

## JANUARY 8, 2014

President Marino: Before we start our meeting, our Law Director will swear in our Treasurer and our new Clerk of Council.

Law Director Terry Dull swears in Treasurer, Robert Swauger, and Clerk of Council, Lori Kuszmaul.

President Marino: Linda has graciously agreed to also provide technical assistance during our transition period for the month of January and if need be February and March, depending upon where exactly we are in the transaction.

## MINUTES

Niles City Council held its regular meeting on January 8, 2014 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, Lori Kuszmaul, called the roll:

Lastic-P; Papalas-P; Giancola-P; McCormick-P; Stredney-P; Merlo-P; Pezzano-P; Marino-P

It was moved by Stredney, seconded by Lastic to accept the Minutes of the regular meeting of December 18, 2013 and the Special Council meeting of December 20, 2013 and place them on file. Motion carried.

## REPORTS AND COMMUNICATIONS

FROM the Ohio Division of Liquor Control

A Corporation Inquiry from Thomas & King, Inc., to RHH Franchise Corporation DBA Applebee's Neighborhood Grill & Bar.

It was moved by Pezzano, seconded by Lastic and asked to refer to the police chief and safety director for their report and recommendation.

Motion Carried.

FROM the Niles City Income Tax Department

Monthly receipt totals through December 2013.

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

Motion Carried.

FROM the Auditor's Office

The Estimated versus Actual Revenues through December 2013.

It was moved by Giancola and seconded by Pezzano to accept the report and place it on file.

Motion Carried.

FROM the Office of Building Inspector  
The Housing Code monthly report for December 2013.  
It was moved by Stredney and seconded by Pezzano to accept the report and place it on file.  
Motion Carried.

FROM the Mayor's Office  
Board appointments for the year 2014.  
It was moved by Stredney and seconded by Lastic to accept the report and place it on file.  
Motion Carried.

**MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL**

None

**COMMITTEE REPORTS**

President Marino: Any Committee Reports?

Mr. McCormick: Mr. Chairman, there will be a Finance Meeting on Friday, January 10, 2014, I believe at 1:00 in the 2<sup>nd</sup> floor conference room. Mayor, would you rather have it at 1:15?

Mayor Infante: Either way.

Mr. McCormick: Let's say 1:15 and give everyone a chance to get settled in.

President Marino: Finance meeting in the conference room upstairs at 1:15?

Mr. McCormick: Yes.

President Marino: Any other reports.

Mr. McCormick: And we are going to be going through the budget. That's the reason for it.

President Marino: Any others? We also want to thank Mr. Mike Dibble for taking time out and coming in and getting all of us set up with our e-mail accounts.

Mr. Dibble: Thank you.

President Marino: We appreciate the fine work you are doing on behalf of the City in regard to I.T.

President Marino: Would the Clerk please present tonight's legislation.

**ORDINANCES AND RESOLUTIONS**

**ORDINANCE NO. \_\_ (Draft No. 91-13)**

**AN ORDINANCE ACCEPTING THE PARK PLACE DRIVE & PARKSIDE DRIVE STREET DEDICATION PLAT NO. 2 FROM HOME AND LAND DEVELOPERS, LLC FOR THE PARK PLCE VILLAS PROJECT; AND DECLARING AN EMERGENCY**

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

**YEAS: 7      NAYS: 0**

Rules are suspended.

It was moved by Stredney, seconded by Papalas to adopt this Draft No. 91-13.

**YEAS: 7      NAYS: 0**

This Draft No. 91-13 has been adopted on the 8<sup>th</sup> day of January 2014.

**ORDINANCE NO. \_\_ (Draft No. 01-14)**

**AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH CUSI, THE PROPOSER DEEMED MOST FAVORABLE TO THE CITY FOR SOFTWARE FOR THE UTILITY BILLING OFFICE; APPROPRIATEING FUNDS FROM THE UNAPPROPRIATED WATER, SEWER AND LIGHT FUNDS; AND DECLARING AN EMERGENCY**

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

**YEAS: 7      NAYS: 0**

Rules are suspended.

It was moved by Merlo, seconded by Stredney to adopt Draft No. 01-14.

**YEAS: 7      NAYS: 0**

This Draft No. 01-14 has been adopted on the 8<sup>th</sup> day of January 2014.

**ORDINANCE NO. \_\_ (Draft No. 02-14)**

**AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE FOR REQUESTS FOR PROPOSALS FOR SOFTWARE FOR THE AUDITOR'S OFFICE, AND DECLARING AN EMERGENCY**

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

**YEAS: 7      NAYS: 0**

Rules are suspended.

It was moved by Merlo, seconded by Stredney to adopt Draft No. 02-14.

**YEAS: 7      NAYS: 0**

This Draft No. 02-14 has been adopted on the 8<sup>th</sup> day of January 2014.

**ORDINANCE NO. \_\_ (Draft No. 03-14)**

**AN ORDINANCE AMENDING CODIFIED ORDINANCE NO. 925.03(A), INCREASING THE RATES CHARGED FOR THE USE OF THE SANITARY SEWAGE SYSTEM; AND DECLARING AN EMERGENCY**

Mr. McCormick: I'd like to move for a First Reading, but with a few amendments, Mr. President. Those amendments being that it would still be sponsored by Council as a whole, that we make this for a four-year period to reflect a 15% increase per year and that the first year be effective March 1<sup>st</sup> and subsequent years be effective January 1<sup>st</sup>.

President Marino: So each of the next four years at 15%?

Mr. McCormick: Correct. This was discussed in the roundtable meeting prior to and I think I need a seconded before we do anything further.

Mr. Lastic: I second.

President Marino: Terry, do you have those amendments?

Mr. Dull: I do.

Motion Carried.

President Marino: And for First Reading, moved by McCormick and seconded by Stredney. Questions or comments?

Mr. McCormick: Comments here. No one likes to raise rates or anything like that, but we're in a situation here where the EPA has come in and they have mandated improvements to our waste water treatment plant. We can't pull money out of the air and everything like that so the only

alternative we have is to pay for these improvements, which will probably be about \$30,000,000.00 out of rate increase and this is necessary to bring the plan into compliance so that we meet EPA regulations and are not subject to numerous fines that would be imposed if we did not do these improvements. So, what we have done is 15% increases in the next 4 years and this should generate a good portion of the money that we need. Our debt service is probably going to be about \$2,000,000.00 a year to pay for these improvements and we have received figures back from Montgomery Watson, whose doing the engineering work, and there will also be an engineering fee on top of the construction costs. We have a lot of money to pay and we have an obligation to meet these mandates by the EPA so I think, to be diligent ourselves, we have to provide the money to do so. This is how we plan to do it. That's about it. Thank you.

President Marino: Any others: Mr. Papalas.

Mr. Papalas: For the minutes and for the committee information, Mayor Infante what did we say the average increase would be? \$3.18?

Mayor Infante: \$3.12. 41 cents.

Mr. Nader: \$2.87 Steve. It was \$2.87 for usage of water. Based off of water.

Mr. Papalas: Correct.

Mr. Buccino: It would be about .41.

Mr. Papalas: And when we say .41, it's not going to be 41 cents --

Mr. Buccino: Per unit of water used. Depends on how much water you use.

Mr. Papalas: Ok.

Neil: On the average, it was \$2.87.

Mr. Papalas: Ok.

President Marino: Any others? For the First Reading, call the role please.

**YEAS: 7      NAYS: 0**

President Marino: Draft 03-14 has received its First Reading. That concludes tonight's legislation. The next order of business is Miscellaneous Remarks.

#### **MISCELLANEOUS REMARKS**

President Marino: I would like to wish all of you a Happy New Year. May we enjoy a prosperous year as I mentioned during the Invocation. I look forward to 2 more good years. This is a fine council. Mayor, any comments?

Mayor Infante: No, President. I would just like to welcome the new Clerk and look forward to working with Council.

Clerk: Thank you.

Mr. Papalas: I have a comment and a question to the Mayor concerning our recycling. There is a pile of refuse down there, it looks terrible and it looks like that is what everybody is supposed to do. So I pulled in here and I saw a car pull next to that and I couldn't see who it was in the dark, but somebody got out and started to dump their garbage or recyclables onto the pile and I went over there and asked her, not knowing it was a woman at that point, what do you think you are doing? It happened to be a very elderly lady who I probably frightened, and she thought that this is what you are supposed to do. You know, really it looks that way. What are we going to do and how did it get that way?

Mayor Infante: Because I think Mark told you at the last meeting they were changing this and the company and dumpsters just came today, I think. And they are going to clean it up.

Mr. Papalas: Mayor, the longer it sits there, the more dumping will occur. It has to be taken care of.

Mayor Infante: It just happened today and it will be taken care. I'll assure you of that.

Mr. Papalas: All of that has just been dumped today?

Mayor Infante: I imagine, yes. Or yesterday.

Mr. Papalas: There has been dumped half a semi-truck? I mean, it's a mess.

Mike Burke: I talked to them this morning. They are supposed to pick it up tomorrow. It's been there for a couple of days. (Mr. Burke's conversation was inaudible)

**ADJOURN**

Motion: Mr. McCormick

Second: Mr. Lastic

  
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LORI KUSZMAUL, Clerk of Council

  
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ROBERT MARINO, JR., President of Council