

## **MINUTES**

Niles City Council held its regular meeting of October 5, 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; Wilkerson-P; Marino-P

It was moved by Stredney, seconded by Wilkerson to accept the Minutes of the regular meeting of September 21, 2011 and place them on file. Motion carried.

## **REPORTS AND COMMUNICATIONS**

FROM The Auditors Office

The Estimated Versus the Actual Revenues thru September, 2011

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

FROM The City Income Tax Office

The Monthly Receipt Totals thru September, 2011.

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

FROM Christina Golias

Requesting council to restore the traffic light in the intersection of North Arlington and Church Street

President Marino asked Mr. Hess and the police chief to re evaluate the light at the intersection and report back to him. Safety Director Guarino said that they would check to see how many accidents occurred since the light has been flashing.

It was moved by Lastic, seconded by Stredney 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**

**RESOLUTION NO.\_\_(Draft No. 45-11)**

**A RESOLUTION AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR SLUDGE HAULING AND CHEMICALS FOR THE WASTEWATER TREATMENT PLANT; AND DECLARING AN EMERGENCY**

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

**YEAS: 6    NAYS: 0**

Rules are suspended.

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

**YEAS: 6    NAYS: 0**

This Draft No. 45-11 has been adopted on the 5<sup>th</sup> day of October, 2011.

**ORDINANCE NO.\_\_(Draft No. 46-11)**

**AN ORDINANCE ESTABLISHING EXTERIOR PROPERTY MAINTENANCE STANDARDS FOR COMMERCIAL STRUCTURES WITHIN THE CITY; AND, DECLARING AN EMERGENCY**

Councilman Papalas: I would like to make a motion to table this ordinance for this evening because I spoke with Linda Bennett a little while ago and she had some valid points about this. First of all we are all concerned about blight and aesthetics and the ordinance really doesn't describe what that is, it mentions nothing about blight. In briefly discussing it with Terry it is something he will look into and we are concerned with aesthetics. For example, if there is a hole in the wall and we want them to repair it and it is a different color from the rest of the building. How does that look for the rest of the neighborhood? Aesthetics should be considered in this as well. The title of the ordinance mentions exterior, but much of it deals with interior aspects of the building. Maybe we can fine tune the heading as well. Section three discusses yards, but doesn't mention tall grass and weeds. Remember the question we just had about what a weed is and poison ivy? I would like to see this more fine tuned and if Terry would go over this and tweak it a little bit and bring it back it would help perfect this.

It was moved by Papalas, seconded by Giancola to table Draft No. 46-11 and send it back to committee for revision. Motion carried.

Councilman Stredney: Is there a meeting that you want to schedule Steve?

Councilman Papalas: No I think Terry can do it. When you get that done Terry can you mail it to us so we can take a look at it?

**RESOLUTION NO.\_\_(Draft No. 49-11)**

**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**

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

**YEAS: 6    NAYS: 0**

Rules are suspended.

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

**YEAS: 6    NAYS: 0**

This Draft No. 49-11 has been adopted on the 5<sup>th</sup> day of October, 2011.

**RESOLUTION NO.\_\_(Draft NO. 50-11)**

**A RESOLUTION AUTHORIZING THE TRANSFERING OF FUNDS FROM VARIOUS ACCOUNTS TO THE OPERATIONAL SUPPLIES ACCOUNT WITHIN THE NILES MUNICIPAL COURT BUDGET; AND, DECLARING AN EMERGENCY**

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

**YEAS: 6    NAYS: 0**

Rules are suspended.

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

**YEAS: 6    NAYS: 0**

This Draft No. 50-11 has been adopted on the 5<sup>th</sup> day of October, 2011.

**RESOLUTION NO.\_\_(Draft No. 51-11)**

**A RESOLUTION RATIFYING THE EXECUTION OF A LETTER AGREEMENT BY THE MAYOR BETWEEN THE WESTERN RESERVE TRANSIT AUTHORITY, THE CITY OF NILES AND THE CITY OF SHARON, PENNSYLVANIA FOR THE DISTRIBUTION OF FEDERAL FISCAL YEAR 2011 FEDERAL TRANSIT ADMINISTRATION FUNDS FOR THE YOUNGSTOWN URBANIZED AREA; AND, DECLARING AN EMERGENCY**

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

Mr. Mark Hess told council that this agreement was done and signed by the mayor when council was in recess, this is done annually.

**YEAS: 6    NAYS: 0**

Rules are suspended.

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

**YEAS: 6    NAYS: 0**

This Draft No. 51-11 has been adopted on the 5<sup>th</sup> day of October, 2011.

**MISCELLANEOUS REMARKS**

President Marino: Neil and the Mayor, the past few days I was in Columbus and I see the sludge hauling that we have done for years. I don't know if the sludge is the same at our water

treatment plant as MVSD's sludge, I was wondering if we could develop a shared service agreement with MVSD and us. For sludge removal we could try and look at ways to save money in bidding together. Those are some of the things they were sharing with us in Columbus.

Councilman McCormick: I think that might be difficult as they are different types of sludge. MVSD has it hauled out according to what they have in place there and it is measured afterward to make the cost. I think that is two different animals.

President Marino: We have to start thinking differently and we have to start attacking the animals, because if not the animals are going to start attacking us. They made it abundantly clear to all of us, in Columbus that we have to start thinking differently about the way we are doing business to become more efficient in terms of economy as a scale and sharing services. The schools are doing it and that is why I was down there. We need to start looking at our operations and our ways of doing business to become more efficient and effective. We should be doing that regardless someone should not have to tell us, but because of the times and our fiscal house I know Steve, the mayor and I have had a number of meetings discussing these things. It is in my head right now so I felt compelled to start putting it out on front street. I don't like to preach to anyone because I know how hard everyone works but when I saw that no better time than the present.

Councilman McCormick: I agree with you and what they are trying to accomplish, but I don't think this particular thing can be combined. I say that with my experience out there.

Mayor Infante: We are looking into burning our sludge, we are looking into a company located in the Industrial Park. They are in the permit process, but we are going to need all the sludge we can get from all the counties plus tires and plastic. They are going to reprocess it into power for us. I don't know how far away it is but we have been working on that for two or three years.

Service Director Buccino informed council that the letter will be mailed on Friday confirming Vectren Source as our natural gas supplier with the rate set at 5.57 per MCF. This is for a twelve month period.

President Marino congratulated soon to be Police Chief Rob Hinton on his promotion. President Marino told Rob that he will do a powerful job and that he has an impeccable reputation and the city is thrilled with the leadership he will bring into the police department.

Acting Chief Hinton: I want to thank the city and members of my staff, we made some changes downstairs led by Captain Criswell. We made it easier for the public to access our records bureau from our lobby. I welcome anyone to take a look at the remodeling done by my staff and a lot of it done on their own time, with the mayor's permission we got it done. Our detective's bureau is where our records bureau use to have been. They did a super job. We will have an intercom system also to save time. Effective August 1, 2011 we changed traffic officers, he is very pro active on junk vehicles and our traffic stops have doubled already. Shawn Crank is our new traffic officer. I am looking forward to serving the community in my new position.

Fire Chief Brown congratulated acting Chief Hinton on his promotion.

Treasurer Swauger informed council that there was a typo on the treasurer's report and the Year To Date on the fourth line should read \$4, 370,753.80.

Council Papalas informed Law Director Dull about a few requests he has received from the auditor's office concerning appropriations. An ordinance is needed appropriating money from the unappropriated Motor Fuel Fund balance to Motor Fuel gasoline account. Also we need to appropriate money into the contracted services account for Community Development Fund. We are going to have to bring in an ordinance increasing the minimum wage since it will be going up in January. We will need to bring these three ordinances in for the next council meeting.

Mayor Infante told council that on October 19, 2011 at 5:30 p.m. in Council Chambers a meeting will be held to vote on a second ward councilman.

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

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Linda A. Yuhasz, Clerk of Council

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Robert Marino Jr., President of Council