

MINUTES
AUGUST 20, 2014

Niles City Council held its regular meeting on August 20, 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-A, Merlo-P, Pezzano, P, Marino-P

President Marino: Councilman Stredney is coming. He is caught up with a personal matter. Should he miss the meeting, I would like a motion to excuse him.

It was moved by Lastic, seconded by Merlo to excuse Councilman Stredney from the meeting if he is not able to attend.

Motion carried.

Gentlemen, you have your July 16, 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.

REPORTS AND COMMUNICATIONS

FROM The Ohio Division of Liquor Control

A notice of legislative authority from Red Lobster Hospitality, LLC dba Red Lobster, 5701 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.

FROM The Niles City Income Tax Department

Monthly Receipts Totals – Income Tax Division through the end of July 2014.

Mr. Papalas: Bob, how is it looking?

Mr. Swauger: We are up \$237,000.00 from last year at this time and we do have a lot of people who went on the payment plan, so we're going to end up probably \$300,000.00 up from last year.

Mr. Papalas: Ok.

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

FROM the Niles City Auditor
Estimated Versus Actual Revenues through July 2014

President Marino: I did notice that our enterprise funds are continuing to improve, if I'm reading this correctly. Is that not the case, Chuck?

Mr. Nader: Yes, Mr. Marino. What I did is I compared it to last year at this time also. The water revenues are up \$50,000.00 over last year; the sewer revenues are up \$53,000.00 over last year; and the light revenues are up \$260,000.00 over the last year.

President Marino: And in this fiscal year based on this report, the deficit spending is significantly reduced?

Mr. Nader: That would be the revenue versus the –

President Marino: This report?

Mr. Nader: Yes.

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

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

Mr. Papalas: Well, what can you tell us about July, Chuck?

Mr. Nader: On the report that was handed out, if you look under the farthest right column that says "July 2014," you will notice that all water, light and sewer revenues exceeded expenditures. That to me is a very good sign. I think one reason for that is because the water and sewer rates have increased and we are now we are starting to collect that money.

Mr. Papalas: Ok.

Mr. Nader: The general fund is in the red only because we transferred that million and a half dollars out to police and fire ½ percent, some to the park, I want to say, and the rest was to capital projects. But at the end of July, if you look at general, revenues are still \$700,000.00 more than expenses for the year. So even though we transferred a million and a half out, there is still a surplus in the general for this year.

Mr. Papalas: That's the part, again, that confuses me and that's got to be simplified because in one column you're showing us in the black by \$718,000.00 and in the other column you're showing us very very deeply in debt. That just throws everybody off.

Mr. Nader: I understand, Steve.

Mr. Papalas: We need to do something different on this, if you don't mind.

Mr. Nader: Ok. I will try.

Mr. Papalas: Thank you. I appreciate it.

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

FROM Steve Yovich, House Maintenance Code Enforcement Officer
Housing Code Monthly Report for July 2014

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

Mr. McCormick: This will be the last time Mr. Yovich will be involved in this. Isn't he retired now? I just wanted to make sure everybody knew that. Our new person is Jeff Crowley, am I correct?

Mayor Infante: Yes.

President Marino: When does he start? Did he start already?

Mayor Infante: Yes. Steve broke him in probably a month and a half ahead at no cost.

Mr. Papalas: Chairman, if I may ask at this point. Mr. Yovich was with us for a long time as a part-time employee and he did a lot of work. He never lost a case in court. He did exceptionally well for us. I would like to make a motion that we send a Resolution to him thanking him for his many years of dedicated service to us and for his input in our Housing Code because he really did advise us and encourage us to make it as strong as it is.

Mr. McCormick: I will second that. That is a good idea.

Mr. Papalas: Thank you.

Motion carried.

President Marino: Terry, can you work with our clerk and craft something on behalf of council, if you don't mind? I don't know if Lori has been involved with this, but you have.

Mr. Dull: Yes.

FROM the Niles Police Chief Hinton

Correspondence including: 1) "Warning" notice for overnight parking on the streets and alleys of the city; 2) 2014 Tow Fee Pay-ins; 3) Alarm Activation Fees; 4) Letter of commendation to Lt. Rob Miketa; 5) Letter to Lt. James Sparks; 6) Letter to Lt. Brian J. Ohlin; 7) Niles Dispatch Center Call Statistics thru July 26, 2014

It was moved by Giancola, seconded by Lastic to accept these reports and place them on file.

Mr. McCormick: Chief, what makes up the total fees paid? What exactly is that?

Chief Hinton: Police tow, administrative fees (inaudible)

Mr. Giancola: Chief, I notice that there were some vehicles parked out over night?

Chief Hinton: I did get some response to –

Mr. Giancola: When are you putting this ordinance in for?

Chief Hinton: I'm giving it 90 days.

Mr. Giancola: That would be the middle of November?

Chief Hinton: It would be 90 days from when we passed it.

Mr. Giancola: So that would be October 14th?

Chief Hinton: Correct.

Motion carried.

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL

William Flannigan, 206 Lincoln Avenue, Niles, Ohio. This is my wife, Jane Flannigan. I have lived at 206 Lincoln Avenue since approximately '89. I've been a resident of Niles since the mid '70's. We considered leaving Niles. We shopped around a lot, but we decided to stay in Niles and we put in quite a few renovations and updates to our home. We tried to make it more presentable and more livable. We'd like to think we did that. Over the past hand full of years, as you all know, there has certainly been deterioration in the many homes in Niles because of an increase in the rental properties. What we have seen is that directly in our neighborhood – directly across the street we have had a rental property over the last -- I don't know how many years to be honest with you, five, six, seven, eight -- but there has been a series of different tenants in there and frankly the tenants in there are relatively calm and quiet, but I have seen the tenant's structure there and I don't mean to pick on just the ones across the street, but they tend to be very transient. They tend to move in and out. They may be there for a week. They may be there for two weeks and they may be a boyfriend or girlfriend, who knows. You see a car there

for a while and then it's gone. As of lately it has been relatively calm. I can't say there have been any problems that we have had directly with them. Previous tenants I cannot say that. The police can look at their reports and they have been at that address many many times in years past. We used to leave our house on the fourth of July to join families. We will not leave our house. Things are too dangerous. We never know what's going to happen so we stay tight. But anyway, things change, tenant's change. Last night a fellow pulled into the driveway with the stars and bars flag on his car, skull cap, stars and bars, blasting some very racially painful music loudly. Hopefully, that is for just one night. My concern is that with the rental properties that I have a wish that the owners would take more pride and more responsibility in the upkeep, the maintenance of their rental properties and, of course, and the quality of their tenants. I certainly wish that they would be more responsible for the maintenance of the property because many of them are unkempt, very seldom cut, but just the actual maintenance of the house. That certainly brings down the property value. My other wish is that we happen to have an alley that is heavily traveled. Many of us, between Washington – the alley is heavily traveled. I wish that we could maintain better control of the alley in terms of the overgrown brush and also smoothing out the roadway so that we don't have very deep deep ruts that stay filled with water long after the rain. I'm growing mosquitos behind my garage. So that becomes a real concern. I will speak thankfully that they plow during the winter time. Sometimes I'm impressed as to how quickly they come and plow the alley, even though I have to then shovel out of my driveway, I am able to – they do plow. And the other thing I want to thank you for – when it does happen and we have had occasion when we have had to call the police, the rapid response of the Niles Police Department. They were there – my wife was still on the phone and they were at our front door. There were two dogs loose and they rushed my wife and I late at night when we came home from Vernon's and the neighbor was intoxicated and very verbally aggressive towards me. That was resolved. The police were there. We were very thankful.

Mr. Papalas: Chairman, may I respond to Mr. Flannigan?

President Marino: Sure.

Mr. Papalas: Mr. Flannigan, will you give our building inspector sitting next to you there the address of that home if you have it? And if not, I'll catch you after the meeting and get the phone number so I can call you. We welcome your comments and I would advise you to come to every meeting until you think the problems in your neighborhood have been addressed. But we passed many ordinances concerning this and we have a nuisance ordinance that the police department takes advantage of and also with landlords. We just need you to bring these issues to our attention. We have department heads here that will take care of that. If you're not satisfied with it, let us know. You're welcome to do that. That's what these meetings are partly for. Thank you. We appreciate you living here in town.

Mr. Flannigan: Thank you for your time.

President Marino: Thanks Bill. Could you give us your name and address for the record.

Violet Gizdic, 906 Robbins Avenue, Niles. Can someone enlighten me as to what's going on at 839 Robbins? The general consensus in the neighborhood that it's a halfway house. It's the place right beside Dominique Hair Salon.

Mr. Giancola: The brick house?

Ms. Gizdic: Yes.

Mr. Giancola: I've seen somebody cleaning it up. That's all I've seen.

Ms. Gizdic: There are like seven or eight women living there. Everybody is asking me. Why they asked me, I don't know, but they want to know what's going on. The consensus in the neighborhood is that it's a halfway house for women for drug rehab, alcohol. I don't know. I don't know and you don't know either? Ok.

Mr. McCormick: Tony, does that have to be registered for a place like that?

Mr. Vigorito: I just received a call on it this morning and I will look into it and find exactly who bought the house and what's going on there. For a halfway house, there are certain rules that have to be followed when it involves housing, but I'm sure Terry would agree with me, we can't stop them because they are protected under state and federal law. The only thing I can do is make sure that the housing is safe and whether they are supposed to – we've had several of them all over town. We had one up on Robbins Avenue before and they vacated it. We just had one over at the convent on Cardinal and that was just vacated, so I'm not sure –

Mr. McCormick: So you are in the process now of reviewing what you can on this?

Mr. Vigorito: Yes.

Mr. McCormick: Will you let us know when you find out?

Mr. Vigorito: Sure.

President Marino: Thank you. Anyone else which to address Niles City Council?

Kari Kibby, 139 W. State Street, Niles. I would just like to make a couple comments by telling everybody the 3rd ward block watch will (inaudible). Also, I have been consistently attending council meetings and unfortunately I haven't heard anything about Garfield School in quite a while. I would just ask that I know that there are certain protocols and certain courses of action that you have do, but that building is obviously vacant. We still have a volunteer who is still mowing the grass all summer, the whole summer again this year and I just don't want that building to be forgotten about.

Mr. McCormick: Addressing that Kari, Steve Papalas introduced me a person who we've been talking to and they may vote to give us funds in order to take care of the Garfield School, but I'm not real optimistic on it yet or anything. We are just getting started with it and it's something

that they do and something that they would have to approve through their ward, but they do things like that and I don't have her name with me right now, but it is not forgotten and we've been looking at things to try to get it taken care of.

Ms. Kibby: If there is something that we can be of any assistance with our 3rd ward block watch, we want it taken care of.

Mr. McCormick: As soon as I hear anything else I will keep you updated.

Ms. Kibby: Thank you.

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

None.

ORDINANCES AND RESOLUTIONS

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

Mr. Papalas: Mr. Chairman, I would like ask if we have done anything since we last discussed this as a result of the question you asked to reduce these bills.

President Marino: Yes. Chairman Merlo and I had a meeting and I believe Chairman Merlo will speak to this matter. John.

Mr. Merlo: We had a conversation with our consultant about these telephone bills and we're still working them out. Nothing is set in stone just yet. I was talking to Neil yesterday and we are looking at about a 50% reduction in our telephone costs.

Mr. Papalas: When would that start?

Mr. Merlo: Soon.

Mr. McCormick: So should we table this or what are we going to do with this?

President Marino: My recommendation is to pass it. Pass it.

Mr. McCormick: We still need the funds to pay the utilities?

Mr. Papalas: Yes. But that's why. If we can get this down 50%, that would be wonderful. I'll suspend it. Seconded by Merlo

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

President Marino: I, too, would like to echo Chairman Merlo's remarks in that Mike Dibble and our consultant's efforts in negotiating with Time Warner and the various telecommunication companies that are providing services to us. In addition to Neil's efforts in tracking this down and holding firm's accountable to appropriate pricing on our behalf. For suspension call the roll.

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Papalas, seconded by Giancola to adopt Draft No. 50-14.

YEAS: 7 NAYS: 0

Draft No. 50-14 has been adopted on this 20th day of August 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 LETTER, REMOTE DEPOSIT CAPTURE AND SAFE CASH MANAGER SERVICES; AND, DECLARING AN EMERGENCY

Mr. Merlo: Before we move for suspension I want to make sure that nobody has any questions on the contract that we had at the last meeting.

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

Mr. Merlo: Bob, would you please give everybody a brief explanation of what we are talking about.

Mr. Swauger: Briefly what is going to happen is Huntington is giving us a free machine to read the checks so my clerks will not have to go the bank anymore which will save the Chief because we always have police escort and he will tell you that within a one week period it is probably at least four to five hours a week that we have a police officer on the road to take my clerk to the bank and back. Just the cost of that officer being out for that hour plus my clerk being out of the office for the hour more than offsets the cost. The other thing is we are going to get a vault and any cash that is brought up and paid into the office will be deposited into this vault. The receipt will be printed out. We will follow our normal protocol and then once or twice a week depending upon how much cash we have in there, the armored car service will come in and empty that cash out. So there might be an instance, maybe once in a month that a check isn't

readable or something like that that we might have to go to the bank, but it is going to knock out at least five hours a week of the chief's officers taking us out there.

Mr. Papalas: When will we get the vault?

Mr. Swauger: As soon as we enter into this agreement, the vault and everything will go – everything is already started. We just have to sign the agreement and we are good to go.

Mr. Papalas: Will you need funding?

Mr. Swauger: We will probably need a little bit of funding. We are talking a minimal of probably under \$1,000.00. Once I get the final number, I'll let you know.

Mr. Giancola: What's the cost for armored carrier?

Mr. Swauger: The armored carrier – Huntington actually went out to bid with their three services and the one company came in at \$189.00 per month. That is for two pickups a week. So if we use them less, that cost goes down.

Mr. Giancola: We have one at the shop and you can't get into them.

Mr. Swauger: No. It is very secure and they'll come in put everything into place for us and it will basically eliminate any trip to the bank whatsoever.

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Merlo seconded by Stredney to adopt Draft No. 52-14.

YEAS: 7 NAYS: 0

Draft No. 52-14 has been adopted on this 20th day of August 2014.

ORDINANCE NO. _____ (Draft No. 54-14)

A 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

Mr. Papalas: This is a routine ordinance.

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

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Papalas, seconded by Giancola to adopt Draft No. 54-14.

YEAS: 7 NAYS: 0

Draft No. 54-14 has been adopted on this 20th day of August 2014.

ORDINANCE NO. _____ (Draft No. 55-14)

A RESOLUTION APPROPRIATING FUNDS FROM THE UNAPPROPRIATED SEWER FUND TO PROVIDE FUNDS FOR THE PURCHASE OF CHEMICALS FOR THE WASTE WATER TREATMENT PLANT; AND, DECLARING AN EMERGENCY

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

Mr. Papalas: There is no getting around it. We need chemicals.

Mr. Stredney: My question Steve. Will this get us through to the end of the year or are we going to have to do one more?

Mr. Papalas: Good question. I think this is for the entire year.

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Stredney, seconded by Papalas to adopt Draft No. 55-14.

YEAS: 7 NAYS: 0

Draft No. 55-14 has been adopted on this 20th day of August 2014.

ORDINANCE NO. _____ (Draft No. 56-14)

A RESOLUTION APPROPRIATING FUNDS FROM THE UNAPPROPRIATED GENERAL FUND AND THE UNAPPROPRIATED PROBATION FUND TO VARIOUS ACCOUNTS FOR THE MUNICIPAL COURT; AND, DECLARING AN EMERGENCY

Mr. Papalas: Mr. Chairman, before I make any motion on this, I want to explain this. As you recall, we reduced the budget at the beginning of the year and we had been under the impression that the judge was fully aware of that. The judge wasn't. As you know, it is very difficult to reduce the budget of a court. Any court. Our judge has done a remarkable job in working with

us, controlling his own budget and has done a great job. He is very aware of our own problems and he is trying to help us with this, but he absolutely needs those funds restored if he is going to maintain the present level of employment that he has. So we had a discussion in his office and decided we would disburse just enough funding to take him into October. That will allow the judge time to see what he can do with his own budget as far as his operations are concerned and it will allow us time to see what we can do with our own budget. I really would like to amend this, if possible. Terry, I see a section 1, section 2 and section 2. Is that a typo?

Mr. Dull: Yes.

Mr. Papalas: I'm going to amend it so it says section 3 where the last 2 is and then I would like to amend it -- tell me what you think Terry -- I would like section 4 to be that council and the administration will revisit this situation in October so that that way everybody will fully understand that this doesn't take us to the end of the year.

Mr. Merlo: So this will get them through October?

President Marino: Yes. I put the date.

Mr. Nader: The section 1, the general fund for the municipal court will get them through October 15th table, which is paid on October 20th.

President Marino: Just so everybody knows the timeline of this. I need a motion to amend the ordinance. Moved by Papalas, seconded by Stredney.

Draft No. 56-14 is amended.

It was moved by Papalas, seconded by Stredney for suspension of the amended version.

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Papalas, seconded by Giancola to adopt Draft No. 56-14.

Mayor Infante: I just want to reiterate that I met with the judge the other day again for the third time this year and I told him we can't keep funding the court out of the general fund. The court has got to be self-sufficient. His goal will be to try to get there. This is the third time I met with him this year. I met with him earlier in the year when we cut the monies.

YEAS: 7 NAYS: 0

Draft No. 56-14 has been adopted this 20th day of August 2014.

ORDINANCE NO. _____ (Draft No. 57-14)

A RESOLUTION APPROVING THE LABOR AGREEMENT BETWEEN THE CITY AND THE AFSCME BARGAINING UNIT; AND, DECLARING AN EMERGENCY

Mr. Papalas: Chairman, I would like to make a motion that we go into execution session to discuss Draft No. 57-14.

It was moved by Papalas, seconded by Merlo to adjourn and go into executive session for discussion of negotiations.

Mr. Papalas: The reason being is that it is a contract.

YEAS: 7 NAYS: 0

President Marino: Please let the record note that we adjourned at 6:41 p.m.

Meeting adjourned.

President Marino: Let the record reflect that it is 7:06 p.m. and council reconvened. Would the clerk please call the role? Council pleasure on Draft No. 57-14?

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

YEAS: 6 NAYS: 1 Frank Pezzano

Rules are suspended.

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

YEAS: 6 NAYS: 1 Frank Pezzano

Mr. Papalas: Mr. Pezzano, why did you vote no?

Mr. Pezzano: Mr. Papalas, this was thrown out at me 10 minutes before we had to vote. That's my objection there.

Mr. Papalas: Ok. I respect that.

Draft No. 57-14 has been adopted this 20th day of August 2014.

ORDINANCE NO. _____ (Draft No. 58-14)

AN ORDINANCE AUTHORIZING THE MAYOR TO APPLY FOR AND ENTER INTO A LOAN AGREEMENT WITH THE OHIO WATER DEVELOPMENT AUTHORITY TO PROVIDE FUNDS TO PAY MWH AMERICAS, INC. FOR DESIGN OF

IMPROVEMENTS TO THE CITY'S WASTEWATER TREATMENT PLANT; AND, DECLARING AN EMERGENCY

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

Mr. McCormick: This is something that I believe we – we've entered the agreement, we have a signed contract and now we have to decide how to pay for it. The OWDA loan, I believe, is our best option to pay for this. So with the advice of those involved and everything, I think this is the way we need to go and it's not a fact of arguing about how much it is right now or how we are going to pay for it, but the contract has already been established.

Mr. Lastic: What you're saying is we are already into the agreement anyway.

Mr. McCormick: We have a signed contract and we have an obligation to pay for that contract and this, I believe, is the best way to do it with OWDA. I'm not sure what our rate is there. 3.4%, is that what the rate is Andy?

Mr. Catanzarite: It's 3.4%.

Mr. McCormick: That's where we're at and I, you know, I think we need to live up to our obligation here. We need to secure the funds.

Mr. Papalas: I just want to say this. I'm not going to get into a soap opera again, but everything I said before the meeting earlier, I meant it. You've got me on this because we've got a contract. I'm telling everybody in here if the costs go up and it looks like it's getting away from us, if we don't have somebody do a peer review, you're not going to get another affirmative vote out of me. Quite the contrary. I will fight tooth and block to see this thing goes down. So you better watch it very carefully.

President Marino: Anybody else? For suspension, please call the role.

YEAS: 7 NAYS: 0

Rules are suspended

It was moved by Giancola, seconded by Lastic to adopt Draft No. 58-14.

YEAS: 7 NAYS: 0

Draft No. 58-14 has been adopted this 20th day of August 2014.

ORDINANCE NO. _____(Draft No. 59-14)

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH SOFTWARE SOLUTIONS INC. FOR THE MUNICIPAL ACCOUNTING SOFTWARE PROJECT; AND, DECLARING AN EMERGENCY

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

Mr. Merlo: As you all know, we got our bids back a few weeks ago, Neil and I and the IT, Mike Dibble, sat down and we talked about. We feel that Software Solutions are most favorable to us and our community and that's who we are going to go with.

Mr. Lastic: This is it, right? Everything is done.

Mr. Merlo: What do you mean by "everything?"

Mr. Lastic: There won't be any more software, everything is done?

Mr. Stredney: This has nothing to do with the billing office.

Mr. Swauger: This is a complete package for our office.

Mr. Stredney: This is just for the auditor and treasurer's office.

Mr. Lastic: And that's done?

Mr. McCormick: Was that selection made on a FRB? So the price will be negotiated?

Mr. Merlo: We've got the bid. Neil got the bid.

Mr. McCormick: Why didn't we include the price on the ordinance?

Mr. Merlo: As we move forward, we're going to appropriate funds depending on which way we go with the module they are going to give us.

Mr. McCormick: Ok.

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Merlo, seconded by Stredney to adopt Draft No. 59-14.

YEAS: 7 NAYS: 0

Draft No. 59-14 has been adopted on this 20th day of August 2014.

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

MISCELLANEOUS REMARKS

President Marino: I'd like to enter the record concerning the annexation between Niles and Howland. Terry, we are retaining our property taxes on the property that is existing in Niles, correct?

Mr. Dull: That's correct.

President Marino: So that there is no confusion and misinformation in the community, we are retaining?

Mr. Dull: That's correct.

President Marino: Thank you.

Chief Danielson: One thing. With respect to the Finance Committee with regards to the equipment grant we received, we're ready to go out and request the package. We just have to do what we have to do to get the (inaudible)

Mr. Papalas: I was going to ask about that. Maybe we can do this right here. Chuck, they are going to need the money for this grant. I think I mentioned it a couple meetings ago and we might be needing money in the future for this. So would you please discuss it with the chief and let me know what category it's going to come from.

Mr. Nader: Yes. The one thing I want to say now is -- and chief, correct me if I'm wrong -- \$130,000.00, \$160,000.00?

Chief Danielson: \$165,000.00 total package.

Mr. Nader: Steve, we have to appropriate the whole \$165,000.00 though. It's not like -- I just want everyone to be aware of that.

Chief Danielson: It's a 5% match.

Mr. Nader: But we have to spend the money to get the match, so we have to appropriate the whole amount to be spent.

Mr. Papalas: We better have a meeting.

Chief Danielson: Ok.

Mr. Papalas: I thought it was, you know, \$15,000.00, \$20,000.00 at a time.

President Marino: Steve, do you have any other questions for the fire chief?

Mr. Papalas: No. I'll wait until it comes to me. Chief, how soon does that have to be taken care of?

Chief Danielson: I think we – we haven't contacted the company yet to put the order in. The order is ready to go in. We were just waiting to make sure we had all of our ducks in a row. I imagine it would take a month to five weeks to get the equipment in.

Mr. Papalas: So we have about three weeks?

Chief Danielson: Yes.

Mr. Papalas: Anthony and Terry, at the last meeting I mentioned 512 Hartzell Avenue and the painting on the back of the house, graffiti or whatever that is and I had asked you to look at it and get back to me with some sort of response, preferably a letter, so I could let the neighbor know because they want to know what's happening and it looks like we just turned our backs on them. It's almost the same situation as the Flannigans on Lincoln Avenue who were here earlier this evening. What are we doing about it? We have ordinances, graffiti ordinance, really. It doesn't have to be gang related for it to be graffiti. That's bazaar. If you were in that neighborhood, a nice neighborhood, it doesn't matter what kind of neighborhood it is, if you're a neighbor and a homeowner and trying to take care of his property value and have to look at that every day from the back yard, don't you think that would be a problem? Really?

Mr. Vigorito: First off, I apologize. I thought Steve took pictures of it and he was planning on getting back to you on that. So I assumed that had been taken care of. He showed me pictures of it.

Mr. Papalas: I'm asking you guys to review this again. I want you to look at it again. I didn't get to fully explain my position to Steve in the entirety, so I would like you to review this for him and send me a letter and keep in mind, I have to go to those neighbors who are concerned.

Mr. Vigorito: 512 Hartzell?

Mr. Papalas: 512. The homeowner isn't there.

Mr. Vigorito: Is it a rental?

Mr. Papalas: Well, it's one of those deals where the person who owns it is away or whatever, and the granddaughter and her boyfriend live there. That's my understanding anyway.

President Marino: Steve, anything else?

Mr. Papalas: Chief, I just wanted to state before everyone here that you guys did a good job with the parking ordinance warning. I had a couple complaints. I don't know how you can complain about getting warnings, but I explained to them the situation and that's the way it's going to be

from here on and I know that because of this ordinance we will be a better community. Thank you. I appreciate it.

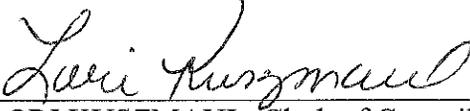
Mr. Pezzano: I would also like to thank Chief Hinton about the parking ban. I also drove around Camrose and there is one car that's been sitting down there for a long time, I believe, it's abandoned. I don't know. It's all the way down Camrose and turn right on Trumbull, it's like right there. It's a white PT Cruiser. Could you have Shawn check into it?

Chief Hinton: Yes.

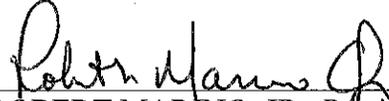
Mr. Pezzano: Thanks.

ADJOURN

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



LORI KUSZMAUL, Clerk of Council



ROBERT MARINO, JR., President of Council