

**MINUTES**  
**JULY 16, 2014**

Niles City Council held its regular meeting on July, 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

President Marino: Gentlemen, you have your June 18, 2014 meeting Minutes distributed before you, your pleasure?

Mr. Merlo: Mr. President, I would like to make a motion to accept them and place them on file.

Mr. Pezzano: Seconded.

Motion carried

President Marino: Also, you had two public hearings. You had a public hearing on the Placement of Donation Boxes and a public hearing on the Regulation of Overnight Parking on Streets and Alleys.

Moved by Stredney, seconded by Lastic to accept and place on file.

Motion carried.

President Marino: You also had a Financial Committee Roundtable meeting.

Moved by Merlo, seconded by Stredney to accept and place on file.

Motion carried.

President Marino: I would like to thank our clerk for taping these meeting minutes of the roundtable. They were rather exhaustive and they will be put on line for the community to read if they weren't able to attend the roundtable meeting.

**REPORTS AND COMMUNICATIONS**

**FROM** The Niles City Income Tax Department

Month Receipts Totals – Income Tax Division through the end of June 2014.

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

Motion carried.

President Marino: The treasurer did ask that he be excused this evening. His son is in a championship baseball game for the regional Babe Ruth. We wish them well. This is a Niles team.

**FROM** the Niles City Auditor  
Revenue/Expenses Balance as of June 2014.

Mr. Papalas: I have a question, Mr. Chairman. Chuck, Mike and I were just commenting about all the red on this thing. What is your prediction?

Mr. Nader: Well, Steve, a lot of the red is due to certain things; like police and fire, park, those always go into the red during the year. That's why we are doing the quarterly transfers, which will lower the general fund monies. As far as the light department, that red was caused by the half a million dollar repayment to the general fund. The water is red because water revenues are not keeping up with expenses.

Mr. Papalas: Are delinquencies being collected?

Mr. Nader: That, Steve, I do not know.

Mr. Papalas: Mayor, can you give us an update on that or do you want to wait until later?

Mayor Infante: No, because you –

Mr. Papalas: Have the shut offs occurred?

Mayor Infante: Yes. We're working on that, yes.

Mr. Papalas: Did they occur yet?

Mayor Infante: We're doing it every day. Yes. We're compiling a list of everybody beyond three months. Once I get that 90-day by ordinance, it's a mass shut off on the whole community.

Mr. McCormick: Another question for you, Chuck. Just looking at the light department, we just had a roundtable meeting and we were told there was 4.6 million in that account. Now, these funds show negative numbers. Why the difference? Are they different figures or what?

Mr. Nader: What that report is is revenues over or under expenses for the current year only.

Mr. McCormick: So where's this other money at that makes up the 4.6 million?

Mr. Nader: That would have been the beginning balance of the year. So right at the beginning of the year, if light had 5 million dollars, the plus minuses throughout the year are a negative \$500,000, \$600,000. I don't have that in front of me. Right now that would come off of the 5 million dollars we started with at the beginning of the year.

Mr. McCormick: So that figure isn't shown anywhere in here?

Mr. Nader: No.

Mr. McCormick: And likewise with the water, which we show a large deficit at the roundtable, this one at the end of June actually shows –

Mr. Nader: Increases in deficit.

President Marino: In water it shows increase in deficit?

Mr. Nader: Yes. Water is a negative number here.

President Marino: Well, it looks like the revenue – Was the revenue \$81,000.00?

Mr. Nader: In June the revenue exceeded – in June in the first column, the column all the way to your right, the end of June the revenue exceeded the expenditures by \$81,000.00, but for the whole year, which is that number added to the end of May which gives you the June end total is a negative number.

President Marino: I understand. Thanks Chuck. I understand how this works. Thank you.

Mayor Infante: You have to remember this report is a month-to-month, which you guys asked Chuck to do. You'll look at some of those accounts and none of the revenue comes in until September. You'll see the red all year every month until September.

President Marino: Any others?

Mr. Papalas: But it still looks very worrisome. Mayor, this is a misleading report.

Mayor Infante: Say, you're starting the year out in light department and the budget is \$30,000,000.00, during the course of the year you're going to raise the \$30,000,000.00, but you're not going to do it in January.

Mr. Papalas: Do you remember when I asked if we could maybe come up with a format that is easier to understand for all of us?

Mr. Nader: Yes, sir.

Mr. Papalas: Well, I asked different communities, auditors and mayors to show me what they have, and I have one that I kept because it was really so easy for me to understand. I didn't teach math so I always have to go by what I understand, not what everybody else understands. Sometimes when I try to get a grasp, it is a little more difficult for me to understand than the fellows on either side of me. So, I really like what I saw and I have it out in my vehicle and the next time we're together, I want you to see it. I want everybody to see it and I think it's something that we ought to pursue; a model-like that. Of course, they have an advantage

because everything is computerized, which is what the state auditors are telling us to do and it's phenomenal. The bottom of the page they tell you what percentage of the year we are at if you look at that page, and where you should be, what was predicted where we are and we really don't have that here in such a way that we can readily see it. We have to ask what does this mean, what does that mean? And all this red, there is so much red. There's more red than there is black. That's a bad omen.

President Marino: The only exception -- I agree with the Mayor in general that this report can be misunderstood. With the exception of our enterprise funds because had we been aware of the deficit spending versus revenue, we would have known much sooner that the water department was 2.5 million dollars in debt. I notice that the deficit spending in some of these accounts is trending down, some is trending up, but the light, you explained Chuck, are trending up because of the pay back of the loan

Mr. Nader: Right.

President Marino: But sewer is in the black, and the water deficit spending is beginning to -- it's going in a positive direction. So the revenue is starting to come in.

Mr. Nader: The revenue is starting to come in.

President Marino: So the deficit spending was cut from \$254,000.00 to \$173,000.00?

Mr. Nader: Yes.

President Marino: Ok.

Mr. Papalas: Do you see a lot of that red transforming to black by October or November?

Mr. Nader: Just talking about the enterprise funds right now, Steve, if water collections keep coming in, light collections keep coming in, those two numbers should be in the black for the year by, I would like hope before October, but we'll use October as a benchmark.

Mr. Papalas: Ok.

President Marino: Motion to accept.

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

**FROM** the Niles City Auditor  
Estimated Versus Actual Revenues through June 2014

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

Mr. Merlo: Chuck, just a quick question on that. Going back to the previous report and then to this and I'm also using your expenses from the next report we are going to talk about, shouldn't those match? Because if we have revenue in our light department of \$13,000,000.00 and our expenses are at 13.7, that's a positive of \$71,000.00. But according to this report, it shows our light negative \$683,000.00 through the end of June. So what would that do?

Mr. Nader: Well, the half million was a transfer, but that won't show on the –

Mr. Merlo: Wouldn't that be a disbursement out of the light fund?

Mr. Nader: It is actually a transfer. There is no line item for it under the expense account. It was a loan to and a loan payback.

Mr. Merlo: So that would be 571 and this is still another \$110,000.00 more. For me it's just a little deceiving, that's all. I can grasp it. You know what I mean?

Mr. Nader: I'll check it again. I don't know.

Mr. Merlo: Because this report gives us our actual revenue through June 30<sup>th</sup>, correct?

Mr. Nader: Yes.

Mr. Merlo: This was our disbursements through June 30<sup>th</sup>? I would say that these should match your revenue and expenses.

President Marino: Any other comments?

Motion carried.

**FROM** the Niles City Auditor  
2014 Second Quarter Disbursements Unencumbered

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

Motion carried.

**FROM** the Niles Police Chief  
Nuisance Report from 01/01/14 through 07/01/14

Mr. Papalas: I have a question. Terry, this document reminds me of the one area of apartments, there was a letter hanging up in your office somewhere, has that been taken care of?

Mr. Dull: Yes.

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

Motion carried.

**MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL**

Kerri Kibby, 139 W. State Street. I would just like to take a few moments on behalf of the Avenue and Main to thank everyone for helping us have our second annual Harry Stevens Day event which was held on June 29<sup>th</sup>. I know I will forget somebody, so forgive me, but I would like to thank everyone who helped make that event possible including the fire department, who opened up the fire house for us to host one of our events; the city department who was responsible for making sure our electricity was available and working that day, which it was; the street department for helping us block and close off streets that we needed to have the event; and especially the Mayor, who spent the majority of his day with us downtown. We estimated there were about 4000 guests that afternoon and I know as far as the Avenue and Main, we sold about 1500 hot dogs. We were very pleased with the outcome of the event and I would like to thank everybody again. Thank you.

President Marino: Thanks, Kerri. Kudos to all of you and all the hard work that you put into the event and it was likewise appreciated. Sir, you name and address for the record?

Mr. Callow, 701 Summit Avenue, Niles. I have a question and a comment. My question is I was told that you have a contact with the city employees with the light or electric, or the people coming out there to read the meters, that they are not allowed at a certain temperature, it's in their contract, to come out?

President Marino: I don't know. Mayor?

Mayor Infante: In the winter time if it's below 20 degrees.

Mr. Callow: Below 20 degrees?

Mayor Infante: Yes.

Mr. Callow: So it's true what I was told?

Mayor Infante: Yes.

Mr. Callow: Because I went to pay the bill and a lot of us got an estimated bill and they were high at that time of the year when we got them. A lot of us are not fortunate enough to have dual paychecks or anything like that. Where I live we have one paycheck a month, social security. When you get a dual bill like that because somebody is not reading the meter and it's estimated and when I was in line paying the bill, I heard so many customers complaining they didn't have no money. I heard the lady say well, we'll set up a payment plan. You shouldn't have to go through that. I worked at RMI for 31 years. I went out there at 20 below zero to make an honest living and I'm sure they're paid an honest living. Now I just want to know, are they going to

change that? Contacts are good. I am staunch union man, but when it hurts the people, you have to throw it out.

Mayor Infante: Well, we just have to do a better job when we estimate in bad weather. We didn't have one year of data. We do now so the next winter coming up, we'll have one year worth of data where they can estimate it back to January of the prior year. We have to get better at it. We're working on it.

Mr. Callow: I heard you say the word estimate.

Mayor Infante: Yes.

Mr. Callow: Are they still going to estimate it?

Mayor Infante: If the weather calls for that, yes.

Mr. Callow: So they're going to keep doing what they are doing?

Mayor Infante: Yes.

Mr. Callow: There's a lot of residents that care and they wanted to know if it was true and I don't think they'll be in favor of that because their bills are higher.

Mayor Infante: But we'll try to do a better job of estimating in that bad weather. If they estimate one month, we'll try to divide it twelve months in the total year that you pay so you won't have a high bill. We're not doing a good enough job of estimating.

Mr. Callow: I don't see the reason why you really have to estimate. Just go out there and do their jobs like we do our jobs to make a living.

Mayor Infante: They have a contract. It's been in there every year. I've tried to pull it out several times.

Mr. Callow: It's been in there for years?

Mayor Infante: That's been in there for several years, yes. Even before I got here.

Mr. Callow: Thank you.

Mayor Infante: I've been trying to get it out, but --

Mr. Callow: When it hurts the residents, it's no good.

Mayor Infante: I understand that. We'll try to do a better job.

President Marino: Name and address for the record, please.

Matthew Rudd, 1437A Shaw Road, Niles. I'd like thank the council for the opportunity to speak this evening. I'm here to represent as secretary for the Board of Directors and as an owner in the Shaw Avenue Homeowners Association. With me I have some of these other owners in the association as well as our property manager. We would like to petition that city council through its actions to begin and continue to maintain Shaw Avenue as a public road. This would include paving, plowing and maintenance of the storm sewer systems. For years, this road has been neglected by the city and at many times, we have been told by city employees that all of our road is private. However, through our research, we have found that Shaw Avenue, is a declared road in the City of Niles and our roadway was dedicated and accepted to use by city council in November of 1996 as recorded on the DHD Family Trust Plat No. 1 at the Trumbull County Recorder's Office. I have a copy of that plat showing council's acceptance of that road. I also have with me images showing the current state of our road. If city council would like to see those images, I would be more than happy to show them to them. We are also aware that the road does not have a top coat of asphalt and potentially a driving factor for the city's negligence. This is not an issue that our association should have to bear the cost of. We do understand that the loop section in our development is, in fact, an easement and our responsibility to maintain, which we have full intentions of doing so. So far this year we have already paid approximately \$2,000.00 to maintain the storm sewers in that section alone. However, the main road is the city's responsibility to maintain and we request that maintenance of this portion of the road begin immediately. As part of the development process, the City of Niles should have required a proof of a bond from PMD Builders to guarantee the roadway would be completed. Since the roadway was not completed, it is the duty of the city to pursue litigation against PMD Builders and said bond to require the funds to finish the project. Our estimates indicate that it would cost approximately \$20,000.00 to pave all of the roads in the development. We would bear the cost of our easement. We understand that these actions by city council and the building department were not made under this administration, but unfortunately, it is your duty as council to make right the erred ways of past administrations. We, as the owners, will not stand for the negligence by the city any longer. The owners at Shaw Avenue all pay the same tax rates as those living on North Rhodes, Hogarth, Hartzell and all other city streets in Niles; yet, we are not afforded the same services as those. Upon completion of paving of our easement, we would like to then donate that roadway to the City of Niles to be dedicated as a city street and request maintenance on that road be performed by the city from that point forward. I thank you for your time this evening.

Mayor Infante: First of all, let me answer the gentleman. City council has not accepted that development yet. It doesn't have a final coat of blacktop, so we don't plow, we don't patch it because it hasn't been accepted by the City of Niles, so we've been arguing for a year.

Mr. Hess: The original developer was Matthews. He ended up going bankrupt as you know. It was always our understanding that they were only going to -- the extension of Shaw Avenue was going to be accepted as a city street. We didn't inspect anything there to see if it was constructed according to the city standards or anything like that. So it was never council's intent, to my knowledge at that time, that that street going in half a circle be a city street. We do know, however, that Shaw Avenue never got its top coat of asphalt. We have been after -- we know it has been transferred PMD Builders and we've been trying to get in contact with them to try to

get the top coat of asphalt put on. Once that's done and once we accept it, we'll issue a letter saying it can be accepted in. The same with Altobelli's development. He is developing it and it's private. Until everything is painted and everything has been accepted, the city doesn't take responsibility for it even though there is a right of way that is granted, it's conditioned upon them completing everything. But there has been some, from the time Mr. Matthews filed bankruptcy and the other people took over, they haven't been as willing to do that.

Mr. Rudd: Should you require a bond on the builder to ensure it gets done and the city could go after them.

Mr. Hess: Well, one of the options is there. We're trying to make it so that they'll just come and do it. Like you said, it's a \$20,000.00 deal. It's easier for them to do it then for us to begin legal proceedings to get it done. But we do have right, but we are hoping to talk to the contractor to get it done. You still have the issue with the rest of the development because again, those storm sewers – those catch basins are sticking up out of the road.

Mr. Rudd: We have already cleaned those catch basins out. Those catch basins are our private development on our easement and I have the re-plat showing that. We cleaned those storm sewers out. We paid \$2,000.00 out of our association fund. There are only 12 units in our development. We're a small development. The property manager will tell you, we paid close to \$2,000.00 to have our storm sewers cleaned out. We're doing our part of maintaining our area.

Mr. Hess: Part of the reasons those catch basins aren't working is because the black top hasn't been put on. Right now the catch basins –

Mr. Rudd: Correct.

Mr. Hess: So naturally they are not going to take the water they need to take and they have to get it – we're not at this point recommending that Shaw Avenue is completed and the city is going to accept it. We are not going to recommend that. We need to get that done. It wasn't a bond. I think it was an irrevocable letter of credit that was presented. We'll be talking to Terry and trying to get that done.

Mr. Rudd: These roads are not getting any better and the longer you wait the more it is going to cost. We have full intentions of paving our technical easement as noted on our plat. All we're asking the city to do is do their part in getting that main section of the road taken care and accepting it as a public road.

Mr. Hess: We're in agreement that we'll work harder to get that done.

Mr. Rudd: And we're willing to work with the city to do whatever we can to get a collective agreement for the cost of paving. We're willing to do that, but now that we're owners, we should be afforded the same services that every other taxpayer gets in Niles.

President Marino: Is somebody going to communicate with –

Mayor Infante: Why don't you call downtown and set up a meeting and we'll go over everything.

President Marino: You'll call the Mayor's Office?

Mr. Rudd: Yes.

President Marino: Thank you very much. Anyone else wish to address Niles City Council? Name and address for the record.

Chuck Johnstone, 145 Sheridan Avenue. Can anybody give me an update of what is going on at the property over at 206? Has anything been done to take over the property yet? The house has been abandoned now. The people have moved out. We still have the problem of the stench and now we actually have a problem with rodents, which we told you folks have been there and are now moving on to other properties in the neighborhood. Having rats, snakes, raccoons. It's an ongoing problem. We don't know how to end this. We don't know what to do. We're at a total loss. Once again, I feel we are talking on deaf ears.

President Marino: Tony or Terry, do you have an update?

Terry: All I know is the property is going through foreclosure at this point and the bank, the mortgage holder, is eventually going to be taking over that property. I don't know at what point that foreclosure is right now, but I'll find out and give you a call.

Mr. Johnstone: Is there anything else we can do about the rats, snakes, raccoons? Is there anything we can do about the stench? Anything at all? I actually stopped coming here for a while because I knew the process would have to go on as far as the foreclosure. We need your help here. We need something done. I had one of my neighbors call me and ask me to come over because a rat was caught in the lawnmower. It wasn't dead and he wanted me to come over and help him.

President Marino: Mike, is there anything the Health Department can do to help?

Mr. Burke: (Inaudible)

President Marino: Do what?

Mr. Burke: Demolition is probably the best way to go.

Mayor Infante: Is there a way to find out who owns the property? What bank or mortgage company, so we can notify them to clean up?

Mr. Dull: I'll find out what law firm is handling it.

President Marino: Sorry, Chuck.

Mr. McCormick: At one of the previous meetings, Chuck, Mayor Infante did say we would prioritize that property and move it to the top of the list as soon as we were able to demolish it.

Mr. Johnstone: I understand that, but in doing so, Mr. Yovich, I believe it is, went over to see the house and said how could he condemn it? It has new siding, new windows and a new roof, how can I condemn it? That was the statement out of his mouth. He's right. It does have somewhat new siding and a new roof and new windows. But everything else inside that house has got to be deplorable. Until somebody can get inside that house to actually see what's going on, then -- I don't know, it just seems like this is going to be an ongoing thing. How many years have we been doing this? I understand you've made steps and you've made progress, but there's a lot of little kids in the neighborhood. I mean a lot of little kids that God forbid they get bit by a snake and have to go through rabies shots or whatever. They are now moving away from that property because the food source is basically gone. The people are gone from that property so they're not there to feed the squirrels and the raccoons. They're gone, so now they're moving on. They're coming across to other properties.

President Marino: So Terry, you're going to get in touch with Chuck?

Mr. Dull: Yes.

President Marino: Ok. Anybody else wish to address Niles City Council? In the opinion of the chair, there being none, are there any council reports?

### COUNCIL COMMITTEE REPORTS

Mr. Pezzano: Myself and Mr. Lastic went to cemetery on Monday and had a meeting with Lou Hilliard. We went to look at the overhang of the mausoleum to see how it was done and everything looks kosher. There are more improvements that need to be made and we'll be having a meeting sometime in August.

President Marino: Thank you. Are there any other council report? In the opinion of the chair, there being none, would the clerk present tonight's legislation?

### ORDINANCES AND RESOLUTIONS

**ORDINANCE NO. \_\_\_\_ (Draft No. 32-14)**

#### **AN ORDINANCE REGULATING THE PLACEMENT OF DONATION BOXES WITHIN THE CITY; AND DECLARING AN EMERGENCY**

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

**YEAS: 7      NAYS: 0**

Rules are suspended.

Moved by Giancola, seconded by Pezzano to adopt Draft No. 32-14.

**YEAS: 7     NAYS: 0**

Draft No. 32-14 has been adopted on this 16th day of July 2014.

**ORDINANCE NO. \_\_\_\_\_(Draft No. 34-14 A)**

**AN ORDINANCE REGULATING OVERNIGHT PARKING ON THE STREETS AND ALLEYS OF THE CITY; AND DECLARING AN EMERGENCY**

Moved by Giancola, seconded by Papalas for suspension.

**YEAS: 6     NAYS: 1 Mr. Stredney**

Rules are suspended.

Moved by Giancola, seconded by Pezzano to adopt Draft No. 34-14A.

**YEAS: 6     NAYS: 1 Mr. Stredney**

Draft No. 34-14A has been adopted on this 16<sup>th</sup> day of July 2014.

**ORDINANCE NO. \_\_\_\_\_(Draft No. 47-14)**

**A RESOLUTION ADOPTING THE ALTERNATIVE TAX BUDGET FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2015; AND DECLARING AN EMERGENCY**

Mr. Papalas: Mr. Auditor, how soon does this have to be adopted?

Mr. Nader: It should be adopted at this meeting; if not, then as soon as possible.

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

**YEAS: 7     NAYS: 0**

Rules are suspended.

Moved by Papalas, seconded by Lastic to adopt Draft No. 47-14.

**YEAS: 7     NAYS: 0**

Draft No. 47-14 has been adopted on this 16th day of July 2014.

**ORDINANCE NO. \_\_\_\_\_(Draft No. 48-14)**

**A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED GENERAL FUND TO THE SAFETY SERVICE COMPLEX'S WAGES, PENSIONS AND FICA ACCOUNTS; AND DECLARING AN EMERGENCY**

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

Mr. McCormick: What jobs are involved in the safety service complex?

Mr. Giancola: Part-time dispatchers.

Mr. Nader: Maintenance man and records clerk.

Mr. McCormick: Ok.

President Marino: Call the roll for suspension, please.

**YEAS: 7      NAYS: 0**

Rules are suspended.

Moved by Papalas, seconded by Giancola to adopt Draft No. 48-14.

**YEAS: 7      NAYS: 0**

Draft No. 48-14 has been adopted on this 16th day of July 2014.

**ORDINANCE NO. \_\_\_\_\_(Draft No. 49-14)**

**A RESOLUTION AUTHORIZING THE SECOND QUARTER CASH TRANSFERS; AND, DECLARING AN EMERGENCY**

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

Mr. Papalas: I think it should be explained because of the amounts involved here as to what this is for so that the public knows and we have it on record.

Mr. Nader: What this is for is the police and fire ½% fund generates no money on their own. What happens is the general fund collects income tax, extra additional ½% tax to fund this police and fire and quarterly we have to make a transfer so those monies can be transferred from general fund to cover the cost of police and fire. Also, general fund subsidizes park because the park levy does not general enough money to pay for the whole operations of the park. And then in capital projects, that is a specific fund that was set up by council so that when we get matching

monies from the state when we do road projects and everything, that also has to be funded by the general fund.

Mr. Papalas: So that's a million seven hundred thousand in all?

Mr. Nader: Yes.

**YEAS: 7                    NAYS: 0**

Rules are suspended.

It was moved by Papalas, seconded by Lastic to adopt Draft No. 49-14.

**YEAS: 7                    NAYS: 0**

Draft No. 49-14 has been adopted this 16th day of July 2014.

**ORDINANCE NO. \_\_\_\_\_(Draft No. 50-14)**

**A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM VARIOUS UNAPPROPRIATED FUNDS TO SEVERAL ACCOUNTS FOR TELEPHONE SERVICES; AND, DECLARING AN EMERGENCY**

President Marino: Council's pleasure?

It was moved by Papalas, seconded by Lastic for a first reading.

President Marino: Questions or comments?

Mr. McCormick: What time period does this appropriation cover? Is this a year's worth?

Mr. Nader: This is the rest of the years' worth. There is some money in the telephone accounts, but there isn't enough to get through the rest of the year.

President Marino: Chuck, how much have we spent?

Mr. Nader: We spent over \$100,000.00 already.

President Marino: We've spent \$100,000.00 on telephone service? With another \$57,000.00 to go?

Mr. Nader: Right. And there's still like \$20,000.00 in the account.

President Marino: Our telephone bill is \$177,000.00?

Mr. Nader: Telephone, landlines, wireless and Time Warner.

President Marino: The number I cited a moment ago, \$177,000.00, is that accurate?

Mr. Nader: That's right around what I'm projecting out to be this year.

Mr. Merlo: What has it been in the past?

Mr. Nader: Around \$115 to \$120,000.00.

President Marino: What is going on? I don't understand this. I really don't.

Mr. Papalas: Time Warner was supposed to save us some money.

Mr. Nader: We have what is called telemetry lines. We have a telemetry line that runs from our water towers to the waste water treatment plant. Those used to be about \$400.00 per month. AT&T now – the one alone is now \$2,600.00 per month. They just keep raising the price and there is nothing we can do. We're looking into – we've had Bergman Associates before Andy got here was looking into – Andy being our waste water treatment supervisor – looked into doing something with Time Warner to have cable lines put in, but that's not done yet.

President Marino: Is our consultant looking into this, Ralph?

Mayor Infante: Yes, yes. That one line he is talking about should be about done. Off of AT&T and we are doing an audit right now on AT&T because they are raising the bills every month automatically. I think we have like three lines like that.

Mr. Nader: There are two left now.

Mr. Papalas: Well, should we go through with a couple more readings and see if –

Mayor Infante: We'll get an update for you.

Mr. Papalas: Yes.

Mayor Infante: Right now we are waiting on AT&T.

Mr. Papalas: Maybe we can take a chunk out of this before it's passed.

Mayor Infante: We think they are unfairly overcharging us.

Mr. McCormick: Chuck brought up this telemetry for the water towers and stuff. Andy, is some of that telemetry out of service at this time, not working, didn't you get the one fixed coming down to the plant at Steven's Park? Are we responsible for repairing that ourselves or the people who we pay the bill to, are they supposed to maintain that?

Mr. Catanzarite: Joe Paris is the one that handles that. Joe's been involved and Bergman's been involved and he's been in and several times (inaudible) since February. To my knowledge it is up and running again, but it was up and running and failed once after I got here and it failed a second time.

Mr. McCormick: Something like this, this kind of money we're paying out, it should be working like a charm.

President Marino: For a first reading, please call the roll.

**YEAS: 7                      NAYS: 0**

Draft No. 50-14 has received its first reading with the expectation that we'll get a full report on where this money has gone and where it's going before passage. Clerk, please present the next draft.

**ORDINANCE NO. \_\_\_\_\_(Draft No. 51-14)**

**A RESOLUTION APPROPRIATING FUNDS FROM THE UNAPPROPRIATED POLICE & FIRE ½% FUND TO THE POLICE WAGE ACCOUNT; AND, DECLARING AN EMERGENCY**

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

Mr. Papalas: This was the active shooter grant.

**YEAS:                      7                      NAYS:                      0**

Rules are suspended

It was moved by Papalas, seconded by Giancola to adopt Draft No. 51-14.

**YEAS:                                      7                      NAYS:                      0**

Draft No. 51-14 has been adopted this 16<sup>th</sup> day of July 2014.

**ORDINANCE NO. \_\_\_\_\_(Draft No. 52-14)**

**AN ORDINANCE AUTHORIZING THE TREASURER TO ENTER INTO A TREASURY MANAGEMENT SERVICES AGREEMENT WITH HUNTINGTON NATIONAL BANK FOR IMAGE CASH LETER, REMOTE DEPOSIT CAPTURE AND SAFE CASH MANAGER SERVICES; AND, DECLARING AN EMERGENCY**

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

Mr. Merlo: Just so you know, Bob is looking into a couple things with deposits. One is having a remote cash deposit here at the city building, doing deposit captures so we can just automatically take funds from a check that is presented at the city building and it will automatically be deducted from that person's account that same day. So there has been a contract of what we're looking at and what we're going to be doing and then we'll have armored carrier service coming to get the cash from the city building to take to Huntington. If you have any questions, you can direct them to Bob and myself and we are looking into this contract.

President Marino: For the first reading, call the roll please.

**YEAS: 7 NAYS: 0**

President Marino: Draft No. 52-14 has received its first reading.

**ORDINANCE NO. \_\_\_\_\_(Draft No. 53-14)**

**AN ORDINANCE AMENDING CODIFIED ORDINANCE NO. 191.15 BY REINSTATING THE 1 ½% CREDIT TO RESIDENTS FOR MUNICIPAL INCOME TAXES PAID TO ANOTHER MUNICIPALITY; AND, DECLARING AN EMERGENCY**

Mr. Papalas: This is what we have recently been calling reciprocity ordinance. We did pass the ordinance last year in an effort to bring in some more revenue because we weren't sure what the problem was with our budget at that point. We think we understand clearly what the issues are now. So I think we can get by without the money that was raised from this. It has been controversial and I can understand that. There are people in our community who live here and work outside of town and now will be paying the same tax. So we are going to reinstate that tax rate.

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

**YEAS: 7 NAYS: 0**

Rules are suspended.

Moved by Papalas, seconded by Lastic to adopt Draft No. 53-14.

**YEAS: 7 NAYS: 0**

Draft No. 53-14 has been adopted on this 16th day of July 2014.

That concludes tonight's legislation. The next order of business is miscellaneous remarks.

## MISCELLANEOUS REMARKS

President Marino: Chuck, on the telephone bills, I want to know who signed the contracts and agreement. I'd be very interested who entered into the agreement with AT&T or Time Warner or all other service providers and as part of your research or whoever is doing your research, I want to know who agreed to handle putting this portion of our IT program together. That's a portion of IT, so I wonder how many years back it's gone.

Mr. Nader: We've been with AT&T with this forever.

President Marino: Right. As time as gone on, I'm wondering were there overlaps, misses, you know, I'm interested in what the contracts say and how they were agreed to. Thank you.

Mr. Guarino: I just wanted to thank council for passing the ordinance to ban parking on the streets and alleys. You did a good job of getting up at 2:00 in the morning and going out there and checking the streets. I want to thank you and I'm sure the chief is grateful too.

Mr. Papalas: Mayor, last Friday I had mentioned to you that issue of painting on the back of the house and all the designs and so forth that the neighbors were complaining about. Did anybody do anything?

Mayor Infante: We haven't yet, but we'll get on it.

Mr. Papalas: Ok. Because the neighbors are wondering what's going on. I need something to tell them. I want to just remind you we have two ordinances, one deals with graffiti and the other deals with house painting so that it at least conforms in some way to the neighborhood. Those paintings on the back of that home don't conform and certainly could be interpreted as graffiti. Terry, could you e-mail me the progress so I know what's going on?

Mr. Dull: Ok.

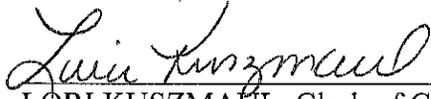
Mr. McCormick: Mike Burke, may I have a word with you after the meeting to discuss a house on Prospect Street over on the Southside?

Mr. Burke: Yes.

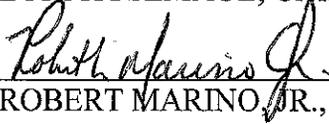
Mr. McCormick: Thank you.

**ADJOURN**

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



\_\_\_\_\_  
LORI KUSZMAUL, Clerk of Council



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ROBERT MARINO, President of Council