

**MINUTES**

Niles City Council held its regular meeting of December 16, 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-P;Papas-P;Wilkerson-P;Marino-P

It was moved by Papas, seconded by Stredney to excuse the absence of Law Director Dull. Motion carried.

A motion was made by Stredney, seconded by Lastic to accept the Minutes of the regular meeting of December 2, 2009 and place them on file. Motion carried.

**REPORTS AND COMMUNICATIONS**

None

**MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL**

None

**COMMITTEE REPORTS**

None

**ORDINANCES AND RESOLUTIONS**

**RESOLUTION NO.\_\_(Draft No. 74-09)**

**THE RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED GENERAL FUND TO THE HEALTH DEPARTMENT'S GRANTS ACCOUNT 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 Scarnecchia, seconded by Stredney that this Draft be adopted.

**YEAS: 7    NAYS: 0**

This Draft No. 74-09 has been adopted on the 16<sup>th</sup> day of December, 2009.

**RESOLUTION NO.\_\_(Draft No. 75-09)**

**A RESOLUTION AUTHORIZING THE MAYOR TO FILE AN APPLICATION AND TO EXECUTE CONTRACTS IN CONNECTION WITH THE OHIO PUBLIC WORKS COMMISSION**

**FOR A PROGRAM YEAR 2010 OHIO PUBLIC WORKS COMMISSION PROGRAM,  
FUNDING THE TRU-SR 46 ROADWAY IMPROVEMENTS; PHASE 2 AND DECLARING AN  
EMERGENCY**

It was moved by Wilkerson, 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. 75-09 has been adopted on the 16<sup>th</sup> day of December, 2009.

**ORDINANCE NO.\_\_(Draft No. 76-09)**

**AN ORDINANCE AUTHORIZING THE MAYOR AND SERVICE DIRECTOR TO ENTER INTO  
AN AGREEMENT WITH EVERFLOW EASTERN PARTNERS, LP FOR A NON-  
DEVELOPMENT OIL AND GAS LEASE FOR CITY-OWNED PROPERTY; 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 Stredney, seconded by Papas that this Draft be adopted.

**YEAS: 7    NAYS: 0**

This Draft No. 76-09 has been adopted on the 16<sup>th</sup> day of December, 2009.

**RESOLUTION NO.\_\_(Draft No. 77-09)**

**A RESOLUTION AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND  
ENTER INTO CONTRACT FOR THE NEW SANITARY SEWER OVERFLOW FACILITY; AND  
DECLARING AN EMERGENCY**

It was moved by McCormick, seconded by Stredney 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. 77-09 has been adopted on the 16<sup>th</sup> day of December, 2009.

**ORDINANCE NO. \_\_ (Draft No. 78-09)**

**AN ORDINANCE REPEALING A MOTOR VEHICLE LICENSE TAX ENACTED BY  
ORDINANCE NO. 21-09; AND, DECLARING AN EMERGENCY**

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

**YEAS: 7    NAYS: 0**

Rules are suspended.

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

**YEAS: 7    NAYS: 0**

This Draft No. 78-09 has been adopted on the 16<sup>th</sup> day of December, 2009.

**ORDINANCE NO. \_\_ (Draft No. 79-09)**

**AN ORDINANCE REPEALING A MOTOR VEHICLE LICENSE TAX ENACTED BY  
ORDINANCE NO. 22-09; 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 Stredney, seconded by Papas that this Draft be adopted.

**YEAS: 7    NAYS: 0**

This Draft No. 79-09 has been adopted on the 16<sup>th</sup> day of December, 2009.

**RESOLUTION NO. \_\_ (Draft No. 80-09)**

**A RESOLUTION ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING  
JANUARY 1, 2010; 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 Papalás, seconded by Papas that this Draft be adopted.

**YEAS: 7    NAYS: 0**

This Draft No. 80-09 has been adopted on the 16<sup>th</sup> day of December, 2009.

**RESOLUTION NO.\_\_(Draft No. 81-09)**

**A RESOLUTION AUTHORIZING THE YEAR-END TRANSFERS; AND, DECLARING AN EMERGENCY**

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

**YEAS: 7    NAYS: 0**

Rules are suspended.

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

**YEAS: 7    NAYS: 0**

This Draft No. 81-09 has been adopted on the 16<sup>th</sup> day of December, 2009.

**RESOLUTION NO.\_\_(Draft No. 82-09)**

**A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED CEMETERY FUND TO THE WAGES ACCOUNT IN THE CEMETERY DEPARTMENT; 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 Stredney, seconded by Lastic that this Draft be adopted.

**YEAS: 7    NAYS: 0**

This Draft No. 82-09 has been adopted on the 16<sup>th</sup> day of December, 2009.

**MISCELLANEOUS REMARKS**

President Marino: As President of Council I retain the right unless you so desire to appoint committees that it would be my recommendation for the term commencing January 1, 2010, that are committee chairs remain the same, members remain the same and that our rules remain the same. The swearing in takes place at 5:45p.m. on January 6, 2010 prior to our next regularly scheduled council meeting.

It was moved by Papalas, seconded by Lastic that the committee chairs, members and rules remain the same for the term commencing January 1, 2010 and the swearing in ceremony take place on January 6, 2010. Motion carried.

President Marino wished everyone a Merry Christmas.

Mayor Infante: I wish everybody a Merry Christmas and I think that we had another great year. We have to keep an eye on the budget so that we can make it through next year. We have no layoffs and we cut back in the budgets, we had to but I think that we are doing fine.

Service Director Buccino wished everyone a Merry Christmas.

Safety Director Guarino wished everyone a Merry Christmas and a Happy New Year.

Auditor Nader wished everyone a Merry Christmas and a Happy New Year.

Treasurer Swauger wished everyone a Merry Christmas and a Happy New Year.

Mr. Fabrizio wished everyone a happy holiday.

City Council wished everyone a Merry Christmas and a Happy New Year.

It was moved by Lastic, seconded by Stredney to adjourn this meeting.

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Linda A. Yuhasz, Clerk of Council

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Robert Marino Jr., President of Council