

**MINUTES**

Niles City Council held its regular meeting of October 15, 2008 at 6:00 p.m. in Council Chambers, Safety-Service Complex in Niles, Ohio.

The meeting was called to order by President Robert Marino, Jr. and the Clerk; Linda A. Yuhasz called the roll:

Lastic-P; Papalás-P; Scarnecchia-P; McCormick-P; Stredney-P; Papas-P;Wilkerson-P;Marino-P

A motion was made by Stredney, seconded by Scarnecchia to accept the Minutes of the Public Hearings on October 1, 2008, the Regular Meeting of October 1, 2008 and the Special Council Meeting of October 8, 2008 and place them on file. Motion carried.

**REPORTS AND COMMUNICATIONS**

None

**MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL**

Mr. John Schuster of 418 W. Park Ave. Niles, Ohio: I have addressed council weeks ago about the speeding on West Park Avenue and nothing has been done about it. They said that they were going to put radar cars out there and they haven't done it. I haven't seen one.

Safety Director Guarino: I called you, do you remember? They were out there; they said that they were out there. I will check again.

Mr. Schuster: We even have city trucks going down West Park Avenue going fifty miles an hour, city trucks. I want to put a speed limit sign on my median but the city doesn't care.

President Marino: Mr. Schuster the city does care. Let's give Mr. Guarino... Mr. Schuster if you are available during the day you could come down during business hours and speak to the police chief and the director and Officer Marhulik in their offices about your specific concerns.

Mr. Schuster: Ok.

**COMMITTEE REPORTS**

None

**ORDINANCES AND RESOLUTIONS**

**RESOLUTION NO.\_\_\_\_ (Draft No. 76-08)**

**A RESOLUTION AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR SLUDGE DISPOSAL AND CHEMICALS AND, DECLARING AN EMERGENCY**

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

**YEAS: 7    NAYS: 0**

Rules are suspended.

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

**YEAS: 7 NAYS: 0**

This Draft No. 76-08 has been adopted on the 15<sup>th</sup> day of October, 2008.

**ORDINANCE NO.\_\_\_\_(Draft No. 77-08)**

**AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR THE PURCHASE AND INSTALLATION OF EMERGENCY OPERATIONS EQUIPMENT; AND, DECLARING AN EMERGENCY**

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

**YEAS: 7 NAYS: 0**

Rules are suspended.

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

**YEAS: 7 NAYS: 0**

This Draft No. 77-08 has been adopted on the 15<sup>th</sup> day of October, 2008.

**ORDINANCE NO.\_\_(Draft No. 63-08)AMENDED**

**AN ORDINANCE AMENDING NILES ORDINANCE NO. 36-06; CHANGING THE ZONING OF A PORTION OF THE PROPERTY KNOWN AS TRUMBULL COUNTY AUDITOR'S PARCEL NO. 25-488390, OWNED BY MICHAEL & ANGELINA RAZZANO, FROM R-A RESIDENTIAL DISTRICT TO B-3, GENERAL COMMERCIAL DISTRICT; AMENDING THE ZONING MAP AS REQUIRED THEREIN; AND, DECLARING AN EMERGENCY**

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

**YEAS: 7 NAYS: 0**

Rules are suspended.

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

**YEAS: 7 NAYS: 0**

This Draft No. 63-08 has been adopted on the 15<sup>th</sup> day of October, 2008.

**ORDINANCE NO.\_\_(Draft No. 64-08)Amended**

**AN ORDINANCE VACATING A PORTION OF PLUM ALLEY**

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

**YEAS: 7    NAYS: 0**

Rules are suspended.

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

**YEAS: 7    NAYS: 0**

This Draft No. 64-08 has been adopted on the 15<sup>th</sup> day of October, 2008.

**RESOLUTION NO.\_\_\_\_(Draft No. 78-08)**

**A 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; AND, DECLARING AN EMERGENCY**

It was moved by Papalás, seconded by Lastic to suspend the rule requiring three readings.

**YEAS: 7    NAYS: 0**

Rules are suspended.

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

**YEAS: 7    NAYS: 0**

This Draft No. 78-08 has been adopted on the 15<sup>th</sup> day of October, 2008.

**ORDINANCE NO.\_\_\_\_(Draft No. 79-08)**

**AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$3,500,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS TO PAY COSTS OF CONSTRUCTING, FURNISHING AND EQUIPPING A MULTIUSE INDOOR MUNICIPAL RECREATION FACILITY AND THE SITE THEREOF, INCLUDING ALL NECESSARY APPURTENANCES, AND DECLARING AN EMERGENCY**

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

**YEAS: 7    NAYS: 0**

Rules are suspended.

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

**YEAS: 7    NAYS: 0**

This Draft No. 79-08 has been adopted on the 15<sup>th</sup> day of October, 2008.

**ORDINANCE NO.\_\_\_\_(Draft NO. 80-08)**

**AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$1,300,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF IMPROVING THE CITY'S WATER SYSTEM BY THE CONSTRUCTION OF A PUMP STATION, WATERLINES AND NECESSARY APPURTENANCES, AND DECLARING AN EMERGENCY**

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

**YEAS: 7 NAYS: 0**

Rules are suspended.

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

Mr. Stredney: I made note of this earlier in the first part of this Draft it says \$1,500,000 and later on it says \$1,300,000?

Mayor Infante: We are going to pay down \$200,000.00.

**YEAS: 7 NAYS: 0**

This Draft No. 80-08 has been adopted on the 15<sup>th</sup> day of October, 2008.

**RESOLUTION NO.\_\_(Draft No. 81-08)**

**A RESOLUTION AUTHORIZING THE QUARTERLY CASH TRANSFERS; AND, DECLARING AN EMERGENCY**

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

**YEAS: 7 NAYS: 0**

Rules are suspended.

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

**YEAS: 7 NAYS: 0**

This Draft No. 81-08 has been adopted on the 15<sup>th</sup> day of October, 2008.

**RESOLUTION NO.\_\_(Draft No. 82-08)**

**A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE GENERAL FUND, THE CAPITOL PROJECTS FUND AND THE NILES TRANSIT FUND; AND, DECLARING AN EMERGENCY**

It was moved by Lastic, seconded by Wilkerson to suspend the rule requiring three readings.

**YEAS: 7 NAYS: 0**

Rules are suspended.

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

**YEAS: 7    NAYS: 0**

This Draft No. 82-08 has been adopted on the 15<sup>th</sup> day of October, 2008.

**RESOLUTION NO.\_\_\_\_(Draft No. 83-08)**

**A RESOLUTION IN SUPPORT OF THE NILES CITY SCHOOL DISTRICT BOND ISSUES AND TAX LEVY**

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

**YEAS: 7    NAYS: 0**

This Draft No. 83-08 has been adopted on the 15<sup>th</sup> day of October, 2008.

**MISCELLANEOUS REMARKS**

Fire Chief Brown told council about his department's plans for Make a Difference Day. The Fire Department will be giving away smoke detectors to any one that comes to the fire station and asks for one. It will cost the city \$200 for forty smoke detectors.

Councilman Lastic: Did anyone from the Bond Issue ask you to come to tonight to speak in favor of the levy?

President Marino: Mr. Swauger indicated to me that someone would be here this evening to address council and to seek councils support.

Councilman Lastic: I know that we have supported issues in the past and it is very important not only for the school system but very important for the city and the community. Please support the Bond Issue.

Mr. Bob Swauger gave council an update on the upcoming Niles City School District Bond Issue that is coming up on November 4, 2008.

Councilman Scarnecchia: If the levy does not pass in November will it be put back on, my understanding is that this is our last chance.

Mr. Swauger: We would have one more election.

Councilman Scarnecchia: We try to tell people of the benefits of the schools that we need, but I think what the people need to hear are the negative things that if we don't pass it. At Washington I read in the paper that there is mold up there. We are not going to be able to afford to do anything and we are putting our children in danger. People have to realize if we don't pass it, what it is going to be like.

Councilman McCormick: One week from tomorrow there will be a construction meeting at the Waste Water Treatment Plant on the interceptor sewer job and any members of council are welcome to come. Montgomery Watson has offered to take us up to a plant that they have just recently finished since we are going to be renovating our Waste Water Treatment Plant. If any one is interested in doing that please contact me.

Councilman Stredney scheduled a Safety Committee Meeting on October 22, 2008 at 3:15 p.m. in the Conference Room 1 at City Hall.

It was moved by Papalas, seconded by Stredney to adjourn the meeting at 6:25p.m. Motion carried.

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Linda A. Yuhasz, Clerk of Council

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Robert Marino Jr., President of Council