

MINUTES
July 15, 2015

Niles City Council held its regular meeting on July 15, 2015 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 Merlo, seconded by Stredney to accept the Minutes from the June 17, 2015 meeting and place them on file.

Motion carried.

REPORTS AND COMMUNICATIONS

FROM The Niles City Income Tax Department

The Monthly Receipt totals thru June 2015

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

Motion carried

FROM The Auditor's Office

The Estimated Versus Actual Revenues thru June 2015

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

Motion carried

FROM the Ohio Division of Liquor Control

Notice of Legislative Authority of Ishaan, LLC, dba EZ Stop, 263 N. Main Street, Niles, Ohio

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

Motion carried

FROM Mayor Infante

Responses to Labor Unions of the City of Niles, Ohio

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

Motion carried

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL

Bill Santell, 233 Moreland Avenue, Niles, Ohio. President IFF Local 320 here to speak to you tonight about Draft 109-14, the elimination of three lieutenant spots through attrition. The Mayor's in a tough spot, we all understand that and we have to find ways to cut. Eliminating these positions through attrition is absolutely zero savings right now. The first captain to retire

will be five years from now, which the cost, I believe, you had in your report was \$24,000.00 for the three lieutenants. So five years from now, you may get a – you're looking at five to ten to fifteen years on top of that before the next two captains will even retire. So why are you putting in a savings that aren't savings? It's pointless to reduce these now. Address it five years from now. Let the next administration decide. If we're trying to save money, we're not saving any money right now. Maybe you should look at – when Mr. Natoli passed away, Mr. Allen absorbed the Service Director and the Safety Director's job. Maybe we should look at that and save that \$17,000.00 salary for the Safety Director to offset some costs. Thank you.

President Marino: Thank you. Anyone else like to be recognized? Sir, your name and address for the record.

Dan Nickels, 724 Carl Avenue. I'm here to ask about the empty lot on 938 Warren Avenue. I was told to come to council meeting to try to purchase it.

Mayor Infante: Do we know if that's in the land bank?

Dan Nickels: All they told us -- we talked to the councilman and he said we had to come to council meeting. I guess the City of Niles owns it. That's all I know.

President Marino: Danny, that's 938?

Dan Nickels: My dad lives at 936 which is right next door so I figure it's 938.

President Marino: Tony, are you familiar with where this is at?

Mr. Vigorito: I remember the house we tore down probably five years ago and they donated it to the city. That's how we have it. I believe we offer it to either side first.

Dan Nickels: I've been cutting the grass and all that kind of stuff.

President Marino: Terry, what does he have to do to go about – are you familiar?

Mr. Dull: Not that particular lot, but what we could do is I can get your phone number or I can give you mine and we can have a meeting and I can explain to you the procedure.

Dan Nickels: Ok.

President Marino: Danny, just write that on a sheet of paper and get it to him. Terry will contact you. Thank you.

Dan Nickels: Thank you.

President Marino: Anyone else wish to be recognized? Donna, your name and address for the record?

Donna Guerra, 1764 Stillwagon Road, Niles. I'm here on behalf of the billing office. We have been understaffed for the last three years and it's really becoming a hardship. When I was hired seven years ago there was six people in the office. There is still six people in the office. Prior to that there were eight people. Since that time we have gone through two software changes. The very first software we had was very user friendly and very easy. The next one was very difficult, five years ago. We just went through the conversion with a nine month process which really pushed people to get ready. During that time we had no additional help. We asked for help. We were promised help but we never got it. Now that we have the new software in it is difficult to get caught up. It's a software that is the first version and we are the first customer to be on this version. So there's a lot of things that have to be done with it. So we're constantly on the phone with tech support and just a lot of time taken away from us. Again, we were promised help but we didn't get it. Each person spends at least two hours a day on the telephone addressing complaints and whatever. It takes away from their job, everybody's job. We are all going in different directions. Like I said, we were promised help for three years. I know all the elected officials have gotten complaints. Everywhere I go I get complaints. I believe as well as the rest of the staff if we had one more cashier that would help. It would give everybody time to – it would give the billers time to work on the billing. It would give applications a chance to work on that. In May of 2012 a job was created for a six month job. They were supposed to be six months in the billing office. In that time period there were four people that have taken that job. Only one spent six months in our office. The others spent maybe one, two maximum three months. We really really need help to get this system – to get the billing office running smoothly and work efficiently. Everybody works very hard. We spend so much time dealing with the customers, dealing with complaints and something has to be done. We can't have empty promises. It's ridiculous.

President Marino: Thank you Donna. Your name and address for the record.

Alissa Mason, 104 Wade Avenue, Niles. I came to see what can be done about our basements. Our basements keep flooding at least once or twice a year. It backs up on the street right into our basement. We have sump pumps. They can't keep up. It keeps coming in from different areas.

President Marino: Have you spoken to our Service Director, Mr. Buccino, at all?

Alyssa Mason: No. I spoke to someone down in the city and they said there was nothing that can be done. That it's just too much rain, but there are cities all over the United States that it rains and they're not having these problems.

Mr. Hess: The issue with regard to the city over the summer is that we have had at least 7" of rain in a month and so that amount of rainfall floods all of – everyone gets flooded when there's that kind of rain. We've done everything from EPA mandated studies to getting cameras and looking into the sewers and try to get pictures, but for some reason Niles – we've done everything that we can do, but at the end of the day we are actually sending more water to the wastewater treatment plant than we have in years. That's part of the reason that the wastewater treatment plant is now being updated and we have to spend 38 million dollars to build a plant that can handle these kinds of wet weather volumes. In my opinion from being here is that we are an older city and the majority of the footer drains are tied into the sanitary systems. Today if

you built a house you wouldn't be allowed to do that. You have to run the footer drains into the sump pump and the sump pump would pump it into the storm sewers, but that was allowed before '75, I think. So we only have six developments that are doing it that way. So in your area, we just put in a – on Fairlawn we put in a two million gallon holding tank to catch the water.

Alissa Mason: I appreciate all of that, but it didn't just happen in this year. It keeps happening. I understand you're doing all that you can, but that doesn't help when I have mold, drywall, not sewer water, but drain water that at least two or three times a year I'm down there cleaning, mopping, humidifier and I'm filing an insurance claim every time and my insurance is going to go through the roof.

Mr. Hess: Did you install a backflow preventer?

President Marino: Has anybody from the city been out to your home?

Alissa Mason: No.

President Marino: Maybe a first step would be for Mark, Andy or whoever could come and visit and just see for themselves and take a look and there may be something in the lines. We have problems around the city, I know Councilman Pezzano is working with the Sewer Department on jets and Steve has been too, so they can come out. If you would give Mr. Hess your name and number on a sheet of paper before you leave, you guys can coordinate. Go ahead Ed.

Mr. McCormick: What is your address again?

Alissa Mason: 104 Wade.

Mr. McCormick: You're not actually down in the problem area, are you? I thought the big trouble spot was Wilson, Helen and John.

Alissa Mason: We're right at the corner of Wade and John. The water is coming up through the sewers.

President Marino: Ok. Get him your information right away. Thank you. May I have your name and address for the record?

Andrea Morris, 215 Wilson Avenue. I, too, need to address the water issue. My problem is with the sewage department when the water starts bubbling up into my basement. Of course, it is always after hours. I page the police dispatcher to contact the sewage department. On the corner of Wilson and Trumbull there is that man hole there and it always overflows. It backs up. So when it happened on June 14th we just returned from vacation and we weren't home an hour and my brother-in-law said it had been raining all week. That manhole cover, it needs to be watched. After two or three days of rain, it backs up. Now, after two hours they bring the pump and they put the hose down and they pump it into the creek but what happens is that the damage is already done. I have water up to my knees in my basement. I have to turn off my furnace, my air

conditioner. I had no hot water until the next Thursday because I have to wait for everything to dry out. We did install a new backflow valve. That was extremely expensive and I feel that's an expense we should not have had to incur. So we did it to protect our home. We were without air. I just last Thursday got my washing machine repaired. For three weeks I've been going to the laundry mat because I can't use my washing machine because the water backs up into my basement and ruins my appliances.

Mr. McCormick: Have you installed the backflow device since the weather problems?

Andrea Morris: Yes.

Mr. McCormick: Ok. So it wasn't there during the last one?

Andrea Morris: We had one. I called the police dispatcher and then I called them again a half an hour later. We called them and they take their good old time getting there. That needs watched. When we get three inches of heavy rain they should know we're going to be calling. They brought that pump Sunday night and they get Monday night and it's still there because they know that's the problem area. When we get rain they come and check on it.

President Marino: Interesting enough I was in the Mayor's office after one of these rains and he was speaking to one of our employees and he specifically asked, is that pump on down on Wilson? I heard him ask him.

Andrea Morris: Right. They had turned it off. I called the police dispatch and it was in the morning the first time we got water. Then they came and checked on it and they left. I was getting ready for work. I called the police dispatcher and said, "It's raining. Please have them turn it back on." It was there but it wasn't on. It's not on now, but it doesn't need to be, but the next time it starts raining, it needs to be because that creek is still pretty high. There's nowhere for that water to go.

President Marino: Thank you. Anyone else wish to address Niles City Council? Karen, your name and address for the record?

Karen DeChristofaro, 1468 Butterfield Circle, Niles. I wasn't going to speak or ask any questions, but I'm listening to the constituents over here and they have your attention and the respective responses. Terry responded over here, but your billing office, they're your constituents also and they're drowning in there and I'm asking council, who has the courage to ask one question to guide these girls, to assist them with the ongoing problems that is no secret in the entire city? That there's a problem in that office. They need help. There's a position that is open. It's six months, six months. The nice girl and a good girl is working up in the tax office right now, but that's a seasonal. That is seasonal. She should be downstairs now where it's needed. I encourage all of you to have an open discussion respectfully.

President Marino: Well, speaking for myself, I have and I have been in the Mayor's office and I've been in there with Donna, so this councilman does what he needs to do on behalf of that office. I have no reservations, Karen, about speaking my mind, but in this case I feel I've done

exactly what's expected of me in terms of representing all of my constituents. And Donna you were in the office when we met with the administration. I did what I was supposed to do, so as far as I'm concerned I've upheld my oath and my responsibility, but I'm not the Mayor.

Karen DeChristofaro: I know.

President Marino: I'm not the Mayor.

Mayor Infante: That's a contractual issue so they have to bring that to their union representative and have him come into the office and we'll explain. Simply explain what the situation is. It's a six month, six month. So if we move that girl into the treasurer's office full time, what's that going to leave? Six month. How are you going to hire six months? Something that has to be negotiated.

President Marino: I don't want to get into negotiations here. This is not the forum for personnel, it's not the forum for managing the contract, so I respect everything you said – go ahead

Mr. McCormick: I just want to understand the problem. Is the problem that you don't have enough technical support to learn the new system or is it you don't have enough people to do the work?

Karen DeChristofaro: No. Don't have enough people to work.

Mayor Infante: Phones constantly ringing.

Karen DeChristofaro: It's been going on for three years now.

Mayor Infante: Well, last year you had a girl for six months.

President Marino: I don't want to get into that and additionally, when I go to the city building, do I not stop in? I stop in there, ask and I do take your concerns back to the administration, so your concerns are not falling on my ears in a deaf manner.

Karen DeChristofaro: I understand that.

President Marino: Well, we're not the Mayor.

Mr. Papalas: The last time I made a remark concerning general policies, they came from council and the executive office, I got an e-mail from one of the employees that I didn't appreciate. They didn't even seem to understand what we were discussing. The union works on this full time and you have a union, so you need to deal with him. You cannot negotiate a contract here. This is the wrong place.

President Marino: Anyone else wish to address Niles City Council? Your name and address for the record.

David Baker, 219 N. Forest Street, Gnadenhutzen, Ohio. We're a bit far from home, but I look around and I see several other exotic animal keepers in the room tonight. What brought us here is just that. We heard that there is a possible proposal to put a reptile ban or an exotic animal ban within the city limits of your City of Niles and we just wanted more insight on that and possibly let you know how we feel about it.

Mr. Pezzano: I can answer that. Myself and Mr. Giancola on a request of our Safety Service Director, Mr. Guarino asked us to look at this ordinance that's since 1980 and all we did was meet on it approximately three weeks ago, right Mr. Giancola?

Mr. Giancola: Yes.

Mr. Pezzano: All we did was sit down with Mr. Guarino, our acting chief, and we had Mr. Dull on a conference call and we just had several questions to be asked about that. It wasn't even to be brought on the table tonight, but we have a lot of questions to ask about that. Our Safety Service Director brought it to our attention so we're looking at it. To be honest with you, yes, we were looking at it. It's not even on the Agenda tonight and I don't even know how soon it will be on the Agenda, but we have a lot of questions to ask, but we have to have another meeting on it also. Mr. Giancola, do you have anything else to say about that?

Mr. Giancola: No, that's all. Just the same thing. The four of us discussed it. That's all it was.

David Baker: I'm an US ARK member with the United States Association of Reptile Keepers. I'm also a business owner in the exotic animal industry. I'd be more than happy to leave you guys my name and number if you have any questions on animals or anything that you may need to possibly in the future implement as far as helping to protect public safety, I'd be more than happy to be a part of that. This isn't my town, but this is my state and I don't want to see any of us lose our freedom as exotic animal keepers. (inaudible) that Ohio brought forth is fairly strict. It took away quite a few of our liberties for what species we can even keep and guidelines and what manners that we do keep them. We definitely – the responsible keepers are definitely following those guidelines. We just really feel that any additional stuff is really not needed. It's kind of like slapping the state's representatives in the face by local legislation pretty much saying that they're incompetent and not doing their job.

Mr. Pezzano: Well, after that was brought to our attention, Mr. Dull called me up and I made a few phone calls on his behalf and we got a little bit of education on it, but like I said, sir, there's numerous questions to be answered yet and all we did was sit down and have a meeting. I don't know how this all got out there.

David Baker: The community and one person gets wind of it in the city and I'm two hours from home right now, and I would be more than happy to come up here if there is any way that we can help and show our support for the keepers that lives in this area.

Mr. Pezzano: I even called the Department of Agriculture and called to an agent there about his section, but right now it's not even on the Agenda and I don't know even how soon or if it will

be on the Agenda. Like I said, our Safety Service Director brought it to our attention. He wanted us to sit down and look at it so that's what that was all about.

David Baker: If it's all the same, before we leave here tonight, can I give you my information and if you have any questions, please feel free to get ahold of me and I'll do the best I can.

Mr. Pezzano: Ok. I appreciate that. Thank you.

President Marino: Thank you very much. Mr. Rossi, your name and address?

Bill Rossi, I live at 86 Summerberry. This is going to sound strange, but when I was in high school, I worked the summer for the city street department. My job was cleaning out catch basins. I had a long scoop shovel cleaning them out. Has anybody gone around checking the catch basins? When I walk around I look at them. They have to be cleaned out. Maybe that's why the water is bubbling out of their catch basins.

Mr. Pezzano: Mr. Rossi, myself and Andy from the Sewage Department and Glen Randolph and also Mr. Buccino we sat down and talked about this because in the First Ward we had a lot of issues, so we want to be more proactive about it, Mr. Rossi, so we're setting up a plan. I talked to Mr. Randolph and Andy this past week and we're going to try to meet bi-monthly and I know in years past, I believe the City of Niles used to go out and jet all the storm sewers and the sanitary lines even if they didn't need just to be proactive so that way we don't get reactive. So Mr. Rossi, that's what we're doing right now, we're trying to composite a list and Mr. Randolph is very cooperative along with Randy, his supervisor, and we're going to try to have monthly meetings that way when things come up we can see the streets that are being done, how often they're being done, etc. That's what we're doing, Mr. Rossi.

Bill Rossi: I appreciate it.

Mr. Pezzano: Thank you.

President Marino: Anyone else wish to address Niles City Council? Your name and address for the records.

Mark Srock, 1717 Difford Drive, Niles. For the same reasons, the water in the catch basins throughout the town. (Inaudible)

Mr. Pezzano: Our guys were at 1709 yesterday. I talked to Mr. Randolph also and Mr. Williams that lives at 1709 called me and said that our guys were there. Now, what they did, I can't tell you unless Andy might have an answer, but I know our guys were out looking at that specific line.

Mark Srock: (Inaudible)

Mr. Pezzano: We know that because there was an issue at Cassandra and Blossom, that line was completely blocked. Our guys went out there and it finally went through the other day, so after

that storm we had the other day, I went down there and there was a small crew. That's what our guys are doing. I know that our guys are trying to be on a proactive list now.

Mark Srock: (Inaudible)

President Marino: Anyone else wish to address Niles City Council? Your name and address for the record.

Catherine Kieley, 1713 Difford Drive, Niles. I have lived there for many, many years and it's our house where the water was 2 ½ to 3 feet deep and this has been going on for many many years. Several years ago the Cafaro Corporation did do work in the neighborhood. At that time, we were deeply concerned about all the construction that was going on on Route 422 because someone was dumping water down in our neighborhood and also dumping sewer down in our system and I'm concerned for the possibility of the same thing happening again with the additional construction that's going on. I'm not an engineer, but is there any way that someone could look into that? Also, could you contact the Army Corps of Engineers with regard to dredging the river? I know because of contamination and everything else that there's a lot of issues, but certainly is something to consider, and I, personally, would like to have you look at the construction that's going on, is it being tied into our system and overlooked. Four years ago, I put \$17,500.00 in our basement with backflow valve preventers, sump pumps and everything else, dug up the driveway clear across the street. We are not tied into the sanitary system and yet we cannot flush our toilets when we have heavy water and that's absolutely unacceptable.

Mr. Papalas: Catherine, how long has that been going on?

Catherine Kieley: It's been going on for many years. It stopped for a while after Cafaro had some work done, but I'm concerned, like I said, of the new construction and I think some of the water running is running off and down into our property.

President Marino: Would anyone else like to address Niles City Council? In the opinion of the chair, there being none, committee reports?

COUNCIL COMMITTEE REPORTS

Mr. Merlo: I have one. On June 30th we had an IT roundtable. Members of council and administration were present. We discussed our CUSI software that's going on in the billing office, updated software information with our Auditor's Office, SSI with Chief Danielson, he gave us an update on the firehouse software and Mr. Dibble gave us updates on the IT network through the police department. That's all.

President Marino: Any others?

Mr. Papalas: Mr. Chairman, we had a finance committee meeting last week. Some of the ordinances that you see on the Agenda today are as a result of that meeting. I'd like to go for a

first reading on the majority of them so that everyone that missed that meeting would have time to study these as we go forward.

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

ORDINANCES AND RESOLUTIONS

ORDINANCE NO. _____ (Draft No. 109-14)

AN ORDINANCE AMENDING ORDINANCE NO. 17-12, IN PART, BY REDUCING THE AUTHORIZED NUMBER OF LIEUTENANTS IN THE FIRE DEPARTMENT THROUGH ATTRITION; AND, DECLARING AN EMERGENCY

Mr. Pezzano: Mr. President, in one our roundtable meetings, the question came up concerning possibly unfair labor practices and as of right now, we haven't seen anything in black and white to tell us that it's not contractual or it is contractual, so that's my voice right there.

President Marino: Council's pleasure?

It was moved by Papalas, seconded by Giancola to give this Draft a third reading.

Mr. Lastic: If this doesn't pass, what happens to the commission report that Ralph did?

Mr. Papalas: The financial plan.

President Marino: I don't know.

Mr. Lastic: Does it get thrown out again?

President Marino: No, because there were provisions tonight that we discussed during the commission that we are not going to meet and it's not getting thrown out.

Mayor Infante: Basically what it is, nine ranking officers in fire. Twenty-one firemen. Right now there are 17 firemen. All this does through attrition is when the lieutenant position comes available, it will be replaced by a fire fighter. The performance audit states that there are nine ranking officers, so we thought through the plan, through attrition, eliminate three lieutenants. We still have a captain and lieutenant on every turn. Through attrition in the future, somebody retires, somebody goes on disability or someone chooses to leave early, we don't have to replace that position.

Mr. Merlo: Is this part of collective bargaining?

Mayor Infante: It's not in the collective bargaining. I've told you guys that many times.

Mr. McCormick: I was going to ask the same thing. This is not in the bargaining unit agreement?

Mayor Infante: I've said that many times, it's not. By city ordinance.

Mr. Pezzano: Mr. Mayor, I know what's going on here, but still I was requesting to have something in black and white to show us as council that it's not contractual and it's no unfair labor practices, so that's my question.

Mayor Infante: If you come to my office, I'll give you a copy of the contract. This has been going on for three or four months.

Mr. Merlo: It think what he is referring to is from --

Mayor Infante: I know what he is referring to.

Mr. Merlo: Ok.

Mayor Infante: I spoke to them also.

President Marino: Any other questions? Call the roll for a third reading, please.

YEAS: 3 NAYS: 4 (McCormick, Stredney, Merlo, Pezzano)

President Marino: The ordinance has not received its third reading.

ORDINANCE NO. _____(Draft No. 28-15)

AN ORDINANCE AMENDING CODIFIED ORDINANCE NO. 925.03(A) BY INCREASING THE RATES CHARGED FOR THE USE OF THE SANITARY SEWAGE SYSTEM: FOR THE YEARS 2018 THROUGH 2025; AND DECLARING AN EMERGENCY

It was moved by Papalas to give this ordinance a third reading.

President Marino: Is this the one Mark?

Mr. Hess: This is the rate increase that we talked about. It was put on hold because I guess there was some discussion about whether or not there would be some federal help. I tried to contact Senator Ryan's office and I haven't gotten any confirmation that there is any federal money available for this project. So right now the schedule for me is to have to have the application to the EPA by July 24th and get our permits and so forth by August 3rd and the actual bid by September 18th. That's so that we can get more money to the contractor this year. If we don't do that, then that money won't be available until next year. So I would like for you to suspend this.

Mr. Papalas: Mr. Chairman, I'll rescind my motion for a third reading and instead I would like to make a motion to suspend the rules.

Mr. Lastic: Second.

Mr. Merlo: I would just ask Mark that you try to keep in touch (inaudible).

YEAS: 7 NAYS: 0

It was moved by Merlo, seconded by Stredney to adopt this Draft.

YEAS: 7 NAYS: 0

Draft No. 28-15 has been adopted on the 15th day of July 2015.

RESOLUTION NO. _____(Draft No. 34-15)

A RESOLUTION AUTHORIZING THE LINE ITEM TRANSFER OF FUNDS FROM THE LIGHT DEPARTMENT'S CONSTRUCTION ACCOUNT TO THE LIGHT DEPARTMENT'S CONTRACTED LABOR ACCOUNT; AND DECLARING AN EMERGENCY

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

Mr. Papalas: This is for tree trimming and stuff that you can see in Section 3.

YEAS: 7 NAYS: 0

It was moved by Papalas, seconded by Giancola to adopt this Draft.

YEAS: 7 NAYS: 0

Draft No. 34-15 has been adopted on the 15th day of July 2015.

RESOLUTION NO. _____(Draft No. 38-15)

A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED WASTEWATER TREATMENT PLANT DESIGN AND IMPROVEMENT FUND TO THE WASTEWATER TREATMENT PLANT'S DESIGN AND IMPROVEMENT FUND'S CONSULTANT FEES ACCOUNT AND, DECLARING AN EMERGENCY

It was moved by McCormick, seconded by Lastic to suspend the rule requiring three readings.

YEAS: 7 NAYS: 0

It was moved by Lastic, seconded by Papalas to adopt this Draft.

YEAS: 7 NAYS: 0

Draft No. 38-15 has been adopted on the 15th day of July 2015.

RESOLUTION NO. _____(Draft No. 40-15)

A RESOLUTION AUTHORIZING THE SERVICE DIRECTOR TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND AGREEMENT ON BEHALF OF THE CITY OF NILES FOR PLANNING, DESIGN AND/OR CONSTRUCTION OF WASTEWATER FACILITIES; DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN; AND DECLARING AN EMERGENCY

It was moved by Papalas, seconded by Lastic to suspend the rule requiring three readings.

YEAS: 7 NAYS: 0

It was moved by Papalas, seconded by Pezzano to adopt this Draft.

YEAS: 7 NAYS: 0

Draft No. 40-15 has been adopted on the 15th day of July 2015.

RESOLUTION NO. _____(Draft No. 41-15)

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

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

YEAS: 7 NAYS: 0

It was moved by Papalas, seconded by Lastic to adopt this Draft.

YEAS: 7 NAYS: 0

Draft No. 41-15 has been adopted on the 15th day of July 2015.

RESOLUTION NO. ____ (Draft No. 41-15)

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

McCormick: Mr. President, Andy would you please speak on that and let them know what that is about?

Mr. Catanzarite: This is basically for \$15,000.00 for the lime cylo that has to be taken down and then (inaudible) replace the roof. By running this through the contract, we have an estimated price of about \$40,000.00 and we wanted to get it done as an independent job and we could get it done locally for about \$14,500.00.

Mr. McCormick: I think it makes sense even though it goes on the loan and it's a long term pay back. Reap the savings right now so I would like to make a motion to suspend the rules on that.

Mr. Giancola: Second,

YEAS: 7 NAYS: 0

It was moved by Giancola, seconded by McCormick to adopt this Draft.

YEAS: 7 NAYS: 0

Draft No. 42-15 has been adopted on the 15th day of July 2015.

RESOLUTION NO. ____ (Draft No. 43-15)

A RESOLUTION AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO A CONTRACT AMENDMENT FOR PROFESSIONAL SERVICES FOR BIDDING AND CONSTRUCTION ADMINISTRATIVE SERVICES FOR THE WASTEWATER TREATMENT PLANT IMPROVEMENTS; AND DECLARING AN EMERGENCY

Mr. Hess: Mr. Chairman, if I may, this is the contract with Montgomery Watson for the bidding and construction administrative services at the wastewater treatment plant. We've actually been negotiating with them for about a couple months and everything is pretty much done and both me, Tom Holloway and Andy. (inaudible) We are very comfortable with the contract and so what we are asking for today is to go ahead and suspend the rules and this is also something that has to be part of application to get the loan for the wastewater treatment plant.

President Marino: That 5.1 total Mark is that a percentage of the project?

Mr. Hess: Yes. Actually the 5.1 is the whole thing.

President Marino: For the engineering, construction management; is that everything?

Mr. Hess: Yes.

Mr. Merlo: That's money we have already spent.

President Marino: Good. Good job to whoever had a hand in that.

Mr. Hess: Andy and Tom Holloway.

Mr. Catanzarite: Let me add that part of this, too, I hope it's okay that we are trying to push this through because we are under a time table to get this done. If we don't get the application in with all the appropriate assessments to it, we won't get that loan.

Mr. McCormick: With Mark, Andy and Tom reviewing it, I have to go by their professional decisions on this. I think it's the right thing to do and we have to do it in a timely fashion, so I make a motion that we suspend the rules.

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

YEAS: 7 NAYS: 0

It was moved by Stredney, seconded by Pezzano to adopt this Draft.

YEAS: 7 NAYS: 0

Draft No. 43-15 has been adopted on the 15th day of July 2015.

ORDINANCE NO. ____ (Draft No. 44-15)

AN ORDINANCE ACCEPTING THE NILES CORTLAND COMPANY ROADWAY DEDICATION PLAT FROM NILES CORTLAND COMPANY, LLC.; AND, DECLARING AN EMERGENCY

Mr. Pezzano: Mr. President, I would like to refer this to the Planning Commission.

It was moved by Pezzano, seconded by Stredney to refer Draft 44-15 to the Planning Commission Motion carried.

Mr. Hess: Mr. Chairman, I would like to make a brief comment. This road is the road that the Toyota Dealership is constructing. A public road that they are constructing to our specification and getting a traffic study that shows that the only improvement that they would have to do to State Route #46 is a left turn lane for traffic coming from the north. There's no reason for a right turn lane or anything like that. The next step is to go through the Planning Commission. We are

reviewing the plans for the road and hopefully by the time the Planning Commission meets, they'll have their report done.

RESOLUTION NO. ____ (Draft No. 45-15)

A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE HEALTH DEPARTMENT'S HOSPITALIZATION ACCOUNT TO THE INCOME TAX DEPARTMENT'S CONTRACTED LABOR ACCOUNT; AND DECLARING AN EMERGENCY

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

Mr. Merlo: I would just say that in our finance meeting, this is part of the money that's owed to tax refunds that we were all in favor of it getting paid so we asked Chuck to look at line items that we could take money from and this was one of them.

YEAS: 7 NAYS: 0

It was moved by Papalas, seconded by Merlo to adopt this Draft.

YEAS: 7 NAYS: 0

Draft No. 45-15 has been adopted on the 15th day of July 2015.

ORDINANCE NO. ____ (Draft No. 46-15)

AN ORDINANCE TO INCREASE THE FEES CHARGED FOR DWELLING PERMITS FOR RESIDENTIAL NON-OWNER OCCUPIED DWELLING UNITS, AND FOR PERMITS FOR ROOMING HOUSES, GUEST ESTABLISHMENTS AND HOTELS/MOTELS; AMENDING CODIFIED ORDINANCES 1402.10 (B) AND 1410.02; AND, DECLARING AN EMERGENCY

Mr. Papalas: Mr. Chairman, I have one question to ask. Is the \$25.00 per unit even in apartment buildings?

Mayor Infante: Yes.

Mr. Papalas: Okay, that's all I have to ask and I would move to suspend the rules.

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

YEAS: 7 NAYS: 0

It was moved by Papalas, seconded by Lastic to adopt this Draft.

YEAS: 7 NAYS: 0

Draft No. 46-15 has been adopted on the 15th day of July 2015.

ORDINANCE NO. ____ (Draft No. 47-15)

AN ORDINANCE INCREASING THE CITY INCOME TAX RATE FROM 1.5% PER ANNUM TO 1.75% PER ANNUM COMMENCING JANUARY 1, 2016, SUBJECT TO THE APPROVAL OF THE ELECTORS OF THE CITY OF NILES, FOR THE PURPOSE OF PROVIDING ADDITIONAL FUNDS IN THE GENERAL FUND FOR GENERAL MUNICIPAL OPERATIONS, FOR THE PURCHASE OF VEHICLES AND EQUIPMENT FOR THE SAFETY FORCES, AND FOR STREET RESURFACING, AND FOR NO OTHER PURPOSES; TO AMEND NILES CODIFIED ORDINANCES 191.01 AND 191.03(A); AND, DECLARING AN EMERGENCY

It was moved by Papalas, seconded by McCormick to suspend the rule requiring three readings.

Mr. Papalas: This is a very important part of our financial plan submitted by the Mayor and endorsed by the State Auditor as well as our financial commission, so I consider it very important and if it doesn't pass on the ballot, I think we need to have a discussion with the Mayor as to what Plan B is going to be.

Mayor Infante: Also, to add onto that, the breakdown where the \$350,000.00 will be used for operations, that's important because the State Auditors are telling us next year and four years after that, we're going to need about \$300,000.00 to make up the personnel police and fire to get them going. That's where the \$350,000.00 comes from. \$300,000.00 is for capital expenditures for police and fire so we can do purchase of new police cruisers and fire trucks and equipment that they need. So the total quarter percent should bring in an additional \$900,000.00.

Mr. McCormick: I don't think there is any question we could use that to redo some of our safety equipment. We're a little lacking there.

YEAS: 7 NAYS: 0

It was moved by Papalas, seconded by Giancola to adopt this Draft.

YEAS: 7 NAYS: 0

Draft No. 47-15 has been adopted on the 15th day of July 2015.

RESOLUTION NO. ____ (Draft No. 48-15)

A RESOLUTION DIRECTING THE BOARD OF ELECTIONS TO PLACE UPON THE NOVEMBER 3, 2015 GENERAL ELECTION BALLOT A PROPOSED ORDINANCE TO PERMANENTLY INCREASE THE RATE OF INCOME TAXATION FROM 1.5% PER ANNUM TO 1.75% PER ANNUM, COMMENCING JANUARY 1, 2016, FOR THE PURPOSE OF PROVIDING ADDITIONAL FUNDS IN THE GENERAL FUND FOR GENERAL MUNICIPAL OPERATIONS, FOR THE PURCHASE OF VEHICLES AND EQUIPMENT FOR THE SAFETY FORCES, AND FOR STREET RESURFACING, AND FOR NO OTHER PURPOSES; AND, DECLARING AN EMERGENCY

It was moved by Papalas, seconded by Lastic to suspend the rule requiring three readings.

Mr. Papalas: Terry, thanks for doing the research on this.

YEAS: 7 NAYS: 0

It was moved by Papalas, seconded by Giancola to adopt this Draft.

Mr. Stredney: Is this what we are proposing that will be on the ballet?

Mr. Dull: Yes.

Mr. Stredney: Because of the question mark.

Mr. Dull: Yes. The Board of Elections will have to review this and make sure the information given is correct.

YEAS: 7 NAYS: 0

Draft No. 48-15 has been adopted on the 15th day of July 2015.

RESOLUTION NO. ____ (Draft No. 49-15)

A RESOLUTION AUTHORIZING THE AUDITOR TO EXECUTE A LETTER OF ENGAGEMENT WITH THE ACCOUNTING FIRM OF JULIAN & GRUBE TO PERFORM FINANCIAL AUDITS FOR THE CITY FOR THE CALENDAR YEARS 2014 THROUGH 2018

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

Mr. McCormick: I have a question. Is this something that the State Auditors normally do and are they changing their policy where we have to have it done with a private firm?

President Marino: Great question. Because we are in fiscal emergency and we have the auditors managing some of our finances and making recommendations and providing financial reports to not only the commission but also to you, they can't audit themselves, so we are required to contract with an outside agency or company to audit our books. Because Nita Hendryx and Tim Lintner and those folks are engaged in our day-to-day operations.

Mr. McCormick: Are the prices kind of similar?

President Marino: They went out for RFP. An RFQ?

Mr. Merlo: That was my understanding at the financial meeting.

President Marino: State Auditors did it or we did it?

Mayor Infante: State Auditors.

Mr. Stredney: This isn't technically any additional money for this year since we already appropriated to pay them?

President Marino: Right. Because they are just finishing up the '13 audit now. Are they done with the '13 audit, Ralph?

Mayor Infante: Yes. We are just about finished now.

Mr. McCormick: Another question. Are they doing '14? So would this me '15 through '18 then?

Mr. Merlo: No.

President Marino: They're going to do '14 audit because we were placed in fiscal emergency in '14.

Mr. McCormick: Okay.

President Marino: Call the roll for suspension.

YEAS: 7 NAYS: 0

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

YEAS: 7 NAYS: 0

Draft No. 49-15 has been adopted on the 15th day of July 2015.

RESOLUTION NO. ____ (Draft No. 50-15)

A RESOLUTION AUTHORIZING A TRANSFER OF FUNDS FROM THE HEALTH DEPARTMENT'S HOSPITALIZATION ACCOUNT TO THE INCOME TAX DEPARTMENT'S REFUND ACCOUNT; AND, DECLARING AN EMERGENCY

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

Mr. Papalas: This is one of those ordinances that came from last week's finance committee meeting that deals with refunding tax payers.

YEAS: 7 NAYS: 0

It was moved by Papalas, seconded by Giancola to adopt this Draft.

Mr. McCormick: Question. How does this differ from Draft No. 45-15?

Mr. Papalas: The funds to pay back the refunds came from two different sources, so each ordinance is a different source.

Mr. McCormick: They both come from the hospitalization account.

Mr. Papalas: Each came from a separate account.

Mr. McCormick: Okay.

YEAS: 7 NAYS: 0

Draft No. 50-15 has been adopted on the 15th day of July 2015.

ORDINANCE NO. ____ (Draft No. 51-15)

AN ORDINANCE AMENDING ORDINANCE NOS. 10-07 AND 17-12, IN PART, BY ELIMINATING THE FULL TIME-POSITION OF DIRECTOR FOR THE WELLNESS CENTER AND CREATING THE PART-TIME POSITION OF EVENTS COORDINATOR; AND, DECLARING AN EMERGENCY

It was moved by Papalas, seconded Merlo to give this Draft a first reading.

Mr. Papalas: Mr. Chairman, the Mayor has assured us that when we come to the second reading, there will be a job description associated with this and other positions and hopefully some names so that this will round it out with those details. I think job descriptions are extremely important for this, so it is my understanding that one of the personnel – the person that's involved now is still going to be involved. We're bringing others in for other aspects of this operation. The Mayor is discussing some things with them.

Mr. Lastic: Mayor, how many more?

Mayor Infante: One or two. They split the duties.

Mr. Papalas: Let me further explain something. For those who weren't at the finance committee meeting, I understand people work and everything, so I'm not complaining about that, but I insisted on coming out with a first reading with this because this is the first exposure to most of you and it also gives the Mayor time to come up with the information that I think we should have. I even called the Mayor afterwards because I had some questions, so feel free to call him with questions. The next meeting I'm not going to move for suspension. We'll go for a second reading and then a third after that. Is that fair to everybody?

President Marino: Call the roll for a first reading.

YEAS: 7 NAYS: 0

Draft No. 51-15 has received its first reading.

ORDINANCE NO. _____(Draft No. 52-15)

AN ORDINANCE AMENDING SUBPARAGRAPH (C) OF CODIFIED ORDINANCE NO. 501.14, "ABATEMENT OF CRIMINAL ACTIVITY NUISANCES", BY ADDING THE CATEGORY OF "OTHER DISTURBANCES" TO THAT SUBPARAGRAPH

Mr. Giancola: Mr. President, what happened with this one is Sophie in the police department wanted to combine a couple ordinances into one and that's what this is so it's easier to track.

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

YEAS: 7 NAYS: 0

It was moved by Giancola, seconded by Papalas to adopt this Draft.

YEAS: 7 NAYS: 0

Draft No. 52-15 has been adopted on the 15th day of July 2015.

President Marino: That concludes tonight's legislation. Next order of business if our council meeting schedule. Is it still necessary to have a special meeting on July 29th to accommodate these ordinances?

Mr. Papalas: Yes.

President Marino: What time would be appropriate? 5:00 p.m.?

Mr. Lastic: What day is that?

President Marino: It's a Wednesday. 5:00 on the 29th special meeting.

Mr. McCormick: Two weeks from today?

President Marino: Yes, sir. 29th at 5:00 p.m. So by order of Niles City Council, there will be a special council meeting on Wednesday, July 29, 2015 at 5:00 p.m. in council chambers for agenda items only. The clerk will provide the necessary notifications.

Mr. Stredney: Will you be adding any new ones?

President Marino: Yes, but it would only be for agenda items only. Then to accommodate the Mayor's request for the passage of ordinances that in lieu of our regular meeting scheduled for August 19, 2015, it will be on the 5th of August, 2015. That would be August 5th at 6:00 p.m.

Mr. McCormick: That's our only scheduled meeting in August?

Mr. Papalas: Yes.

Mr. Stredney: What about the fiscal commission meeting?

President Marino: It will be the 19th of August. We're still keeping our fiscal commission meeting on the 19th, but it has no bearing on council.

Mr. Papalas: 6:00 p.m. on the 5th of August?

President Marino: Yes. So can we have a motion to –

It was moved by Papalas, seconded by Merlo to amend the council calendar and schedule the special meeting. All in favor signify by aye.

Motion carried.

MISCELLANEOUS REMARKS

President Marino: Mr. Guarino, how's that nighttime parking ban going? Is it working?

Mr. Guarino: Yes. It's working very well.

President Marino: I just wondered. I haven't heard anything.

Mayor Infante: Tonight I presented all of council with a big packet. Apparently the five head of the unions put some articles on Facebook that were fictional so I've responded to them and that's

how thick my package is on the responses. From health care, to man power, to pay increases, my service director getting a 48% increases, which is ludicrous, to 70 fire hydrants that aren't working, which we fixed 64 of 70, go through the whole package I replied every line item and supplemented that with facts, ordinances, contract language, contracts from all five unions. I want you guys to read that. If you have any questions, you ask me. I'd like it to be accepted into the Minutes so it's for public record so anybody could get a copy. All the facts are in this response.

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

President Marino: I would ask that council consider that we also place it on line with our Minutes so that it will be accessible to the community to read if they so wish.
Motion carried.

Mayor Infante: I'd like to thank you for accepting that and I'd like to say to the five unions, I know one is here, my door is always open. If you guys have something you want to talk about, you know my door is always open to you. We discussed a lot of these items that you put in there that are false in negotiations and I pleaded to you for three years on our finances with the city and it fell on deaf ears. Now you got the responses in writing and its public record. That's all I have to say.

Chief Danielson: (Inaudible) Speaking about Trumbull Memorial Hospital. Second, I wanted to thank John Stevens, who left the meeting, who took the time to write the grant for the purchase of a new fire truck. We had an agreement last year with (inaudible) and the materials are just now coming in. (inaudible) Last thing, I need to set up a meeting with the safety committee sometime next week whenever you guys are available. Maybe 2:00 in the afternoon.

Mr. Giancola: That grant that you got, the \$400,000.00, is that enough to purchase a new truck?

Chief Danielson: Yes. It's going to be close. It's going to be truck only with very minimal additional equipment. (inaudible)

Mr. McCormick: Is the plan then to transfer equipment from the present truck to that one or are we just going have to bite the bullet and try to find it in the budget?

Chief Danielson: According to the bid, we actually have (inaudible) so we can transfer the equipment off of that vehicle and put it on the new vehicle. I don't think we have enough. If we need a little bit more, hopefully next year we can try to take it off of our (inaudible) and put it on that truck.

President Marino: Congratulations Chief to your team. Did I hear you correctly that your goal is to have that truck competitively bid – I'm sure it has to be competitively bid – not proprietary, I'm sure of that, so to have it here by when?

Chief Danielson: (inaudible)

President Marino: Oh, I was wondering how you could have it here by the end of the year.

Chief Danielson: We have a couple options (inaudible)

President Marino: I prefer it be competitively bid. I don't have much to do with that stuff.

Chief Danielson: Yes. It still has to go out for bid.

President Marino: You mentioned state term. I prefer competitive bidding myself.

Mr. Vigorito: I'd like to ask for another finance meeting. As I stated several meetings ago when we were trying to come up with money for Mr. McCormick, I took \$8,000.00 out of the refund account in order to appease him for a while, the other \$4,000.00 came out of the general surplus. The \$8,000.00 shorted me and I stated in council that in several months I would be short and I would need this money back in once the other account was established. We've had two huge permits come in this last month. Out of the refund account, I sent 3% tax to the State of Ohio and 1% tax for State of Ohio for residential. Right now my account is short and I can't even pay the state for the month of June.

Mr. Papalas: Did you discuss any of this with the Auditor?

Mr. Vigorito: Yes.

Mr. Papalas: What did he say?

Mr. Vigorito: He said it has to be done through the finance. In order for me to transfer the money back into this account somehow, in order to – I was hoping to be able to get this done as soon as possible, otherwise I'm in jeopardy with the state.

Mr. Papalas: I understand, Anthony, and I appreciate that. You know, we don't always agree, but I'll have a call into Mr. Nader. There's no need to have a finance committee every time somebody needs money. If the money is there, then the Auditor needs to find it. If it's not there, then something needs to be done. We discussed that last meeting so I will have a discussion tomorrow with the Auditor for you and we'll see if we can do this without a meeting. I'll get back to you, okay?

Mr. Vigorito: Okay.

Mr. Catanzarite: Just briefly. I know a lot was brought up about water. Since June 14th we have been pumping about 12 million gallons a day through that plant. That plant normally gets about four. As we get that big a flow we get more stuff washed down which causes us more issues within the plant. We're doing everything we can to try to get caught up. I do apologize to you and you guys basically call that the Wilson Road pump. It's the only one we have in town right now so you're getting preferential treatment out there. I've been meeting with Frank quite a bit and hopefully we'll get back on a normal routine. I've been going out since the rain showers myself and checking storm drains and we're keeping a list and will be getting the guys back on

it. We're working as hard as we can to get caught up and try to alleviate as much trouble as we can.

President Marino: I would hope that somebody from your office would send the County Engineer frankly a letter for him allowing us – or somebody to thank Randy Smith for him allowing us to borrow that jet truck of his.

Mr. Catanzarite: It is costing us.

President Marino: Oh, we're paying for it?

Mr. Catanzarite: \$60.00.

President Marino: \$60.00 a –

Mr. Catanzarite: We're basically thanking him with a check.

President Marino: For what he charged us, to be perfectly honest, you still should send him a thank you letter.

Mr. Catanzarite: Yes, we had issues and he helped us out. I will thank him too because we have a second pump now that they have loaned us at no charge.

President Marino: I appreciate what the County Engineer is doing for us.

Mr. Papalas: Yes. I have some comments and questions. First of all, Paul Lawrence has contacted me with regards to an issue that the Judge wants to discuss. A way of saving some money, restructuring personnel, temporarily or permanent, I'm not sure which, but I think we need to have that discussion. Terry, I couldn't understand your message today because you were talking very soft.

Mr. Dull: Sorry about that.

Mr. Papalas: Could you work with the Judge on this and come up with an idea for an ordinance?

Mr. Dull: Sure.

Mr. Papalas: And I'll touch base with you and see what you need. There's some questions, so I figured you guys are both lawyers, he's a Judge and you're a lawyer and you guys know the language so let me know what you suggest and we'll deal with it. I'm puzzled about the storm sewers and the pumps and I'll tell you why. I think the at-large councilmen need to know this and the 2nd ward councilman needs to know this. On Stephney Street, it started there as far as my awareness. About two or three weeks ago, longer than that, the neighbors started calling me when I was out of town and they said their street got flooded to the point where the water came up onto the yards past their houses and down into their basements and that never happened before. When I got home, I went out there during one of those rains and the water was like a

pond clear up into the yard and the strange thing is when it stopped raining and we were out there talking this whirlpool on both catch basins appeared and you could watch everything drain before your eyes. Just like that it was gone. I'm sure that means something to somebody, but anyway we ended up having a truck taken up there and we couldn't clean the sewer out, it was completely blocked with sediment and so forth and then I learned that there are other locations like that. So my question is, how many of those locations do we have? That didn't happen overnight. I think it happened – and correct me if I'm wrong – I'm surmising it happened because we didn't have a program in place where we continually cleaned out – somebody mentioned that today, I think, Mr. Rossi – we need a pre-maintenance program ongoing. What have we been doing for three or four years?

Mr. Pezzano: Mr. Papalas, that's what I was saying in the beginning that myself and Andy, Glen Randolph and Mr. Buccino were trying to set up a plan to be going back to the old ways of being proactive.

Mr. Papalas: That takes us into our equipment, do we have enough pumps? The silence is killing me.

Mr. Catanzarite: No, we don't.

Mr. Papalas: So what are we doing about that?

Mayor Infante: Well, we need a recommendation.

Mr. Papalas: Here's the deal, every time it rains real hard, we know people are going to get flooded and have damage. So what are we doing about the pump, Andy? What is your recommendation? We'll follow through.

Mr. Catanzarite: I know we have had discussions on getting a second pump like the one we have, so in all honesty right now that pump that is on the road and we've had discussions that somebody coming around the corner could hit that pump and if they do we are down to no pumps. We have a couple smaller ones that are down in the garage that are scrap and we definitely are in need of at least a second pump. We were at a point in June where we were having to make a tough decision to either pull the pump from Wilson and leave flooded basements or not and flood the plant. With that much rain coming down on the 14th and 15th and 16th. We were very lucky that the county helped us out and gave us a pump to use. We are in desperate need of at least one more pump.

Mr. Papalas: What do they cost?

Mr. Catanzarite: The one that sits up on the road costs \$70,000.00. We can get one similar to that without the silencer, which I'm sure they would prefer not to worry about the water in the basement but have the noise, we get pick those up for about \$45,000.00. There are some you can pick up for about \$25,000.00 to \$28,000.00, but they aren't very good. I would hate to see us replace a pump every two years when we can spend \$45,000.00 and get a pump that lasts probably five to ten years.

President Marino: How old is the one over there? Ten, eleven years?

Mr. Catanzarite: I would say so.

President Marino: Yes. Because Mr. Lastic, his house and my house -- well, his house really got flooded and we got water and there were no pumps at that time so they ran out and bought pumps. It's like deja vu all over again, Steve.

Mr. Papalas: Let's look for a pump. We need to have a meeting over this. Let's do it, budget it and see what we can do. What are we going to do with the lines that are so clogged they couldn't be cleared? That's the other part.

Mayor Infante: Glen said there is some kind calcium build up where he couldn't get across the lines, but they went and got a truck, a demo, right Andy?

Mr. Catanzarite: Yes.

Mayor Infante: From this company and it worked through. Actually, we had to dig up Clinton and Cleveland and replace the lines. I'm assuming the same thing on Stephney.

Mr. Papalas: When will they take care of Stephney?

Mayor Infante: We have our trucks just about back. So we'll get back working on that.

Mr. Papalas: Now, let's go full circle then, is that the same kind of problem that some of the folks are having that talked to us tonight?

Mayor Infante: I wouldn't think so. A lot of the problems like theirs are in a different area which is in a low area near the creek. When the creek fills up, everything backs up when the sewers are at full capacity. But we should have a maintenance program like Frank is saying to get those lines all cleaned out at least once a year. Now, there are areas that we do three times.

Mr. Papalas: Are those lines in good repair?

Mayor Infante: Oh, yes. We also have the camera that we can run through them.

Mr. Papalas: Let's do the camera and find out what's in there. Start with that.

Mr. Pezzano: Mr. Papalas, also the same night we had that big down pour, myself, Andy and Neil Buccino were out and Trumbull County was actually out and about just checking the lines themselves and we stopped and talked to them on North Road and they said every manhole that they uncovered was actually working so they didn't want to pump more water in there, so it was doing its job.

Mr. Papalas: I would like to know what's going on with those lines if they haven't had water in years in some places.

Mayor Infante: We definitely need to run the camera through the lines.

Mr. Papalas: So when can we have that done?

Mayor Infante: As soon as they catch up.

Mr. Papalas: Andy, do you have an idea about doing the cameras?

Mr. Catanzarite: I know the cameras can be proactive, but right now until we get some of these catch basins opened up, we are going to be in the reactive mode and get those opened up first especially some of the trouble areas and then get a program to work on the cameras.

Mr. Papalas: What's your time frame?

Mr. Catanzarite: I'll tell you what, I'll get back to you at next council meeting and give you a time frame for that, if that will be okay. At this point, I have no idea how many catch basins are backed up and the sewer lines as well, however (inaudible)

Mr. Papalas: Will these locations be checked by then?

Mr. Catanzarite: Wilson we know – like Ralph just said, the river is high there. There's nowhere for the water to go. We'll pump the combination of water and sewage. This is obviously something the EPA doesn't like because of issues like that. We are also going through issues at our plant. It's kind of a catch 22 right now. We try to get to the trouble areas.

Mr. Papalas: All right.

Mr. Catanzarite: Around Difford. The one that Frank had asked about was definitely opened up.

Mr. Papalas: Good.

President Marino: Thanks, Andy.

Mr. Papalas: So we will discuss, if we need to, the purchase of another pump and storm sewers. Just one other thing, whenever we voted on a contract for city employees, I don't remember anybody here ever saying no and so with those contracts you have pretty good insurance policies and other issues and other items in this contract that people across the land would love to have. They would stand in line for what you have. We never said no to you. Times are coming, however, when we absolutely need to make cutbacks. Whose fault is that? We can talk about who stole whose chicken all night long, but we went through this in the early '80's. It wasn't easy for anybody, including council, so for some of the council members who are coming back in January think they have pressure right now, again you haven't seen anything yet. For all of our city employees, and most of you have been very loyal and good employees, there are times

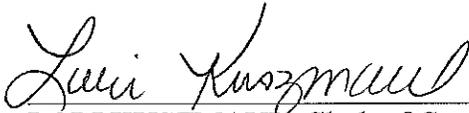
when we are going to have start saying no. I know this is not going to go over very well, but we're in that period of time right now. If better times come, we can respond to the better way. That's all I can say. Call me if you have a problem and we'll look to see what we have in our checkbook and that's what we need to do. That's all Mr. President.

Mr. Giancola: One comment. I drive up and down the wards constantly. Every week I do a different ward and I drive every street. What really ticks me off, we're talking about sewers and drains plugging, why do people blow grass five feet out into the roads? Where does the grass go then? Right down the drains. When that stuff builds up and collects, it's going to plug. So I would just say, when you see your neighbor blowing grass in the street, tell him to turn his lawnmower around and blow it back into his own yard. It shouldn't go on the city streets where it's going to cause more problems. That's all I have to say.

Mr. Pezzano: I would like to talk to some people after the meeting.

ADJOURN

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



LORI KUSZMAUL, Clerk of Council



ROBERT MARINO, JR., President of Council