

## **MINUTES**

Niles City Council held its regular meeting of September 19, 2007 at 6:00 p.m. in Council Chambers, Safety-Service Complex in 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-A; Stredney-P; Papas-P; Wilkerson-P; Marino-P  
A motion was made by Stredney, seconded by Wilkerson to excuse the absences of Councilman Cox and Mayor Infante. Motion carried.

A motion was made by Stredney, seconded by Papas to accept the Minutes of the regular meeting of September 5, 2007 and place them on file. Motion carried.

## **REPORTS AND COMMUNICATIONS**

FROM The Cemetery Department

The August 2007 Sales Report

It was moved by Stredney, seconded by Lastic to accept the report and place it on file. Motion carried.

## **MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL**

Norma Scarnecchia, 1604 North Carnegie Avenue, Niles, Ohio: We are here to find out what is going on with this city; the school board is selling the property up on North Carnegie to build multi family dwellings. I understand that the property was given to the school board for the purpose of building a school by the original owner. They sold all of us our land and if there was no school built we understand it was to be reverted back to the original owner. We don't want apartments up there. We already got burned twice with apartments they pulled out and we never knew a thing about it and they are trying to do the same thing again.

President Marino: Mrs. Scarnecchia I know that you and Councilman Papalas had a conversation with the law director concerning that matter. Mr. Dull has assured all of us that he will begin the legal research on the question concerning the property and what it can and can't be used for, deed restrictions. Concerning the property itself I will let Councilman Papalas speak to that.

Councilman Papalas: I spoke with every one of these councilmen and they all feel concerned about this as you do. Mr. Dull shares our concern; he has brought an ordinance in tonight where Council as a Whole is sponsoring it. We are going to try to have that property rezoned as soon as possible to R-A so that none of us has to be concerned with this later on.

Mrs. Scarnecchia: We don't want another Royal Mall.

Councilman Papalas: Absolutely, we don't need that.

Councilman Papas: We don't need any more of them you are right.

Councilman Papalas: So I will have that added on to the agenda tonight.

Councilman Lastic: Will we add that on at the end?

President Marino: Yes.

Councilman Papalas: I can speak for myself and a couple of others here; we did not know that this property was going up for sale by the school board.

Councilman Scarnecchia: We read it in the paper.

President Marino: That is where I read it.

Michelle Puccetti, 1605 North Carnegie Avenue, Niles, Ohio: I was told this morning by Mr. Adduci that the city did know that the property has been for sale and that they were not interested in it and that is why it is going up for auction on October 10<sup>th</sup>.

Councilman Scarnecchia: We didn't know any thing about this.

Councilman Papas: We didn't know about this.

Councilman Scarnecchia: Well we do now.

### **COMMITTEE REPORTS**

None

### **ORDINANCES AND RESOLUTIONS**

#### **RESOLUTION NO. \_\_\_ (Draft No. 66-07)**

#### **RESOLUTION ACCEPTING THE AMOUNT AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR**

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

**YEAS: 6    NAYS: 0**

Rules are suspended.

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

**YEAS: 6 NAYS: 0**

This Draft No. 66-07 has been adopted on this 19<sup>th</sup> day of September, 2007.

**ORDINANCE NO.\_\_\_\_ (Draft No. 67-07)**

**AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO CONTRACT, WITHOUT BIDDING, WITH EMERGITECH FOR THE PURCHASE OF SOFTWARE FOR POLICE, FIRE AND 911 EQUIPMENT; AND, DECLARING AN EMERGENCY**

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

Councilman Scarnecchia: Is this the one we discussed last week where someone was going to check with the state if this could go out?

Councilman Papalas: Mr. Dull checked into it and he sent us a letter stating that every thing was fine with this according to state authorities and I think that we all got that letter. I want to make sure that I publicly thank Mr. Dull for that letter.

President Marino: It is included in the “whereas” also Tom.

Councilman Scarnecchia: Thank you.

**YEAS: 6 NAYS: 0**

Rules are suspended.

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

Councilman Papalas: Just for the record what is the estimated cost of this?

Mr. Tom Telego: It is approximately \$196,000.00.

**YEAS: 6 NAYS: 0**

This Draft No. 67-07 has been adopted on this 19<sup>th</sup> day of September, 2007.

It was moved by Papalas, seconded by Papas to add Draft No. 68-07 to the agenda. Motion carried.

It was moved by Papalas, seconded by Papas to refer Draft No.68-07 to the Planning Commission. Motion carried.

Councilman Papalas: I have one question for the building inspector, Anthony, that property you just presently zoned is commercial?

Mr. Anthony Vigorito: R-C, residential commercial.

Councilman Papalas: It just says on here R-C residential? Should we amend it to read.....?

Mr. Anthony Vigorito: Well the C signifies it is for multi family.

Councilman Papalas: Okay I just wanted to make sure we got the “t” crossed.

Councilman Lastic: She just said that the person that sold the property (inaudible) so it actually wouldn't be the school boards property to sell.

President Marino: If they are correct it would seem to me that if the school no longer wished to do anything to the property it would go back to the heirs.

President Marino: Mr. Dull spoke to them and he is going to contact the Board of Education tomorrow morning to bring them up to speed on what has come to light this evening so that they are aware.

Councilman Papalas: Keep in mind that the change in zoning process is created well before anybody is even submitted plans or handed out permits.

Councilman Lastic: I also think that we should investigate the rest of the properties that they have for sale to be informed on something that we don't know about. We should check on the ownerships of those also and the whereabouts of all of them.

It was moved by Papalas, seconded by Stredney to hold a Public Hearing on October 24, 2007 at 3:30 p.m. City Hall, in the 1<sup>st</sup> Floor Conference Room. A special Council Meeting called by the six council members attending tonight's meeting will be held after the Public Hearing starting at 4:00p.m. This special Council Meeting will be held for the purpose of Draft No. 68-07. Motion carried.

### **MISCELLANEOUS REMARKS**

Mr. Anthony Vigorito: Two things, since somebody brought up Royal Mall I would like to bring you up to speed, they should be starting work over there within the next few days. They pulled permits for approximately six million dollars worth of work. The contractors are slowing coming here and pulling their permits for the work. We are going to be doing it in phases; it is going to be about a two year project. Also, Cleveland Street will be going out for bids and the bids will have to be in by the 9<sup>th</sup> of October so that we will have it in the Board of Control the 10<sup>th</sup>.

Councilman Papalas: Thank you very much, those people are going to be so happy, you have no idea. They are going to have a party when that happens.

Councilman Papas: Tony, did they change management in there?

Mr. Vigorito: I am not sure on the management; the only thing that I am dealing with is the remodeling part of it, the renovations.

Councilman Papas: We will have the same thing if they don't do it.

Councilman Scarnecchia: While they are remodeling are they going to (inaudible) residents throughout?

Mr. Vigorito: I told them that I wanted the residents clear so they are only going to work on buildings once they have been vacated. I told them that I would only give permits for individual buildings. So, they won't be able to occupy that building again until after they have received a permit.

Councilman Scarnecchia: Tony will they have someone from their company down here when this starts do you know?

Mr. Vigorito: I am sure, the company is Vesta Corporation and it is the Marose Brothers Construction out of Cleveland that is doing the work. We have some local contractors, Carbone is doing the plumbing and I am not sure who is doing the heating yet.

Councilman Scarnecchia: I know some of us have questions for Vesta (inaudible) the whole thing.

Mr. Vigorito: Well I have a set of plans over at my office you are welcome to look at any time and a plan of attack on the unit, like we said we are going to do it by unit number and individual buildings. They are also building a maintenance building and remodeling the community building.

President Marino: In order to answer his question some one from Vesta needs to come and visit Council and you gentlemen can ask those questions of the representative rather than drilling the building inspector who can't answer for them concerning management. Tony, do you have a contact person?

Mr. Vigorito: I have a contact person with a construction company I can .....

Service Director Allen: The gentleman running the show met with the Mayor and I last week. He is willing to go along with anything we need. He will come down here any time, a real class act.

Councilman Scarnecchia: Was he from Vesta?

Director Allen: Yes and he was a very impressive individual and all of their operations elsewhere have been very, very successful.

Councilman Scarnecchia: I am sure that you have his card and we can call on our own.

Safety Director Guarino: I think that the Chief had a meeting with one of the representatives last week and would like to bring Council up to date.

Chief Simeone: We talked about several issues of the problems down there and he was very receptive to a lot of measures that we looked at. One was that we looked at management and he said that there were some issues that they had to follow through contracts. We met for about an hour and he is coming back the middle of next month and we are going to meet again. We both have some ideas that we are going to talk about.

President Marino: Chief would you do me a favor and contact him in advance, ask him prior to your meeting or at the conclusion if he would be willing to sit with the members of council so that they have an opportunity to put a name with a face and we won't have to have them down here three or four times.

Chief Simeone: He did say that the next time he comes in it is going to be for a week or so that he will be here. There will be some other personal from their management corporation that will also be working with management there and going over different issues. They are very receptive, they understand the problems. Mr. Allen said that they have had apartment complexes a lot larger, ones in large cities so they are familiar with drugs and violence and whatever kind of problems we have.

President Marino: Not to be repetitive but I think it is important that these seven gentlemen here get a chance to express themselves as well, so if you can kind of facilitate that for the members I appreciate it. You can let them know individually or at a council meeting prior to when that is going to take place.

Councilman Scarnecchia: I was wondering the question I have concern residents and personal can we meet in private?

President Marino: That is what I am trying to facilitate when he comes in the members of council will be able to meet with him to be able to express yourselves so that he knows where the members are coming from as well.

Councilman Scarnecchia: Thank you.

Atty. Dull: I had the opportunity to talk with Mike Robinson of the Treasurer's Office about the Land Bank and (inaudible) the treasurer, the auditor and the prosecutor with their notices. Mike is going to get together with Jeff Adler to discuss how they are going to proceed so they can get back with me. So hopefully by next week I will have something.

President Marino: I read in the paper about RMI and the possibility of relocating their headquarters. I did speak last night to members of the congressmen's office and I spoke to the president of our CIC Board to make sure that they are doing things to hopefully prevent that. Also in those conversations they remarked that Indalex Steel has issued their federal notice for layoffs and what not, which could impact us here in Niles because we have a plant here in Niles that employs eighty to one hundred jobs. They are working on that as well. It is important to know that, as income tax is the life blood of our city. We need to be paying attention to that, with the mayor's absence I am sure that when he returns he will be working diligently on that as well.

Councilman Lastic: What numbers did they give you for RMI?

President Marino: It is their headquarters. What concerns me about the headquarters leaving is once the headquarters go I am worried about the plant. I am concerned about the whole facility. I know that they have three billion dollars worth of work and they are worried about an airport and we have one that is hardly ever used down the road here. Hopefully we do things as a region to demonstrate to them that we would like them to stay.

Councilman Papalas: Terry you did a (inaudible) job today with this ordinance. Thank you very much. I appreciate it.

Councilman Stredney: Also on the school board issue for my fellow councilmen, I don't know if you know the little park in the Third Ward is going to attempt to be sold by the school board. I am extending an invitation to all the councilmen, I myself and quite a few residents from around Cedar Street Park will be going to the next board meeting. Would any of you like to come with us in hopes to come to some sort of agreement to keep the park?

Councilman Papas: I would like to thank you too, Terry for tonight's ordinance.

It was moved by Stredney, seconded by Scarnecchia to adjourn this meeting at 6:55p.m.

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**Linda A. Yuhasz, Clerk of Council**

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**Robert Marino, President of Council**

