

MINUTES

Niles City Council held its regular meeting of September 7, 2011 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-P; Papas-P; Wilkerson-P; Marino-P

It was moved by Stredney, seconded by Lastic to accept the Minutes of the August 24, 2011 meeting and place them on file. Motion carried.

REPORTS AND COMMUNICATIONS

FROM The Auditors Office

The Estimated Versus Actual Revenue Report thru August 2011

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

FROM The City Income Tax Office

The Monthly Receipts Total thru August, 2011

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

FROM The Ohio Division of Liquor Control

A letter notifying the city of the expiration of all permits effective October 1, 2011

It was moved by Stredney, seconded by Lastic to refer the letter to the Safety Director and the Law Department for their report and recommendation. Motion carried.

FROM The Park and Recreation Department

A memorandum of fall activities in the park department

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

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL

Mr. Barry Steffey, 511 West Third Street, Niles a couple weeks ago I stood here and brought issues regarding Garfield Elementary School to the table and I also collected drug paraphernalia from the last two weeks. I mow there myself every two weeks, we have been maintaining the property and I am looking for some resolution and help with the loitering and drug use. You see five, six, seven people in the front of the school and the needles are here. The proof is here there are cold medicine, marijuana seeds, and at least twenty five bags that have been torn off and have drug residue on it. A month ago I went down to the police department and brought twice this much including a full bag of marijuana and turned it over to Officer Marhulik. I think the challenge is because it is private property, the loitering is not being enforced because there is no one to complain. I am asking for some help to have this enforced, some signs posted so we can clean up our neighborhood.

Councilman Papalas: Do you have neighbors around there that are as concerned as you are around that building?

Mr. Steffey: Yes.

Councilman Papalas: I think we ought to have a meeting to discuss some possible approaches with the neighbors and Mr. Steffey. I am sure that calls were made every time that somebody was seen out there and it would help cut down on some issues. Remember when we had problems that persisted on the east end, Maple Street and Lafayette Street, well we had a curb side city council meeting with every body there and all the department heads. Those issues, most of them got cleaned up very quickly and even on the east end a lot of progress was made. Maybe we should go there and look at this together. Hearing about it and seeing this is one thing, but when you are actually standing there and looking at this and we can ask our department heads for some more input, I think it will help us move things along. It certainly sends a message to certain folks in the neighborhood.

President Marino: Terry, at what point can we pursue public nuisance? I know that the fire chief talked about fires in the building, and Barry is mentioning drug activity outside.

Law Director Dull: I need to talk with Tony and the Fire Chief to see what their assessment of the property was because we may be able to start that procedure. I will make sure I get together with the Chief and Tony.

Fire Chief Brown: We may even be further ahead because I talked to Tony last night on that subject. I believe the property is in foreclosure and we may be able to move a little quicker. We are working on it.

Mayor Infante: Tony did send the final order to the owners and if there is no reply after that, then we can act.

Councilman Papalas: I got a copy of that also. We need to let the neighbors know what we are doing. Maybe Mr. Steffey should have gotten a copy of that letter also. When you have those meetings someone should let the neighbors that are so concerned know that we are addressing this.

Fire Chief Brown: It wasn't an official meeting.

Councilman Papalas: I understand Chief, but maybe we ought to have an official meeting if this keeps going.

Mayor Infante: Then again, Tony sent the final letter, you have to warn the owner of the property and then if there is no response within a certain amount of time then we can act.

Councilman Papalas: If we are there in the neighborhood we could talk to those neighbors and tell them that they can help us by doing more also. Every time those kids gather there, get on the telephone and let the acting Chief know or city hall. We need to know when that happens because the police can't be there every minute, but the police can respond every time. If this is something we want to do we can set this up next Wednesday or we can wait and see what Anthony wants to do.

Mayor Infante: Let's wait until Tony's time table is up by law. We can increase the patrols all weekend and every night.

Councilman McCormick: If they do find people loitering over there will they ask them to leave?

Councilman Papalas: If they are on that property Mayor then that is it. If they police go by they need to stop.

COMMITTEE REPORTS

None

ORDINANCES AND RESOLUTIONS

RESOLUTION NO.__(Draft No. 43-11)

A RESOLUTION OPPOSING THE CLOSING OF THE YOUNGSTOWN MAIN POST OFFICE AND MAIL PROCESSING CENTER

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

YEAS: 7 NAYS: 0

This Draft No. 43-11 has been adopted on the 7th day of September, 2011.

ORDINANCE NO.__(Draft No. 44-11)

AN ORDINANCE AMENDING SECTION 921.07, BACKFLOW PREVENTION DEVICES OF THE CODIFIED ORDINANCES OF THE CITY OF NILES; 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 McCormick, seconded by Wilkerson that this Draft be adopted.

NAYS: 7 NAYS: 0

This Draft No. 44-11 has been adopted on the 7th day of September, 2011.

MISCELLANEOUS REMARKS

Mayor Infante: North Road is started so they should be done with that, weather permitting, in a week or two and right after that they will be in the city resurfacing.

Fire Chief Brown asked council when the department should fly the flags at half staff in honor of September 11. President Marino told Chief that by the order of the President of the United States every September 11 the flags are to be flown at government buildings half staff.

Mr. Randy Fabrizio: I would like to thank Ed McCormick and Sherry Rose for the back flow legislation which is part of the findings from our water survey and this is one of the last pieces that needed buttoned up. They both did a very nice job and thank you.

Councilman Papalas and Mr. Swauger asked Law Director Dull about the investment policy legislation that needed updated for next council meeting. Mr. Swauger said that nothing had changed it was the same investment policy as last year.

Councilman Papalas: I have the minutes for February 2nd and Anthony is not here tonight, but does anybody know where we are with commercial building code that he was supposed to have been working on for two years?

Law Director Dull: Steve, Tony and I have had several meetings and we are looking at the Tallmadge ordinances as kind of our pattern on this. I have given a copy of that to Ed to start to look over and set a Safety Meeting to see whether or not he agrees that we are going in the direction that is appropriate. The last step is to put it into an ordinance form to submit to the committee when they are ready for it and it will go through the committee process and hopefully come before council.

Councilman Papalas: Ed, do you have any idea what your time table is on that?

Councilman Stredney: We have a copy of the Tallmadge ones and a couple notes from discussions and we are going to schedule a committee meeting. The Safety Committee Meeting was scheduled for September 14, 2011 at 3:30pm in the conference room at city hall.

Councilman Papalas: Mayor Do you remember when we had that meeting with the building inspector in your office in February, I gave him the Tallmadge ordinances then.

Mayor Infante: Well, that is a busy office Steve; with all due respect he works hard. There is a lot of building going on and inspections to be made.

Councilman Stredney asked the service director about the gas rate for this winter and Mr. Buccino said that they are close to locking it in. Councilman Stredney told Mr. Fabrizio that the Washington Street residents are very grateful for the help they got with the water problems. So far with all the rain they got everything is dry.

It was moved by Stredney, seconded by Giancola to adjourn the meeting.

Linda A. Yuhasz, Clerk of Council

Robert Marino Jr., President of Council

