

MINUTES
SEPTEMBER 3, 2014

Niles City Council held its regular meeting on September 3, 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-A, Giancola-P, McCormick-P, Stredney-A, Merlo-P, Pezzano, P, Marino-P

President Marino: Motion to excuse Councilmen Papalas and Stredney.

It was moved by Lastic, seconded by Merlo to excuse Councilmen Papalas and Stredney from the meeting. Motion carried. You will only be able to conduct a first reading for your business tonight.

Gentlemen, you have your August 20, 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 Niles City Income Tax Department
Monthly Receipts Totals – Income Tax Division through the end of August 2014.

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

FROM the Niles City Auditor
Estimated versus Actual Revenues through August 2014.

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

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL

NONE

COUNCIL COMMITTEE REPORTS

NONE

ORDINANCES AND RESOLUTIONS

ORDINANCE NO. _____ (Draft No. 60-14)

A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED STREET FUND TO THE STREET DEPARTMENT'S VEHICLE MAINTENANCE ACCOUNT; AND, DECLARING AN EMERGENCY

It was moved by Giancola and seconded by Merlo for a first reading.

YEAS: 5 NAYS: 0

President Marino: Draft No. 60-14 has received its first reading.

ORDINANCE NO. _____ (Draft No. 61-14)

A RESOLUTION APPROPRIATING FUNDS FROM THE UNAPPROPRIATED STATE HIGHWAY FUND TO THE STATE HIGHWAY FUND'S EQUIPMENT PURCHASES ACCOUNT; AND, DECLARING AN EMERGENCY

~~It was moved by Giancola, seconded by Pezzano for a first reading.~~

YEAS: 5 NAYS: 0

President Marino: Draft No. 61-14 has received its first reading.

ORDINANCE NO. _____ (Draft No. 62-14)

A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED GENERAL FUND TO THE HEALTH DEPARTMENT'S BIOTERRORISM ACCOUNT; AND DECLARING AN EMERGENCY

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

Mr. McCormick: What is bioterrorism? Does anybody know what that refers to specifically?
It sounds scary, bioterrorism.

Mr. Nader: What this is is a grant used through the county. What we do now is receive \$2,000.00 a quarter. It's for communications in case there is some kind of emergency. We have communication capabilities between different departments.

Mr. McCormick: Thank you.

YEAS: 5 NAYS: 0

President Marino: Draft No. 62-14 has received its first reading.

ORDINANCE NO. _____ (Draft No. 63-14)

AN ORDINANCE AUTHORIZING THE VACATION OF A PORTION OF CHARTER ALLEY

Mr. Pezzano: Mr. President: myself and Mr. Lastic went to go look at this alley way and also a representative from Mark Hess' office was with us. We talked to Ed Stredney about it because that's his area and now we would like to refer it to the planning commission.

It was moved by Pezzano, seconded by Lastic to refer Draft 63-14 to the planning commission for their report and recommendation.
Motion carried.

President Marino: What's your pleasure? First reading or do you want to wait?

Mr. Pezzano: Just first reading.

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

YEAS: 5 NAYS: 0

President Marino: Draft No. 63-14 has received its first reading.

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

MISCELLANEOUS REMARKS

Mr. Vigorito: A few comments were made at the last meeting. I forwarded all the conversation I had on the one on Robbins Avenue. If anybody did not get it, I would be glad to resend it to you. Also, the issue with 512 Hartzell Street. I was asked to answer it by letter, so I did and everybody should have gotten a copy via e-mail and I believe Lori made a hard copy.

Clerk: I did.

President Marino: Thank you, Tony.

Mr. Merlo: Just to give everybody an update from the last meeting when we were talking about the phone bills. We are in the process of getting the contract assigned. We are going to bring that phone bill down to about \$1,500.00 from \$7,000.00.

President Marino: A month?

Mr. Merlo: A month. The IT guys did a great job doing their work on that. They did a really good job and I want to commend them on that.

Mr. Nader: Mark Hess and myself have a dilemma. What happens is the state – we are getting money from BRT Extrusions to help clean up stuff. Instead of the money being paid directly to the contractor, it now has to flow through the city. The city has to actually receive the money and pay the money out. So what we are going to need to do now is appropriate that money. My suggestion would be to create a fund just for BRT capital projects. Like the state has recommended. That way all the grant money goes into one place and paid out that way. I've talked to Mark about it. He thinks it would be a good thing. I have also talked to the Mayor and Neil, but it would take council action to – and we are hoping we can do this at the next council meeting. We would create the fund, put the whatever \$600,000.00 plus dollars, and we would appropriate that unappropriated money that is coming from the state –

President Marino: This is for BRT on 169?

Mr. Nader: Yes.

Mr. Hess: The previous grant was a reimbursement grant which wasn't a problem because we budgeted for it. This grant -- I was initially told that this wasn't a reimbursement grant and I guess I have to apologize, I then assumed that grant would allow me to refer to it as a direct payment grant, which allows the city to approve payments that are made directly to contractors for the work under the grant. There are a lot of grants that we have now that requires and allows us to do that; where the money doesn't flow through the city. I have talked to representatives from the state and they said no, since the grant is with the city, the money has to go from them to us. They would allow us invoice the state to get the money and then pay the contractor.

President Marino: Who secured the contractor?

Mr. Hess: Well, BRT is going to secure the contractors for the cleanup. We secure the contractor for the engineer design portion of the project. I actually went to the –

President Marino: Who did we hire for that?

Mr. Hess: We hired BRT, the same company that has been involved all along with regard to the project.

President Marino: BRT is from where?

Mr. Hess: They're from Akron.

President Marino: Akron. How many firms did we have submit proposals for that?

Mr. Hess: We only had one.

President Marino: Just one. It was publically advertised, I'm sure?

Mr. Hess: Absolutely.

President Marino. All right. That's their pleasure. Council as a whole?

Mr. McCormick: Do you need it for next meeting?

Mr. Nader: We could, if you want.

Mr. McCormick: It sounds like if this is how the state is recommending it and we're doing it the way they want –

Mr. Giancola: So we won't be using any city money on this?

Mr. Nader: There's no city money. This is a complete 100% funding by the state.

Mr. Giancola: So when they send us money then we'll send it back?

Mr. Hess: This is still not going to be a reimbursement grant. From my understanding from Chuck is that the last time we went with reimbursement, I paid it and then I got reimbursed. This time I'm going to send the paper work down, get the money and then pay it out.

Mr. Giancola: What committee would that fall under?

Mr. McCormick: Finance.

President Marino: Finance or you could sponsor it as council as a whole with all you gentlemen as sponsors.

Mr. Lastic: Council as a whole.

Mr. Nader: Terry, will you get that ready?

Mr. Dull: Yes.

Mr. Nader: Thank you.

ADJOURN

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



LORI KUSZMAUL, Clerk of Council



ROBERT MARINO, JR., President of Council