and the Clerk; Linda A. Yuhasz called the roll:

Lastic-P; Papalas-P; Scarnecchia-P; Cox-P; Stredney-P; Papas-P; Fuda-P; Marino-P.

It was moved by Fuda, seconded by Stredney to accept the Minutes of the meeting of October 4, 2006 and place them on file. Motion carried.

There was a moment of silence in memory of Mr. Bill Clayman who passed away this week.

REPORTS AND COMMUNICATIONS

None

MEMBERS OF THE AUDIENCE TO ADDRESS THE COUNCIL

None

COMMITTEE REPORTS

None

ORDINANCES AND RESOLUTIONS

ORDINANCE NO. ___ (Amended Draft No. 69-06)

AN ORDINANCE ENUMERATING CERTAIN ANIMALS THAT WILL BE PROHIBITED WITHIN THE CITY LIMITS; AND, DECLARING AN EMERGENCY

It was moved by Scarnecchia, seconded by Papalas to suspend the rule requiring three readings.

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Scarnecchia, seconded by Papalas that this Draft be adopted.

YEAS: 7 NAYS: 0

This Draft No. 69-06 has been adopted this 18th day of October, 2006.

RESOLUTION NO. ____ (Draft No. 70-06)

A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE MISCELLANEOUS GENERAL CONTRACTED LABOR ACCOUNT TO THE CIVIL SERVICE CONTRACTED LABOR ACCOUNT; AND, DECLARING AN EMERGENCY

It was moved by Papalas, seconded by Papas to suspend the rule requiring three readings.

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Papalas, seconded by Papas that this Draft be adopted.

YEAS: 7 NAYS: 0

This Draft No. 70-06 has been adopted this 18th day of October, 2006.

ORDINANCE NO. ____ (Draft No. 71-06)

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS FOR REPAIRS TO THE ROOFS OF THE BUILDINGS AT THE WASTEWATER TREATMENT PLANT; AND, DECLARING AN EMERGENCY

It was moved by Fuda, seconded by Stredney to suspend the rule requiring three readings.

Councilman Fuda: We are going to repair the roofs at the plant because the life expectancy of the plant is about five more years. If we replace the roof we would probably be wasting a lot of money.

Councilman Scarnecchia: I have a question. Since there is a short life expectancy should we be planning, because that is a very big expense, replacing that plant?

Mayor Infante: That is about five years down the road.

Councilman Scarnecchia: Okay.

Councilman Fuda: We discussed this at the Utilities Meeting, Wednesday. Randy did you have a comment?

Mr. Randy Fabrizio: We are just going to try and make repairs, utilize the rest of the life expectancy of the plant. We are just asking for Council to go to bid. The repairs won't be able to made until spring time because the weather has to a consistent sixty degrees for the repairs to be made. We will hopefully get the work done in the spring.

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Stredney, seconded by Papalas that this Draft be adopted.

YEAS: 7 NAYS: 0

This Draft No. 71-06 has been adopted this 18th day of October, 2006.

RESOLUTION NO.____ (Draft No. 72-06)

A RESOLUTION APPROVING THE AGREEMENT BETWEEN THE CITY AND THE RANK OFFICERS UNIT OF THE POLICE DEPARTMENT REGARDING A NEW LABOR CONTRACT; AND, DECLARING AN EMERGENCY

Councilman Papalas: I have discussed this with the Mayor and I feel comfortable with it, I don't know how everyone else feels. I am comfortable in moving for suspension if the rest of you are.

It was moved by Papalas, seconded by Papas to suspend the rule requiring three readings.

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Fuda, seconded by Papalas that this Draft be adopted.

Mayor Infante: Just to make every one aware it is the same amount that the fire got, the same amount the patrol got. Mostly everything that was done was language, contract language; it was a lot of benefit to us. Most of the stuff they got beside their increase is the same that every one else got. They got the same loss as every one else got. They lose their longevity; they lose their hours at the end of retirement cashed in and all that stuff. Basically the same as patrol but we got a lot of language that we got on our behalf. Health benefits, same thing. There is co-pay next year, 2007. They will be part of that committee within the city. I got dispatchers left and I will be done for the year.

President Marino: What is the co pay for insurance?

Mayor Infante: Twenty five the first year, thirty five the second year. Prescriptions go to ten and eight. We got a lot of good language on our part.

YEAS: 7 NAYS: 0

It was moved by Scarnecchia, seconded by Lastic to place Draft 59-06 and 73-06 on the agenda. Motion carried.

ORDINANCE NO.____ (Draft No. 59-06)

AN ORDINANCE AMENDING THE ZONING DISTRICT CLASSIFICATION FOR MULTIPLE PARCELS OF REAL ESTATE WITHIN THE FOURTH WARD OF THE CITY; AMENDING THE ZONING MAP TO CONFORM TO THE NEW CLASSIFICATIONS; AND, DECLARING AN EMERGENCY

It was moved by Scarnecchia, seconded by Papalas to suspend the rule requiring three readings.

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Scarnecchia, seconded by Fuda that this Draft be adopted.

YEAS: 7 NAYS: 0

This Draft No. 59-06 has been adopted this 18th day of October, 2006.

ORDINANCE NO.____ (Draft No. 73-06)

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO CONTRACT OR CONTRACTS, WITHOUT BIDDING PURSUANT TO OHIO REVISED CODE SECTION 735.051, FOR THE REPAIR OF A SECTION OF COLLAPSED STORM SEWER LINE ON ROBBINS AVENUE; AND, DECLARING AN EMERGENCY

It was moved by Fuda, seconded by Papas to suspend the rule requiring three readings.

Councilman Scarnecchia: Is this something that happened with this last rain Mark?

Mr. Mark Hess: We have a storm sewer on Robbins Avenue that goes into a ravine near Carnegie Avenue. There is a head wall on a concrete pad right after the head wall. The concrete pad has pulled away from the head wall. I don't know how long this has been happening, but water has been going down between the head wall and the concrete pad. The whole concrete pad has been undermined. If you go out there now you can see part of the guard rail has been undermined and where the guard rail is hanging. It is even

starting to get back as far as the sidewalk. So, we have to put out emergency specs. We have put those things out to about five contractors and we have gotten prices and we are ready to go. The Board of Control awarded that contingent upon you passing this.

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Fuda, seconded by Lastic that this Draft be adopted.

YEAS: 7 NAYS: 0

This Draft has been adopted this 18th day of October, 2006.

MISCELLANEOUS REMARKS

Mayor Infante: You are invited to the Halloween Parade, it is a Halloween Parade and Labor Day Parade combined. It is a large group, a large parade. It is October 29th and everyone is welcome to attend or submit their forms. They are also charging a twenty five dollar fee, so they have created a scholarship fund. They are doing as great job, we have a firefighter and his wife involved on the Halloween side. We have all the unions throughout the valley involved also.

Mr. Terry Dull: Steve, I spoke to Steve Yovich yesterday about that issue on demolition, he is putting the list together for me. He said probably next week sometime, he is sorry he didn't have it ready for council.

Councilman Papalas: Thank you, I was going to ask you.

Mr. Anthony Vigorito: I just wanted you to know that we started the demolitions, Pratt Street started today, two on Pratt and we have four others. They all should be down by the next council meeting. On the zoning language we will get the Planning Commission together right after the holidays to start finalizing the language to submit to council on the language for the residential and commercial.

Councilman Papalas: I passed out a brief letter, it is not even a proposal, and it is just some thoughts from Mr. Swauger's note. I want my colleagues to look at that, think about if you want to add to it or delete or if you want to come up with a different proposal based on that. I think in a couple weeks or even longer after you have all thought about it, I would like to have a round table to discuss this and weigh the pros and cons.

Councilman Cox: A guy called and told me to bring up to city council that he saw a coyote running on Fifth Street, so that is something we are going to have to deal with later. I guess he sees them at Meander Lake all the time, so they will eventually start coming into town.

Councilman Fuda: I passed out a couple of ordinances from Warren to everyone. I got a call from Gary Fonce one of the councilmen in Warren. They are having a rash of break ins at the vacant homes in Warren. They are stealing the copper which is at a very high price right now and any other metal pieces they could get out of the homes. They have an ordinance they are passing in Warren for their junk yards to try to make it a little tougher for people to take that metal to the junk yards and sell it. He would like to know if we would cooperate with them with our junk yards in Niles and he is going to hit the surrounding communities to see if we could work together to try to curtail some of the break ins and stealing of this metal. Take a look at it; I will get more details from Gary. I don't know what committee that would be under; would that be council as a whole? I would appreciate it if every one would look at it, they do need help. It probably is going to help us here too in Niles. The other thing on Saturday at noon we are having a ribbon cutting for the fishing pier. We have a girl coming in from Fairhaven School; the secretary is going to throw out the first line. Any one that is interested coming to the ribbon cutting and cast of the first line it will be twelve o'clock at Kennedy Park.

It was moved by Fuda, seconded by Lastic to adjourn this meeting at 6:20 p.m.

Linda A. Yuhasz, Clerk of Council

Robert Marino, President of Council