

MINUTES

Niles City Council held its regular meeting of April 15, 2009 at 6:00p.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;McCormick-P;Stredney-A;Papas-P;Wilkerson-P;Marino-P
It was moved by Wilkerson, seconded by Papas to excuse the absence of Councilman Stredney. Motion carried.

A motion was made by Lastic to accept the Minutes of the regular meeting of April 1, 2009 and place them on file. Motion carried.

REPORTS AND COMMUNICATIONS

FROM The Cemetery Department
The March 2009 Sales Report
It was moved by Papalas, seconded by Scarnecchia to accept the report and place it on file.
Motion carried.

FROM The Office of the Building Inspector
The Housing Code Monthly Report for March 2009
It was moved by Papalas, seconded by Wilkerson to accept the report and place it on file.
Motion carried.

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL

None

COMMITTEE REPORTS

None

ORDINANCES AND RESOLUTIONS

ORDINANCE NO.____(Draft No. 09-09)

AN ORDINANCE ADOPTING A REVISED WASTEWATER DISCHARGE PRETREATMENT ORDINANCE AND REPEALING PORTIONS OF CODIFIED ORDINANCES 923.05 AND ALL OF CODIFIED ORDINANCE NO. 923.99

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

YEAS: 6 NAYS: 0

Rules are suspended.

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

YEAS: 6 NAYS: 0

This Draft No. 09-09 has been adopted on the 15th day of April, 2009.

ORDINANCE NO.__(Draft No. 10-09)

AN ORDINANCE PROHIBITING THE GENERATION OF LOUD AND RACIOUS NOISE DURING OUTDOOR ACTIVITIES WITHIN THE CITY; AND, DECLARING AN EMERGENCY

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 Wilkerson, seconded by Papalas that this Draft be adopted.

YEAS: 6 NAYS: 0

This Draft No. 10-09 has been adopted on the 15th day of April, 2009.

ORDINANCE NO.__(Draft No. 12-09)

AN ORDINANCE AMENDING CODIFIED ORDINANCE NO. 1131.01,REGULATING THE PERMITTED USES IN AN R-A SINGLE FAMILY RESIDENCE DISTRICT; AND, DECLARING AN EMERGENCY

It was moved by Papalas, seconded by Lastic to give Draft No. 12-09 a second reading.

YEAS: 6 NAYS: 0

Draft No. 12-09 has received a second reading.

ORDINANCE NO.__(Draft No. 13-09)

AN ORDINANCE AMENDING CODIFIED ORDINANCE NO. 1131.02 AND NO. 1131.05 (B) REGARDING ACCESSORY USES IN AN R-A SINGLE FAMILY RESIDENCE DISTRICT; AND, DECLARING AN EMERGENCY

It was moved by Lastic, seconded by Wilkerson to give Draft No. 13-09 a second reading.

YEAS: 6 NAYS: 0

Draft No. 13-09 has received a second reading.

ORDINANCE NO.__(Draft No. 14-09)

AN ORDINANCE AMENDING CODIFIED ORDINANCE NO. 1133.01, REGULATING THE PERMITTED USES IN AN R-B RESIDENCE DISTRICT; AND, DECLARING AN EMERGENCY

It was moved by Papalás, seconded by Scarnecchia to give Draft No. 14-09 a second reading.

YEAS: 6 NAYS: 0

Draft No. 14-09 has received a second reading.

ORDINANCE NO.__(Draft No. 15-09)

AN ORDINANCE AMENDING CODIFIED ORDINANCE NO. 1133.02(E), REGULATING THE REQUIRED LOT AREA FOR CERTAIN TYPES OF DWELLINGS IN A R-B RESIDENCE DISTRICT; AND, DECLARING AN EMERGENCY

It was moved by Papalás, seconded by Papas to give Draft No. 15-09 a second reading.

YEAS: 6 NAYS: 0

Draft No.15-09 has received a second reading.

ORDINANCE NO.____(Draft No. 16-09)

AN ORDINANCE AMENDING CODIFIED ORDINANCE NO. 1135.02 (E), (F), AND (G), REGULATING THE REQUIRED LOT AREA, DWELLING DENSITY AND PARKING SPACE REQUIREMENTS FOR CERTAIN TYPES OF DWELLINGS IN A R-C RESIDENCE DISTRICT; AND, DECLARING AN EMERGENCY

It was moved by Papas, seconded by Lastic to give Draft No. 16-09 a second reading.

YEAS: 6 NAYS: 0

Draft No. 16-09 has received a second reading.

ORDINANCE NO.__(Draft No. 18-09)

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR THE 2009 STREET RESURFACING PROGRAM; AND, DECLARING AN EMERGENCY

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

Mr. Mark Hess told council that he was preparing to bid this project out in May and start paving in June. Typically we prepare the street list and we have it as part of the contract document. He said that he doesn't release the street list until he knows that he has enough money to do the streets that he wants to do. The street list will be released then.

YEAS: 6 NAYS: 0

Rules are suspended.

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

YEAS: 6 NAYS: 0

This Draft No. 18-09 has been adopted on the 15th day of April, 2009.

It was moved by Councilman Papalas, seconded by Councilman Lastic to add Draft No. 19-09 to tonight's agenda. Motion carried.

ORDINANCE NO. __ (Draft No. 19-09)

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A SUBRECIPIENT AGREEMENT WITH THE TRUMBULL COUNTY COMMISSIONERS TO UNDERTAKE THE COMMUNITY DEVELOPMENT BLOCK GRANT NEIGHBORHOOD STABILIZATION PROGRAM; AND, DECLARING AN EMERGENCY

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

Councilman Papalas: This came out the last minute because Terry needs it quickly otherwise we would have gone through the rules that we normally have.

YEAS: 6 NAYS: 0

Rules are suspended.

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

YEAS: 6 NAYS: 0

This Draft No. 19-09 has been adopted on the 15th day of April, 2009.

MISCELLANEOUS REMARKS

Safety Director Guarino: I would like to thank the Safety Committee and council for passing the noise ordinance. I know that the Safety Committee worked very hard on it (Inaudible)

Law Director Dull: I would like to thank everyone for passing the last draft. For the purpose of the next meeting, Drafts 12-16 could we take them off of the next agenda until the public hearing? There are a couple of proposed oil and gas wells that involve the city streets. These are Everflow Eastern projects.

Councilman Papalas: When are you going to bring this out, next meeting?

Law Director Dull: If that is alright with council.

President Marino: Who is going to be the sponsors?

Councilman Papalas: Council as a Whole.

President Marino: Does anyone have a problem with Council as a Whole? Terry it will be Council as a Whole for those that are present.

Mr. Anthony Vigorito: If anyone has a question about the changes being made in Drafts 12-16 before the hearing I will be glad to answer them.

Councilman McCormick and city council scheduled a Utilities Committee Meeting for April 29, 2009 at 3:00p.m in Conference Room 1 at City Hall. The engineering firm of Montgomery Watson Harza will give a presentation on the improvement plan for the Niles Waste Water Treatment Plant.

Councilman Wilkerson: I want to thank Mr. Burke and the Health Department for getting a couple of properties cleaned up. I want to thank Mr. Hess for getting hold of Ken and getting the retention pond by Tops Market cleaned up.

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

Linda A. Yuhasz, Clerk of Council

Robert Marino Jr., President of Council