

MINUTES

Niles City Council held its regular meeting of May 19, 2010 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; Giancola-P; McCormick-P; Stredney-A; Papas-A; Wilkerson-P; Marino-P

It was moved by Lastic, seconded by Wilkerson to excuse the absence of Councilman Stredney and Councilman Papas. Motion carried.

It was moved by Papalas, seconded by Lastic to accept the Minutes of the regular meeting of May 5, 2010 and place them on file. Motion carried.

REPORTS AND COMMUNICATIONS

None

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL

Sarah Doyle of 110 Summit Street, Niles asked council about the possibility of her friend opening up a tattoo parlor in downtown Niles or in Niles Park Plaza. She attended the meeting for him because he was working.

Mr. Anthony Vigorito: There is a moratorium on tattoo places and the one that is here was here before the moratorium.

President Marino told Ms. Doyle that the chairman of the Safety Committee, Councilman Stredney would contact her regarding the tattoo parlor.

Rudy Gallucci, 1937 James Street, Niles: This new deal with the ATV laws, everything that you are trying to fight with this new law well we have laws on the books now. We have more laws than police cars. I am pretty certain that there are a half a dozen laws that are broken so nothing became of it because he probably got away. If you do the new law the same thing is going to happen. The one that is going to get nailed is me who stops for the cop. I already got stopped back in the wood and they let me go fortunately. I own four acres behind my house where the guys ride. A lot of them ride on my property, I don't care. The ones I care about are the guys that are cutting down two foot diameter perfectly healthy trees across the trails in trying to stop them. It does nothing but give them the opportunity to (inaudible). In the mean time I lost a tree. The pickup trucks go down Summit Street and turn down the tracks and dump their trash down there, computers, monitors, and computer cases and roofs, the trucks are going down there. That gate is always open. If you close it they open it again and nothing is done about that. I called the police about someone down there driving around my property in a Chevy Chevette by the oil well. The answer I get on the phone is that I don't know if that is Niles property. I pay taxes on it, its Niles property. Nothing came of it, I stood down there for fifteen minutes and watched and no cop came. The uproar with the ATV's well they are not supposed to be on the street so give them a ticket for going down the street. Why put new laws on the books over laws that already exist? For what? The same thing with the paint ball law, there are laws against vandalism if you shoot a couple paint balls its vandalism, so why do we need new laws for it? I ride my ATV down the street during the winter a lot because I do about sixteen drives and no body pays me. Now I have to worry about driving down the street to plow someone's driveway.

Councilman Papalas: Rudy I told you yesterday that we were going to table this to discuss it, so everything that you are talking about now you are just going to be talking about again later. We are not going to be making any moves on this because I want to hear your remarks as well as other people who have called me or sent me. We are going to get everyone in the same room and take our time with it. That keeps coming up periodically the dumping of all this refuse back there. What are we going to do about it? The last time we cleaned it up, remember a few years ago?

Mayor Infante: I will try to find out who is responsible for that gate.

COMMITTEE REPORTS

None

ORDINANCES AND RESOLUTIONS

ORDINANCE NO. ___ (No. 21-10)

AN ORDINANCE AMENDING CODIFIED ORDINANCE NO. 375.03 REGARDING THE OPERATION OF SNOWMOBILES, OFF-HIGHWAY MOTORCYCLES AND ALL PURPOSE VEHICLES, BY AMENDING SUBPARAGRAPH (B) AND ADDING NEW SUBPARAGRAPH (C) TO INCREASE THE PENALTIES FOR VIOLATIONS OF SAID ORDINANCE; AND, DECLARING AN EMERGENCY

It was moved by Papalas, seconded by Lastic to table Draft No. 21-10 for further discussion.

YEAS: 5 NAYS: 0

Draft No. 21-10 has been tabled.

ORDINANCE NO. ___ (No. 22-10)

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR THE TRU-46 ROADWAY IMPROVEMENTS, PHASES 1& 2; AND, DECLARING AN EMERGENCY

It was moved by Papalas, seconded by Wilkerson to give this Draft a first reading.

YEAS: 5 NAYS: 0

This Draft No. 22-10 has received a first reading.

RESOLUTION NO. ___ (Draft No. 23-10)

A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED GENERAL FUND TO THE INCOME TAX REFUND ACCOUNT AND, DECLARING AN EMERGENCY

It was moved by Papalas, seconded by Giancola to give this Draft a first reading.

YEAS: 5 NAYS: 0

This Draft No. 23-10 has received a first reading.

MISCELLANEOUS REMARKS

Mayor Infante: Route 422 projects should be starting soon, next Wednesday there is a pre - construction meeting. This project will start at Gypsy all the way to Robbins Avenue in McKinley Heights. The ordinance that you gave a first reading to tonight is going to be combined with the Public Works Commission with a grant of one hundred twenty five thousand. The resurfacing will start from Route 46 from the viaduct out to 11 and Robbins Avenue from Vienna Avenue to Vienna Road. The city's share of the project is two hundred seventy five thousand. That project goes to bid in June and will start in early July. The other announcement, as of today AMP Ohio should be announcing the closing of the Gorsuch Plant in December of 2010. That is where we buy fifty five percent of our power to use in the community and that was the highest cost of power to buy. It had reached its life expectancy and was a coal-fired plant. We could probably look in 2011 to buy in the open market which is a lot cheaper.

Fire Chief Brown commended firefighter Brian Morello for applying for and receiving grants for the Niles Fire Department. A couple years ago the fire department received a \$35,000 grant for a breathing apparatus. This year, along with the help of Morello, Congressman Ryan, Mayor Infante, Auditor Nader and city council we received \$250,000 to hire two firefighters. Chief Brown wanted to recognize Mr. Morello for his efforts.

Mr. Randy Fabrizio informed council that on May 26, 2010 at 6:00 p.m. in Council Chambers a meeting is scheduled with the residents of Fairlawn Avenue in anticipation of the sanitary sewer project that will take place soon. On June 4, 2010 there will be a groundbreaking ceremony at the site. Invitations will be sent out and it will take place at 1:30 p.m.

Auditor Nader talked with Councilman Papalas about introducing an ordinance for an alternate tax budget at the next council meeting. It is for record keeping and is done once a year. It is due by July 20, 2010.

Councilman Papalas made a motion to bring in the legislation concerning the alternate tax budget at the next council meeting and it will be sponsored as Council as a Whole.

Councilman McCormick made a correction about the MVSD rate hearing on May 5, 2010. They have not held a rate hearing yet. It hasn't even been scheduled yet. He thought that it may be June or July before the hearing is scheduled.

It was moved by Giancola, seconded by Papalas to adjourn the meeting at 6:20 p.m. Motion carried.

Linda A. Yuhasz, Clerk of Council

Robert Marino Jr., President of Council

