

MINUTES
JANUARY 22, 2014

Niles City Council held its regular meeting on January 22, 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 Merlo to accept the Minutes of the regular meeting of January 8, 2014 and place them on file.

Motion carried.

REPORTS AND COMMUNICATIONS

FROM The Niles City Police Department

Various documents including Invoice for Alarm Activation, Towing and Removal of Vehicles, Citations for 2013, 2014 Budget Request and Royal Mall Appeal Hearing.

It was moved by Papalas, seconded by Lastic to accept the documents and place on file.

Motion Carried

FROM The Auditor's Office

Status Report for the year ending 2013

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

Motion Carried

FROM Niles Municipal Court

Balance Sheet Annual Report 2013

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

Motion Carried

FROM The Ohio Division of Liquor Control

Application for a New Permit for RI of Niles, Inc., dba Niles Residence Inn, 5555 Youngstown Warren Road, Niles, Ohio 44446.

It was moved by Papalas, seconded by Merlo to refer the permit request to the police chief and safety director for their report and recommendation.

Motion Carried

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL

Kerri Kibby, 139 W. State Street, Niles, Ohio. I realize that there is a scheduling conflict this evening, but at 7:00 this is our yearly annual meeting and at this meeting we will be discussing the projects that we have coming up this year, which, hopefully, will include things like another cleanup day, a wine tasting event and fundraiser for the Harry Stevens Day and decorating for

the holidays again, our yearly tradition. If anybody is interested and can attend this meeting to see what is going on with the group, we would appreciate it. We have a face book page. I can be contacted with any questions as to the group. On behalf of the Board I like to thank all city leaders for all of your support in helping us to accomplish some of our goals. Thank you.

President Marino: Thank you Kerri. Please extend our apologies for not being able to attend, but we do have a meeting with the State Auditor's and it could become rather lengthy.

Mr. Papalas: Please keep us posted.

President Marino: Absolutely. Thank you for your efforts. Anyone else wish to address Niles City Council?

COUNCIL COMMITTEE REPORTS

President Marino: Councilmen, are there any Committee Reports?

Mr. Papalas: Mr. Chairman, we had a finance committee meeting today, a Round Table, and we pared down the budgets further. I think we only have one or two more left and we'll be done.

President Marino: Thank you. Mr. McCormick, did you want to announce your committee meeting?

Mr. McCormick: Yes. Next Wednesday, January 29, 2014 we are going to have a meeting at 4:00.

President Marino: 4:30. Some of us cannot be there at 4:00.

Mr. McCormick: Ok. At 4:30 a meeting of the Utilities Committee in the 1st floor conference room at City Hall. I am also going to ask that we add an ordinance to the Agenda tonight and give a first reading. Any questions we might have on that or whatever I plan to have Tom Unger from Montgomery Watson there. We also have some issues that we've been discussing with Law Director Dull, and, hopefully, we might get some questions answered and see if we can proceed with this. It is necessary to do this to comply with our EPA schedule that's necessary to get going on the waste water treatment plant. So next Wednesday, 4:30, Utilities Committee meeting, but certainly all of council is welcome there and it may be to your advantage to ask questions. It will be in the downstairs conference room at City Hall.

President Marino: Any other committee reports? There being none, would the Clerk please present tonight's legislation.

ORDINANCES AND RESOLUTIONS

ORDINANCE NO. ____ (Draft No. 03-14-A)

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

It was moved by McCormick, seconded by Stredney for a Second Reading.

YEAS: 7 NAYS: 0

President Marino: Draft No. 03-14-A has received its second reading.

By rules, the Chairman of the Committee removed Draft 04-14.

ORDINANCE NO. ____ (Draft No. 05-14)

A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED NILES TRANSIT FUND TO THE CONTRACTED SERVICES ACCOUNT; AND DECLARING AN EMERGENCY

It was moved by Papalas, seconded by Lastic for suspension.

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Papalas, seconded by Stredney to adopt this Draft 05-14.

YEAS: 7 NAYS: 0

Draft No. 05-14 has been adopted on the 22nd day of January 2014.

ORDINANCE NO. ____ (Draft No. 06-14)

A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM UNAPPROPRIATED WATER, SEWER, LIGHT AND DEWER FUNDS TO THEIR I.T. PROJECT ACCOUNTS; AND DECLARING AN EMERGENCY

It was moved by Papalas, seconded by Merlo for suspension.

Mr. Papalas: These are funds that have been appropriated for our I.T. system that we are going to have put in.

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Giancola, seconded by Stredney to adopt Draft No. 06-14.

YEAS: 7 NAYS: 0

Draft No. 06-14 has been adopted on the 22nd day of January 2014.

ORDINANCE NO. _____(Draft No. 07-14)

A RESOLUTION RETURNING CERTAIN APPROPRIATIONS PROVIDED FOR IN THE BUDGET FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2014 TO THE UNAPPROPRIATED GENERAL FUND; AND DECLARING AN EMERGENCY.

It was moved by Papalas, seconded by Merlo for suspension.

Mr. Chuck Nader: This simply builds the budget in categories where we absolutely have to have money.

YEAS: 7 NAYS: 0

Rules Suspended.

It was moved by Giancola, seconded by Lastic to adopt Draft No. 07-14.

YEAS: 7 NAYS: 0

Draft No. 07-14 has been adopted on the 22nd day of January 2014.

Mr. McCormick: Mr. President, I would like to introduce Draft No. 08-14 on tonight's Agenda. I'd like to give it a first reading tonight.

It was moved by Mr. McCormick, seconded by Stredney to place Draft 08-14 on tonight's Agenda.

YEAS: 7 NAYS: 0

Motion carried.

ORDINANCE NO. ____ (Draft No. 08-14)

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO A CONTRACT AMENDMENT WITH MWH AMERICAS, INC. FOR DESIGN OF IMPROVEMENTS TO THE CITY'S WASTEWATER TREATMENT PLANT; AND DECLARING AN EMERGENCY

It was moved by McCormick for a first reading, seconded by Stredney.

YEAS: 7 NAYS: 0

MISCELLANEOUS REMARKS

President Marino: Gentlemen, I have had the pleasure of serving here for 18 years and I can tell you that over the past few weeks I have been very impressed with the attention to detail relative to the budget that I have seen in the budget hearings, and I want to compliment all of you for the great work you are doing paying attention to the budget. I think it's a great thing and I think the record should note that in some way, shape or form that I appreciate all that you are doing.
Mayor Infante?

Mayor Infante: No comment.

President Marino: Mr. Buccino?

Mr. Buccino: No comment, Mr. President.

President Marino: Chief Hinton?

Chief Hinton: I just want to commend our officers in both uniform and the detective bureau for the apprehension of the subject (inaudible) for the beating of the elderly lady on the south side.

President Marino: Thank you, Chief.

President Marino: Chief Brown?

Chief Brown: No comment.

President Marino: Mr. Vigorito?

Mr. Vigorito: No comment.

President Marino: Mr. Burke?

Mr. Burke: No comment.

President Marino: Mr. Hess?

Mr. Hess: Very quickly. The annual review was concluded today with the (inaudible) administration for the transit years of 2010, 2011, which is when the transit system was under Niles control, and 2012, which is the first year that the Trumbull County Transit Board had the authority over the transit system. This review was just completed with just a couple of small findings that shouldn't take us very long to answer, then Niles is going to be officially off the books with regard to the transit system. As a matter of fact, my technical assistance to the transit board is no longer going to be provided as of March 31st of this year. So we've been notified that they are looking for somebody to replace me. Right now, Trumbull County has hired an oversight person who is going to be doing the majority of that. He was involved in a lot of the review and a lot of the meetings that we have been having over the past month or so. This question and answer process takes a lot more of my time now that the county actually runs it now. There are a lot of issues and a lot of meetings and it actually takes a lot more of my time for the Mayor to discuss it with me and so forth and come back to do the work. So as of March 31st we will be done.

Mr. Papalas: You did a good job.

President Marino: They won't be able to replace you. They'll find somebody to fill the position, but they won't be able to replace you.

Mark Hess: Thank you.

President Marino: We all know that. Thank you for your service, Mark.

President Marino: Mr. Lastic?

Mr. Lastic: No comment.

President Marino: Mr. Papalas:

Mr. Papalas: At the previous council meeting, I discussed the dumpster situation and the recycling. Mike Burke said he was going to get right on it and he did. I just wanted to thank him and I think the community appreciated it.

Chief Brown, I want to tell you and everybody else about an incident that occurred at Niles Manufacturing a week or so ago. Their sprinkler system froze and you know what happens at that point. Of course, the alarm went off and before the owner of the factory could arrive from where he lives, which is outside of town, shifts under Captain Ciminero did arrive on the scene and Bob Hendricks conveyed to me, and he wanted me to tell you this, how grateful he is that those fellows didn't use the ax. They picked the locks or pried the door open without causing damage. These are big steel doors and they saved him a lot of money by doing what the firemen did, which is what they are trained to do and I just want you to know that. A lot of times we hear complaints, but in this case, the safety forces did a terrific job. I just wanted you to know that.

Chief Brown: I appreciate that very much and will pass that along.

Mr. Papalas: Finally, I want to say this because I think it is important. We had a meeting with State Officials today behind closed doors and none of us were supposed to say a word about that meeting or about any paperwork or so forth because it is not the appropriate time to do so. Unfortunately, I am disappointed to learn that one of our elected officials in that room chose to read and go immediately to some of the city employees to discuss certain details that were never to have been discussed. When the Auditors tell us that we are not supposed to say anything, that these things are confidential, that's the way it's supposed to stay. I just want to emphasize that. That's all I have to say.

President Marino: Mr. Giancola?

Mr. Giancola: No comment.

President Marino: Mr. McCormick?

Mr. McCormick: No comment.

President Marino: Mr. Stredney?

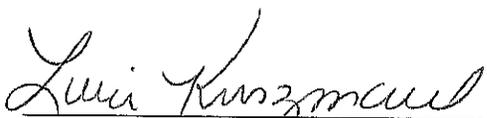
Mr. Stredney: No comment.

President Marino: Mr. Pezzano?

Mr. Mezzano: No comment.

ADJOURN

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



LORI KUSZMAUL, Clerk of Council



ROBERT MARINO, JR., President of Council