

## COUNCIL MEETING MINUTES

April 6, 2016

Niles City Council held its regular meeting on April 6, 2016 at 6:00 p.m. in Council Chambers Safety Service Complex in Niles, Ohio.

The meeting was called to order by Acting President Steve Papalas, and the Clerk, Lori Kuszmaul, called the roll:

Lastic-P, Papalas-P, McNaughton-P, Steffey-A, Marchese-P, Mientkiewicz-P, Pezzano-P, Marino-A

It was moved by Steffey, seconded by Mientkiewicz to excuse President Marino from the meeting.

Motion carried.

Acting President Papalas: Dr. Marino is at a meeting tonight due to his employment so he is not able to attend.

It was moved by Steffey, seconded by McNaughton to accept the Minutes from the March 16, 2016 regular council meeting and place them on file.

Motion carried.

## REPORTS AND COMMUNICATIONS

**FROM** The Ohio Division of Liquor Control

Notice of Legislative Authority for LaLatina Market & Tacos LLC, 816 Youngstown Warren Road, Niles, Ohio 44446.

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

Motion carried.

**FROM** the Office of Building Inspector Anthony Vigorito

A letter from the Planning Commission making recommendations for Draft No. 24-16.

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

Motion carried.

**FROM** The Niles City Auditor

Check Report by Check Number from 03/01/16 through 03/31/16

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

Motion carried.

Mr. Mientkiewicz: I have quick comment on that. Just so the audience knows, all those check runs from January and February are now live on the City website. They are there for your viewing pleasure. We will have March's on tomorrow?

Mr. Dibble: As soon as I get it, yes.

**FROM** The Niles City Auditor

Statement of Cash from Revenue and Expense from 01/01/16 to 03/31/16

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

Motion carried.

**FROM** the State Auditor Dave Yost's Office

A letter appointing Dr. Robert Marino to the East Ohio Regional Advisory Board.

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

Motion carried.

**FROM** The Office of the Mayor

Mayor Scarnecchia's Transparency Administration Agenda 2016.

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

Motion carried.

#### **MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL**

Andy Bickerstaff, 38 Williams, Niles. On the first ordinance this evening, it says advertise for bids on the VOIP phone system. Where is this money coming from?

Mr. Mientkiewicz: Andy, this is coming from enterprise funds as well as the general fund. It is an upgrade to eliminate overpriced phone bills. It's being done as a cost-saving measure. It is a cost-saving measure so it is not fully funded from the general fund. It is broken up into each individual fund.

Any Bickerstaff: As a phone guy who worked for AT&T as a contractor for 10 years and from a business standpoint that I used to work for a phone business provider, I can tell you that there is a lot more costs associated with this then what is needed right now. We make these savings, but it will be way down the road. I can tell you that the fire department alone we have six phones over there. These new phones we are looking to replace with phones that don't work with the existing wiring. Every one of these new phones has to have a CAT fib to it, so not only are we replacing phones and the systems, now we have to have all new wiring and infrastructure essentially to those phone. These buildings are 50 years old plus. From a guy who does electrician work on the side, when I can, I can tell you that fishing walls in this older building it's going to take you time and a lot more money than it is – you know, you've got a lot of money ahead of you.

Mr. Dibble: May I interject on that?

Mr. Mientkiewicz: Yes. I did ask Mr. Dibble, our IT Director, to speak on this topic. I was going to wait until later, but to ahead.

Mr. Dibble: A lot of CAT fib is already ran; specifically anywhere that you need analog at, but you're paying PBX costs that are probably going to be almost half the cost of a new system.

Andy Bickerstaff: So the analog that you're planning on putting in the fire station that we have six that I can count that I know for a fact don't have CAT fib, you're just going to have analog phones there? Will we still be able to transfer calls between departments and everything else?

Mr. Dibble: In this fire station or the other fire station?

Andy Bickerstaff: In this fire station.

Mr. Dibble: Yes, you will be able to do station transfers if the old ones stay, you will use a digital gateway and each phone will have its own DID.

Andy Bickerstaff: Okay.

Mr. Dibble: So right now you have no capability to transfer calls between this building or any other building.

Andy Bickerstaff: Correct.

Mr. Dibble: All buildings should be on one system. We should be paying for internal transfers not outside transfers. Right now you are paying for the phone company to do those transfers.

Andy Bickerstaff: The fire department is a little behind on the times, we just got new computers, you know, this year so the huge leap that we have to spend on phone system right now I don't feel is necessary. I mean, we've may have an old Chevette and it's working and getting us through and it's money crunch time and you don't go and buy a Corvette just because it's the newest thing out.

Mr. Dibble: So if I were to tell you that you were spending almost \$80,000.00 a year prior to and the new phone system would cost you \$60,000.00, you don't have any long distance charges, you don't have to call a service guy to come in and reprogram the phones anymore. One of the pieces that we need is for billing which requires that anyway, so if a resident wants to physically call in to pay a bill, they can pay the bill through the telephone. They don't have to have an operator pick up a phone. So there's a piece of the billing software that was already paid for and incurred that is dependent on us moving forward with the adequate phone equipment.

Andy Bickerstaff: Well, you quoted \$60,000.00, Mr. Dibble, I'll hold you to that number as will everybody else in the City because I know for – these are things I have dealt with in the past and I don't think \$60,000.00 will get it done. I really don't.

Mr. Dibble: I don't have a quote. I said we were paying an old bill. Right now we run between \$40,000.00 and \$50,000.00. You pay \$25,000.00 just in this building alone for PBX services through the phone company just to do interphone transfers within the buildings. So with the new phone system you eliminate \$25,000.00 right off the bat. Even if it costs you \$75,000.00, this building alone that savings will pay for itself in three years.

Andy Bickerstaff: We are looking at saving the phone systems and I still think a big chunk of this money is coming from the light department and everybody keeps saying they are so flush, and you have done a great job over there Mr. Newbrough and I want you guys to keep the money. We're giving it to all these other departments because the light department is flush with extra money, but if we're looking at flush departments, I think there are ways we can spend that money to make money. Why aren't we looking at LED street lights and stuff like that to save money that actually directly benefits the light department instead of taking money out of their funds for something that is supposedly going to benefit everybody.

Mr. Dibble: I can't speak for that, but this ordinance right now is to just go out for proposals so we can find out what it will cost. We need somebody to say this is what it's going to cost you to put this system in. Let's look at your bill right now and this is what we can do. If it's going to cost us \$100,000.00 and it's more than what we are paying, we don't have those numbers to be able to come back and tell you. We just don't know.

Mr. Mientkiewicz: Andy, that's why the ordinance says a request for proposal for bids only. We are not entering any contract until we do, there will be a process to get three separate bids and we are able to see what it is actually going to cost us.

Andy Bickerstaff: And this will be a fair proposal for bid specs comparing apples to apples and not favoring this guy because he knows somebody or anything like that?

Mr. Minetkiewicz: It will be fair spec. I'm going to request that all bids come through the Auditor's Office and locked in the safe and the last Friday in April based on our timeframe, that's where myself, the IT Chair, Mr. Dibble, the Auditor and the Mayor and Service Director are going to publicly open those bids.

Acting President Papalas: You will know and the entire public will know what those numbers are once those bids are opened, so we may have this conversation again. We don't know what the cost will be until we put it out for bid.

Andy Bickerstaff: Okay. Thank you.

Acting President Papalas: Thank you. It was a pleasure. Anyone else wish to address Niles City Council?

Rich Bailey, Butterfield Circle, Niles. Tonight City Council will be voting on a contract for outside legal services. It was also placed on as an emergency. I would ask that City Council ask for three readings and possibly see if whether our elected Law Director could provide those services for us. Not one police or fireman has been brought back yet since the levy passed and I realize we haven't started collecting the money yet, but to spend \$250.00 per hour for outside counsel, I would ask that you put your three readings on this and give the public a chance to burn your phones up and look for other alternatives. Thank you.

Acting President Papalas: Rich, keep in mind the Auditors have strongly recommended that we have outside counsel take care of this project and that's what the Mayor is trying to do.

Mr. Steffey: It actually is mandated in the Recovery Plan to use outside counsel for negotiations.

Acting President Papalas: Yes, it is.

Mr. Steffey: Working with our Law Director.

Acting President Papalas: Mr. Mayor, do you have any further remarks on that?

Mayor Scarnecchia: I think you said it right there.

Acting President Papalas: Rich, do you have anything else?

Rich Bailey: Did you get any other bids other than the attorney that you went with? Did you open it up? Maybe you could get \$100.00 per hour. Has anybody else been allowed to bid or is this just the same old way we used to do it?

Mr. Pezzano: Mr. Bailey, I was going to bring that up when it came up. I was going to ask the Mayor and the Service Director if they did allow to get other bids. That was going to be one of my questions.

Acting President Papalas: So we'll have council have a conversation on that. Anything else Mr. Bailey?

Rich Bailey: No.

Acting President Papalas: Thank you for your remarks. Anyone else in the audience?

Elizabeth Massiano, 1552 N. Carnegie Avenue. I have been having an ongoing water problem for over two years now and I would really really like to get it resolved.

Acting President Papalas: That came out of your tap?

Elizabeth Massiano: Yes.

Mr. DePasquale: Two years ma'am? It's been two years?

Elizabeth Massiano: Over two years.

Mr. DePasquale: Okay. I was up there today and we were flushing the hydrants up there. That's a dead end line. I know. I didn't realize it was two years old, but I was up there before the meeting and that water coming out of the hydrant was crystal clear. I will go up there tomorrow and check your house and check the water again. I wasn't aware that it was a two year old problem.

Elizabeth Massiano: Why does it keep happening?

Mr. DePasquale: That we have to find out. Being a dead end, every time you get a pressure surge on a dead end – on a dead end line at the end of that line is a tap, so when you get pressure (inaudible) For the last two years I wasn't aware of it.

Elizabeth Massiano: It's not constant like that, it's cycles, but every time they do work across the street or up the street, they had A to Z up the street last week doing work and every time that happens, we end up like this.

Mr. DePasquale: We definitely had the hydrant on and the water and it was clear.

Elizabeth Massiano: It's not coming through clear. I'm paying for service that I can't use.

Mr. DePasquale: I understand that.

Acting President Papalas: Mrs. Massiano, the Service Director definitely I know will be on that so if you want to give him your phone number, you'll be able to communicate.

Mr. DePasquale: There will be no cost to you on this.

Elizabeth Massiano: They've done that before, you know, but it continues to have –

Mr. DePasquale: I have to look into this and see what the problem is. I didn't know about this. Today is the first I've heard about this. I'll be up there tomorrow. What's your address?

Elizabeth Massiano: 1552 N. Carnegie.

Mr. McNaughton: Can I ask a question? You said it's recurring; a) how long in a ball park figure and b) when it does happen, how long is the water like that at a time?

Elizabeth Massiano: Sometimes it's several weeks and sometimes it's, you know, a day or two.

Mr. McNaughton: Do you know is it just at your home or –

Elizabeth Massiano: No. At first it was just (inaudible)

Acting President Papalas: We can't hear you.

Mr. Mientkiewicz: I'll give you my information because you are in my Ward.

Elizabeth Massiano: I have a husband with cancer and a preemie granddaughter and I have to make sure that the water quality is not going to affect them.

Mr. DePasquale: I'll be up there tomorrow.

Acting President Papalas: Any other comments?

Wanda Burns, 562 Wyoming Avenue. I have a question, but before I ask that, going off of his question, has he contacted our current phone provider to see if they are willing to knock off money off of our services in order to keep us as a customer?

Mr. Dibble: Yes. That's where we're at with our current provider.

Wanda Burns: Have you asked our current provider –

Mr. Dibble: Yes.

Wanda Burns: if they'll knock off some money in order to keep us?

Mr. Dibble: Yes.

Wanda Burns: What did they say?

Mr. Dibble: That's where we were spending \$80,000.00 and we are around the \$50,000.00 mark now.

Wanda Burns: So we were spending \$80,000.00, we're at \$50,000.00 now and it's going to cost us approximately \$60,000.00, you don't have a bid yet I understand that, but I never heard \$50,000.00. When you spoke to Andy I never heard \$50,000.00.

Mr. Dibble: Let me go backwards. A PRI line cost about \$600.00 a month. You have a single PRI line you get 23 (inaudible). Two PRI lines are \$1200.00. So for the phone bill, not the pieces that support the phones itself, your \$50,000.00 phone bill can be reduced to around a couple thousand by going to the newer system.

Wanda Burns: Okay. And the \$50,000.00 is for what period of time?

Mr. Dibble: Per year.

Wanda Burns: Per year.

Mr. Dibble: In rough numbers I say \$50,000.00, but you are somewhere around \$45,000.00 to \$48,000.00 sometimes a little higher depending on long distance calls or you have other services.

Wanda Burns: When you say \$2,000.00, is that per year?

Mr. Dibble: I said roughly \$2,000.00 because you still have a worm line that you have to maintain or if you have an analog system you do have to maintain for any given reason.

Wanda Burns: Per year?

Mr. Dibble: Yes.

Wanda Burns: And are there any costs on this new phone system that we currently don't have?

Mr. Dibble: What do you mean are there any costs?

Wanda Burns: Are there – okay, so if we get a new phone system, what charges will we incur on a year basis or a monthly basis, however you want to put it?

Mr. Dibble: You have to pay for your (inaudible) circuit, so that would probably be through Time Warner, I think probably not specifically, you have a leased line allowing you inbound and outbound calls.

Wanda Burns: (inaudible)

Mr. Dibble: Roughly \$600.00, \$650.00 per PRI per month. Not per year. So for two PRI's if you average \$2,000.00 a month, \$24,000.00 a year. You're \$24,000.00 versus \$45,000.00.

Wanda Burns: You're saving \$21,000.00 as opposed to –

Mr. Dibble: I don't have exact numbers and I won't have until we get the bid specs back knowing what (inaudible)

Wanda Burns: Okay. In (inaudible) based on our phones now, do our phones work now or are they not functioning?

Mr. Dibble: Partially, yes. Can you pick up a phone and call in, yes. Can we change the phone trees? No. Does everybody have a mailbox that should have one? No. We would have to actually call a service provider in to come in and change those. The pieces of the billing software, will that work under the old system? No. Can you call from this building to next door and utilize the same station identifier? Can you pick up a phone and hit a station without having to go out to a telephone company and back in? No.

Wanda Burns: So my second question, ten weeks ago I asked the question, have we gathered in from our various departments what that department's problems were and what needs fixed so that we can prioritize what should be done first, second, third, fourth, etc? (inaudible) he knows what he wants and he presented it. I have to think that I know for a fact that there is a leaky roof out at the substation. There's a tarp on it. Trying to save money, Mr. Hogan put a tarp on it. At least it was something for now.

Mr. DePasquale: I have bids on the roofs right now. I have two bids out and I received a bid yesterday and I have another coming in shortly. They were the only two companies that answered my call because it's such a big job. This building, fire station on #46, city building, water building is a large part of it and the pool. I'm sure the cost will be huge.

Wanda Burns: I'm sure. My question goes back to so we have a list of all departments? Have all the Department Heads given a list of what their problems are and what needs updated, fixed, etc. and how he has prioritized what needs done?

Mr. DePasquale: Yes, they have.

Wanda Burns: Okay. Can you share that list?

Mr. DePasquale: I don't have it with me, but I can tell you manpower and equipment.

Wanda Burns: I'll call you tomorrow.

Mr. DePasquale: Okay.

Wanda Burns: And you can get me a copy of that.

Acting President Papalas: Wanda, with this other on the phone, how about if we do this because we don't know what the proposal will be, let's wait until that comes in and then when we have our committee meeting and we'll announce it, of course it will be public, then we can an open discussion on that topic. We will all know something about what we are talking about because we have the actual financial figures in front of us.

Wanda Burns: That sounds good.

Acting President Papalas: Okay.

Wanda Burns: One other question. Can somebody explain what this rebate is that we're potentially getting from MVSD?

Mayor Scarnecchia: Andy, can you do that?

Mr. Catanzarite: I can try. Over the years obviously the MVSD is a privately owned company and they are allowed to make a profit and so they have over the years accumulated a little bit of extra money and that's what this coming down to. They are hoping to give both Niles and Youngstown back some money. There is no guarantee. We're hoping. We all have our fingers crossed but (inaudible) Any money that comes back will go to the water department. (inaudible) This is money that has to stay in the enterprise fund. It is returned to the fund that it came from. They are still negotiating (inaudible) The MVSD is also looking at some major upgrades. If that happens, our rates will go up. There are no questions about that. They are looking at some serious money to be spent on the dam. So we'll wait and see. That decision will be made by the MVSD directors and again we have been hearing about this for a while. I have not been given a definitive answer. Somebody else may have, but I personally have talked to the Chief Engineer yesterday and he said there is no final decision made.

Wanda Burns: How is that final decision made and does their board vote on that?

Acting President Papalas: Wanda, they are doing a study. They are having a study made from an outside firm to determine how bad that dam is, how badly it may have deteriorated and if they can wait a while, then that money may be forthcoming after July. If it's determined the dam has to be repaired sooner because it is in such critical condition, we're not going to see that million dollars.

Wanda Burns: I didn't ask that well. What I mean is if that dam does not need repaired and that million dollars is up for grabs, who makes that decision? Is it voted on by their board members?

Acting President Papalas: Yes.

Wanda Burns: It is voted on by their board members?

Acting President Papalas: Four board members.

Wanda Burns: Keep that in mind. And secondly, how is it dived? Is it based on us the water customers that made the profits per se along with their good management, and so is it based on x amount of water customers in Niles, x amount in Youngstown? How can they decide who gets what? Do you know what I'm trying to say?

Acting President Papalas: Yes. If we were to get a million, Youngstown would a larger share.

Wanda Burns: Okay. And that is voted by the current board members of the MVSD; yes or no?

Acting President Papalas: Yes. Correct.

Wanda Burns: I want to go one step further, but I'm not. I'm going to trust you guys that you're hearing what I'm saying and go from there.

Acting President Papalas: I'm hearing you.

Wanda Burns: I hope you are.

Acting President Papalas: There are couple of us who had that discussion.

Wanda Burns: That is big. That is big. That meets the legal definition. Thank you.

Acting President Papalas. Thank you. Any other?

Bo Marchionte, 1339 Clinton Street. I won't last one, but I want to start off by Dave Lisk is our customer representative for our water department. He is currently trying to organize to send out letters to you folks who live in the city and asking to replace your meters. If they don't have your phone numbers, they are sending these letters to encourage you guys to get back to him to begin the process of getting everything working. So this is a little bit of a public service announcement. He couldn't make it here tonight, but he wanted to make sure you knew about

this. If you get the letter, act on it and they'll call you and let you they're coming. They'll come to your home and it might take an hour.

Wanda Burns: Do they have to come inside?

Bo Marchionte: Yes. Also, as the President of 506, we know that the levy was critical and got passed. A must for the city (inaudible), but as President of the 506, I am signed up to protect my own and John Morale has been a sacrificial lamb from the get go. I had a meeting with a couple of the councilmen in January. The light department has funds and had those funds for a long time and I know it's been hard for a lot of people to understand. I've been to town halls and I've been preaching for a long time about this. We are all in the military. He's a policeman. He's in the navy. I'm in the air force, but you know what, (inaudible) and that's what you folks got to understand. Time after time again, you guys are refusing to understand that. The light department can fund the job. He's unemployed as well. See him, he's laid off just like the police and fire. He has a mortgage. He has kids too. He's being held hostage by the fact that everybody is tiptoeing around the fire and police. I want you guys back. Don't think I don't. With the phone stuff, I'd be irate. I'd be losing my mind about it.

Acting President Papalas: Bo. We talked about this yesterday and here's where we left it. Let me interrupt. I don't want to be rude, but hold on. We're going on and on. Hold on a minute. I want to straighten this up real quick.

Bo Marchionte: All right.

Acting President Papalas: We talked about this yesterday at the Finance Committee meeting and here is where we left it. Correct me again if I am wrong. We left it with this, Dr. Marino suggested that the administration look at the Performance Audit that was conducted by the State Auditors to determine what their recommendation is concerning how many employees we need in each department. I'm not saying we don't need that employee. We do, but let the administration – here's my point, let the administration review that document and come up with their plan. The Mayor just came up with his document here at the beginning of the meeting. Let him enact it. Give him a couple of days and then he'll come to City Council. If the money is in the budget, we will have it appropriated into those accounts where we can bring some of these people back. If the money isn't available in some of those departments, we aren't going to be able to yet, but give the administration the chance that they need. It's not fair.

Bo Marchionte: I have been very quiet about this.

Acting President Papalas: We need to be quiet and let them have a chance a little bit longer.

Mayor Scarnecchia: Bo, I just received the Performance Audit this afternoon.

Bo Marchionte: Real quick on the Performance Audit (inaudible)

Acting President Papalas: Bo, get to the point.

Bo Marchionte: (inaudible) the people that were there last night, they did a tremendous job. Kudos to you guys. I thought the communication was great. A couple other things that I am supporting the fire and police to get everybody back. In my union we are working on things (inaudible)

Acting President Papalas: I appreciate your remarks also. Thank you. You have always been outspoken on the needs of the people you represent and we appreciate it and eloquent at that. Any other remarks from the audience?

Al Cantola, 208 Vienna Avenue, Niles. My question is the plan that you guys are looking to put together is for the police and fire department also? Is that part of yesterday's financial concerns?

Acting President Papalas: That audit covers every department in the city.

Al Cantola: So there's a plan being made to get fire and police back?

Acting President Papalas: I think that's already been discussed and decided, yes.

Al Cantola: Okay. Can you share the plan or a date of the plan or when the details of the plan might be available?

Acting President Papalas: Mr. Auditor, when is that?

Al Cantola: I know we won't see any money until next year.

Acting President Papalas: Yes, it's not going to happen until then.

Al Cantola: So nothing's going to happen until 2017?

Acting President Papalas: Unless we have a windfall somewhere, correct?

Mr. Steffey: Actually the tax started getting collected July 1st. The city will not start to see money until August 1<sup>st</sup> and at that time we can see if we can bring back anyone, if not before that. I know talking to the Mayor that that is first on his on his mind in front of everything else of trying to be creative and still be finance savvy and to get every other person that's laid off back.

Al Cantola: So do the rest of us. We're told we have to do this. We got to make this happen. Let's not leave them out there hanging. This is what we voted on. Let's go make it happen. Let's see a plan, let's get things rolling and move ahead. If you want to tell us it's August, that's cool. Give us something to at least look forward to that there is light down there.

Acting President Papalas: I think that comment has been made.

Mr. Steffey: I have to correct myself. I was just told it will be the end of August is when we start to collect.

Al Cantola: That's okay. I'm just saying, share the plan. It is the end of August or September, just share the plan so these guys can plan their lives, the residents don't have to be concerned about ISO ratings and being held hostage by our insurance companies.

Acting President Papalas: Mr. Cantola, that was I believe in the paper at least once it wouldn't be until later in the year so we're not hiding anything.

Al Cantola: No. I just want to know about the plan.

Acting President Papalas: We are going to take care of the plan. Thank you. Let the Mayor speak please.

Mayor Scarnecchia: Every day that we go to work it's the first thing that is on our agenda and our mind is call back the laid off workers. We want that as much as you do, but we have to do it as the money allows and we have looked at many different ways. I have asked the Law Director if maybe we could get a loan at a bank or if we can get a loan from the State, but nobody will loan us to call back workers. I want you to know that and that's everybody in here. That's a top priority. Thank you.

Acting President Papalas: Anything else Mr. Cantola?

Al Cantola: No.

Acting President Papalas: Anyone else?

Amy Cantola, 208 Vienna Avenue. First I want to thank you for posting the Agenda on the website before the council meeting. Second, this is a question that refers back the last council meeting about the CHIPS program. I have a couple questions on that. (inaudible)

Mayor Scarnecchia: I wasn't here at last council meeting.

Amy Cantola: Well, I believe it's between Niles, Trumbull County, Girard and I think Hubbard now that are applying for this CHIPS program and I don't know if Niles is up for \$350,000.00 or \$250,000.00 so I was questioning on that as far as like I believe it's supposed to come in by a certain date in order –

Mr. DePasquale: I think Mr. Crowley can answer that for you.

Mr. Crowley: It was approved in 2014 and we received approximately \$300,000.00 and the new one we applied for in June at a public meeting here on Tuesday –

Amy Cantola: Wait a minute, last Tuesday?

Mr. Crowley: Yes. Last Tuesday.

Amy Cantola: Who publicized it for last Tuesday?

Mr. Crowley: It is administered through CT Consultants in Youngtown. I read it in the newspaper.

Amy Cantola: (inaudible)

Mr. Crowley: Yes, there is. There will be another one. We'll be applying for the CHIP Grant for \$400,000.00.

Amy Cantola: Does that mean that Niles will get their own or is that through Trumbull County?

Mr. Crowley: It has nothing to do with Trumbull County. Those are separate dollars. This would be applied or administered through CT Consultants.

Amy Cantola: Who is CT Consultants?

Mr. Crowley: CT Consultants is a company that actually applies for the grant and they administer it.

Amy Cantola: They handle it?

Mr. Crowley: Correct. You pick up the application at the Mayor's office if you're a homeowner or if you're a renter or a landlord. There are different (inaudible)

Amy Cantola: When will that be available to the public? There are people out there that need help and need help with their homes. That would be great.

Mr. Crowley: 2014 program for homeowners is basically exhausted and all of those dollars have been allocated and the dollars that are still available are for rentals. If you're a landlord and you want to invest in your properties, there are dollars available for that.

Amy Cantola: That is from 2014?

Mr. Crowley: Correct.

Amy Cantola: Is there still time period to use that money?

Mr. Crowley: Yes, it will be through this year. You apply for the new one and it will be in 2017 to apply for it.

Amy Cantola: And we will get that probably in September of this year?

Mr. Crowley: The new dollars will be for next year.

Amy Cantola: For next year. All right. Thank you.

Mr. Crowley: Call the office if you have any questions.

Amy Cantola: I will. I just think we need to let the public know that it is out there and available.

Mr. Crowley: Right. It's actually partnered with Niles, Girard, Hubbard and they are part of that program.

Amy Cantola: Okay. Maybe we can put it on the web page.

Acting President Papalas: Any other questions?

Mayor Scarnecchia: You bring up a very point. We understand that there are a lot of grants available, but we don't have a grant writer. It was written out of the plan and we don't have the money to get one. I just want you people of Niles to know there are a lot available. We understand. How are we going to get them? We don't have a grant writer.

Amy Cantola: Well, a lot of it is on online. It takes a little bit of research, but there's a lot of money out there that the City of Niles could use and help the public.

Mayor Scarnecchia: Thank you. You are right.

Mr. McNaughton: We have been approached by Trumbull County Commissioner Frank Fuda. There is a very skilled grant writer who works for the entire county and he has highly suggested that some of us start going to meetings and I believe there is one next Friday to learn more about it, but the county has offered the services of their grant writer for us and I think that is absolutely something that we need.

Mr. Pezzano: Squaw Creek next Friday. Mr. Mayor, I believe Commissioner Fuda attempted to call your office a few times and he called a few of us. Next Friday like Mr. McNaughton stated at Squaw Creek. I believe 8:00 Mr. McNaughton?

Mr. McNaughton: I believe so.

Mayor Scarnecchia: I'll go there. Okay. Thank you.

Acting President Papalas: Mr. Santell?

Bill Santell, 233 Moreland, Canfield. President of Local 325 Fighter's Union. First I want to clarify something about the police and fire layoffs and when they will be recalled. There's a lot of people out there talking saying that the police and fire mislead the public about this tax. It's absolutely malarkey. I was in the meeting with the Mayor yesterday as well as Mr. Merlo and the State Auditor. We were told point blank we will be lucky if we get one back of each by the end of the year. This nonsense that says they are going to be bringing three firemen and three police back by the end of the year is a lie and I am not going to sit there and allow it to be spoken. The State Auditors are going to dictate what we do. I think it's pretty clear so telling

people that there's going to be three firemen and three policemen by the end is just not a fact. We're going to be lucky if we have one policeman and one fireman back by the end of the year and that's the God honest truth right there, isn't it Mr. Mayor?

Mayor Scarnecchia: That's right sir.

Acting President Papalas: Thank you very much for straightening out the record. Any other questions or comments from the audience?

Renee Fox, reporter from the Tribune Chronicle. I was just looking at the legislation on the group homes and I was wondering why it is being passed as an emergency?

Mr. Mientkiewicz: It's not, Renee. It's going for three readings and it has to go to the Planning and Zoning first and then we'll go through all three readings. I'll elaborate more on that when we get to it.

Renee Fox: Okay. Thank you.

Acting President Papalas: Any other comments from the audience? Let's go onto Council Committee reports.

### **COUNCIL COMMITTEE REPORTS**

Mr. Pezzano: The Safety Committee met on March 24, 2016. Three topics: One was Lt. Tony Johnson from the Police Department came and he brought in a proposal to start teaching CCW classes in the City of Niles and that's going to Terry Dull's office to look at the liability of everything. The second topic was brought up by Fireman Andy Bickerstaff about proposing fees for inspections also. And those two topics by Lt. Johnson and Mr. Bickerstaff, the funds that would come in would be earmarked for police and fire and equipment and same thing with the fire. The third topic was Mr. McNaughton received a phone call concerning the tornado sirens on the old Washington school area. There is not one there after they tore the school down and they never replaced it we found out and after talking to Mr. DePasquale (inaudible) offered and she said yes there is, however to start (inaudible) have the city get a list. I ran it by Mr. DePasquale and he asked me to contact Mrs. Beal back so they could coordinate. That is it.

Mr. McNaughton: Can I ask a follow-up? What happened to the former siren? Did it get destroyed?

Mr. DePasquale: No, that siren was put up in the 40's. It was a civil defense siren.

Mr. McNaughton: It was working, right?

Mr. DePasquale: That siren was operated by an air compressor from the basement. That siren is as big as this space. Sirens we use now sit on the top of telephone poles. It's not compatible with the system that we have and that's why it was never hooked up. We can show it to you. We have it and we have pictures of it. It's a monstrosity. It's a dinosaur, but that's why when

the building was taken down it was taken out because there was no way to operate it with the system that we have.

Mr. Pezzano: And also, Mr. DePasquale Ms. Beal informed me that a lot of people are misled here is that the siren is only for outside to hear. A lot of people think they are supposed to hear inside, which I didn't know either until the other day when I talked to her. She said it's designed to hear outside so I asked about the senior citizens and she said you would have to put it on a TV and watch the monitors or whatever, but she said it is designed for strictly for outside. You can still hear it inside.

Mr. DePasquale: Well, I would say you can hear it inside and we do have five sirens that have been tested and are located throughout the city and according to the company and the State, that is sufficient. I'm not saying we don't have to put another one up. We can but that is full coverage with those five sirens.

Mr. McNaughton: I want to thank you guys for looking into that. I appreciate that.

Acting President Papalas: Any other Committee Reports? There being none, would the Clerk please read the legislation.

### **ORDINANCES AND RESOLUTIONS**

#### **ORDINANCE NO. \_\_\_\_ (Draft No. 31-16)**

#### **AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE FOR REQUESTS FOR PROPOSALS FOR A VOIP TELEPHONE SYSTEM FOR CITY FACILITIES**

It was moved by Mientkiewicz, seconded by Lastic to give this ordinance a first reading.

**YEAS: 7    NAYS: 0**

This Draft No. 31-16 has received a first reading.

#### **RESOLUTION NO. \_\_\_\_ (Draft No. 32-16)**

#### **A RESOLUTION AUTHORIZING A TRANSFER FROM THE GENERAL FUND TO THE CEMETERY FUND AND SEVERAL ADDITIONAL TRANSFERS BETWEEN FUNDS FOR THE 2014 AUDIT ADJUSTMENT; AND DECLARING AN EMERGENCY**

Mr. Steffey: I would ask that our Auditor elaborate for us to explain this. There were so many inconsistencies for the way that the billing was done, we had a cemetery employee that was paid out and retirement paid out of the Light Department and he never worked a day in the Light Department so this is to reconcile and comply with the audit and it's over \$200,000.00.

Auditor Merlo: Just to elaborate a little bit. \$204,997.00 that needs to be transferred out of the general fund into the other funds that you see there. The 2014 audit is finalized and these are some findings that they had found so \$89,000.00 as Mr. Steffey said is from the cemetery fund which benefits and wages were paid out of there from a different department that the person worked in so that is a finding that has to be reconciled immediately. All these findings have to happen before they can finalize the audit so it has to go on the books immediately retro back to 2014. So the total general fund hit is \$205,000.00 approximately. Just to keep everyone in the light of \$205,000.00 we have to budget and we had a carryover of \$22,000.00 for 2017 based on that budget that we passed. It was a hit to the general fund. We are now starting 2017 in the negative.

Acting President Papalas: This is something that we did not expect when we were going through the agreements concerning financial programs.

Auditor Merlo: Correct. So this is an immediate hit to the general fund. Because of misappropriation of funds in 2014 of benefits, wages, expenditures from different departments that benefited from the light fund or water that benefited the general fund account that shouldn't have been done. The Auditors found it and we have to rectify it.

Mayor Scarnecchia: This is another disaster because the general fund and everybody knows in here that police and fire come out of the general fund, so as this money here is taken from the general fund now leaves us with barely not enough to operate for the rest of the year so this hurts and I want the public to know that. I want the public to realize we have a general fund and we have the enterprise funds and if you need to know what is paid from where I wish you would either call my office or call the Service Director and we will explain the system to you, but this money coming out of general fund is totally – we're going to go in tomorrow and say can we hire police and fire back and it is even more ridiculous now. Thank you.

Mr. McNaughton: Mr. Auditor, for the sake of transparency, can you please let us know who is responsible for this?

Auditor Merlo: The previous administration.

Mr. McNaughton: Thank you. I appreciate it.

It was moved by Steffey, seconded by McNaughton to suspend the rule requiring three readings.

**YEAS: 7    NAYS: 0**

Rules are suspended.

It was moved by Steffey, seconded by McNaughton to adopt this Draft No. 32-16.

**YEAS: 7    NAYS: 0**

Draft 32-16 has been adopted this 6th day of April 2016.

**ORDINANCE NO. \_\_\_\_\_(Draft No. 33-16)**

**AN ORDINANCE AUTHORIZING THE ESTABLISHMENT OF A FOUR WAY STOP SIGN AND CROSSWALK AT THE INTERSECTION OF THIRD AND NASH STREETS; AND, DECLARING AN EMERGENCY**

Mr. Steffey: I'd like to explain this. I wanted to let you know that Mark Hess was our City Engineer and he left at the end of the summer last year, but before he left he provided a street resurfacing program that will be largely paid for by the federal government. During that time, they did a study, a traffic study that showed that Third Street has an average of 2,917 cars a day travel down that road. It seems like a large amount, but it is the Federal Traffic Study. We are looking to create a four-way stop with a safe cross walk on this long stretch of road. It's going to be located approximately at the half way point that we have some disabled residents with wheelchairs, we have some children who are walking to and from school, this will allow one point on Third Street where traffic has to stop and allow the pedestrians the opportunity to cross safely. We are asking for a first reading on this.

It was moved by Steffey, seconded by Lastic to give this ordinance a first reading.

**YEAS: 7    NAYS: 0**

This Draft No. 33-16 has received a first reading.

**RESOLUTION NO. \_\_\_\_\_(Draft No. 34-16)**

**A RESOLUTION AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO CONTRACT FOR PROFESSIONAL SERVICES FOR LEGAL SERVICES AND CONSULTING FOR LABAOR RELATIONS; AND DECLARING AN EMERGENCY**

It was moved by Steffey, seconded by Mientkiewicz to give this ordinance a first reading.

Mayor Scarnecchia: You know what this is in regards that we have three labor contracts that have to be settled and we have another contract that has to go to conciliation. The Law Director and myself, we have interviewed attorneys, okay, and the reason that we choose this particular attorney is because he's local and we won't have to be paying ridiculous fees if they are coming from Columbus or Cleveland which is what the attorneys charge that have been here in the past and that we can be on him and them constantly. Am I right Terry?

Mr. Dull: Yes.

Mayor Scarnecchia: So consider this and give it some thought.

Mr. Pezzano: Mr. Mayor, like I said earlier and Mr. Bailey touched on it and I was going to ask if you went to any other law firms and go for bids or anything like that? I understand it's local.

Mayor Scarnecchia: We didn't go for bids. We just talked to several attorneys at different law firms. It's your pleasure, councilmen and woman.

Ms. Marchese: Were the prices all the same? This is the first we heard about this on council.

Mayor Scarnecchia: We got prices.

Mr. Dull: The prices were higher. The price in the agreement before you is \$150.00 an hour.

Ms. Marchese: What about the associate legal personnel?

Mr. Dull: That would be additional attorneys. It could be paralegals, anyone of those.

Ms. Marchese: Let me ask, how – we discussed this at another meeting – how long do you think it is going to take? Every time they go in that money can start adding up.

Mayor Scarnecchia: May I say this. We are going to push them. We're not going to sit on our hands while they're doing this and I've already told everyone we had we want immediate action, we want to know what's going on and one thing we don't want is any long distance drive because they get pretty expensive.

Mr. McNaughton: Mayor, Ms. Burns touched on something that we all have to ask about and that's any potential conflict of interest with the attorney in question because of what he is involved with at the city and MVSD. How can you be sure that we're dotting the right I's and doing this correctly? There's no animosity toward this person, but are we making sure that –

Mayor Scarnecchia: I just know that we wanted to get this done and we looked at it and that's all I know.

Mr. McNaughton: I have to know a little more than that before I say yes.

Mr. Dull: Generally a conflict of interest is in a position that he would be in if he has some influence over decisions that are going to be made. What he is doing is providing us (inaudible) assistance in trying the move the city forward in these things with negotiations.

Acting President Papalas: Terry, how about if we do this, could you in the next week or so do research and provide us with a letter explaining in your opinion whether or not it is a conflict of interest?

Mr. Dull: Sure.

Acting President Papalas: I think that will help us all here on Council feel better with our vote. Is that all right with everyone?

Mr. Dull: Not a problem.

Acting President Papalas: So maybe by the next meeting we can have this put away.

Mr. Steffey: I want to be able to answer constituents' questions. We ask department heads to get three bids for goods that they are purchasing especially when you're talking about spending large amounts of money and we are not – I'll speak for myself, I am not prepared to answer my constituents because I don't have the information that we properly vetted the right attorney. So we're confident in your due diligence that you will provide us with facts that will help us to understand the process.

Mr. Mientkiewicz: Mayor, we too want to get this thing done and taken care. We just want to make sure like Ryan and Barry said, what we are doing is in the appropriate manner.

Mayor Scarnecchia: Thank you.

Acting Chief Holland: The law firm that you are hiring handled an Arbitration with the police a while back, he was the lawyer that lost that.

Acting President Papalas: I don't think the attorney ended up having that case. Terry, who represented the City on that?

Mr. Dull: He was involved in the Arbitration hearing itself. When it came before the common pleas court, he was not involved.

Acting President Papalas: Okay.

**YEAS: 6    NAYS: 1 (Pezzano)**

This Draft No. 34-16 has received a first reading.

**ORDINANCE NO. \_\_\_\_\_(Draft No. 35-16)**

**AN ORDINANCE FOR THE REGULATION OF THE LOCATION, OPERATION AND MAINTENANCE OF GROUP HOMES WITHIN THE CITY; AND, DECLARING AN EMERGENCY**

Mr. Mientkiewicz: Attorney Dull, can I make a motion to refer this to the Planning Commission and also move for a first reading?

Mr. Dull: Yes, you can do that. Give it a first reading and then refer to the Planning Commission.

Mr. Mientkiewicz: Before we do that, just very quickly what this is is an ordinance that places restrictions and guidelines on group homes throughout the city. Right now we don't have anything in place to monitor these homes. Get an inquiry about people coming in and operating these from out of town. Companies coming in and operating them and with group homes they

deal with adults with physical and developmental disabilities. We don't want to discriminate against them. We welcome these tenants. Personally in my field of special education, it's a hot topic and it's a growing topic now and in the future, so I foresee many of these homes popping up not only throughout Niles but throughout the entire country. It is necessary for these individuals to live safe and dependent lives and I am all for that; however, we want to make sure we have the necessary regulations in place to where when a property management company comes in and buys a home in a residential neighborhood and converts it to a group home, that they are held accountable for housing enforcement, zoning and those kinds of issues. So what it is is just again placing some restrictions and guidelines on the housing enforcement not the actual tenant.

Mayor Scarnecchia: We do currently have group homes. We have Glenbeigh part of the Cleveland Clinic which is for drug addiction people on North Road and I think Councilman Papalas will remember when they came in what we had to go through with the public because of Bonham School being back there, but we have not had any problems from them. Of course, they are overseen by the Cleveland Clinic which is a good thing, but we do have one.

Mr. Mientkiewicz: Correct me if I'm wrong, isn't that a halfway house?

Mayor Scarnecchia: No. They live there.

Mr. Mientkiewicz: That's not a group home correct, Mr. Vigorito? Is it a group home or a halfway house?

Mr. Vigorito: I would say they are all the same thing, but being used for different reasons.

Mr. Mientkiewicz: Well, those ones, the ones we have pertaining to those ones are with, I think, mental addiction.

Mayor Scarnecchia: No. They have two across the street from Glenbeigh, actual homes that are they have two or three drug addiction homes and they do a good job. I have never had any problem.

Mr. Mientkiewicz: Right. These are more for disability, developmental disability.

Mayor Scarnecchia: Right.

Mr. Steffey: My question would be is it a temporary home or a permanent home?

Mayor Scarnecchia: Glenbeigh has been there for years.

Mr. Steffey: But the residents there, are they there as a temporary or permanent?

Ms. Marchese: We also have one on the corner of Belmont Avenue and Robbins.

Mr. Mientkiewicz: This ordinance is for long term homes and basically rental.

Mayor Scarnecchia: Okay. Thank you.

Mr. Mientkiewicz: So –

Bo Marchionte: On the corner where I live, one of those houses, the person before that (inaudible) there was a very broad brush who could live there (inaudible)

Mr. Mientkiewicz: There's a lot covered in this ordinance.

Bo Marchionte: Eight to ten people per home. There is a very broad brush. I've heard (inaudible).

Mr. Mientkiewicz: Right and that's why this ordinance is being brought in to talk about the restrictions and guidelines.

Bo Marchionte: Very broad brush again (inaudible).

Mr. Mientkiewicz: Exactly and there's a lot that's covered in this ordinance.

It was moved by Mientkiewicz, seconded by Pezzano to give this ordinance a first reading.

**YEAS: 7    NAYS: 0**

Draft No. 35-16 has received its first reading.

It was moved by Mientkiewicz, seconded Pezzano to refer Draft 35-16 to the Planning Commission to make recommendations.

Motion carried.

It was moved by Steffey, seconded by Marchese to add Draft 36-16 to the Agenda.

Motion carried.

Mr. Steffey: Based on our Finance Committee meeting last and talking to the department heads, we have businesses moving into Niles that have paid for commercial water meters and we do not have them to provide, so we are asking to appropriate \$20,000.00 to the water department. Basically, this is so the water department can provide these new businesses that are moving into Niles with the water meters commercially so that we can measure what they are using.

Mr. McNaughton: I think we should also add this is so bad that one of these businesses are tying in directly to the water and there are no meters. It is free water right now. That's the shape our city is in so please do this now. This needs to happen.

Acting President Papalas: Would the Clerk please read the ordinance by caption.

**RESOLUTION NO. \_\_\_\_\_(Draft No. 36-16)**

**A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED WATER FUND TO THE WATER FUND'S METER ACCOUNT, AND, DECLARING AN EMERGENCY**

It was moved by Steffey, seconded by Marchese to suspend the rule requiring three readings.

**YEAS: 7    NAYS: 0**

Rules are suspended.

It was moved by Pezzano, seconded by Steffey to adopt this Draft No. 36-16.

**YEAS: 7    NAYS: 0**

Draft No. 36-16 has been adopted this 6<sup>th</sup> day of April 2016.

**MISCELLANEOUS REMARKS**

Mayor Scarnecchia: Two things I would like to say. First of all, I was on council for 13 ½ years and I want to congratulate this council because going to their committee meetings how everything is open now there is no more of just nodding heads. Everybody questions everything and I want to congratulate you guys. That's fabulous. On the other part, our past theme of transparency, we finally have come out with an Agenda for 2016 and it is not in any priority order except for the top one which we know is call back laid off police and firemen and I have quite a few copies of it here so when you leave, if you want one and if there's not enough call me at the city building and I'll make sure you get one. That's all. Thank you, Mr. President.

Acting Chief Holland: I'd like to report that the impound lot is now up and running. The second thing I want to talk about is two of our police officers on layoff have received calls from departments down south in the Carolinas and they are offering them additional offers and incentives pending polygraph, so we may lose these two guys who we invested \$10,000.00 in training and if they go, they are gone. We will have to hire fresh people and invest another \$10,000.00 and have them on the road as rookies for six months with training officers so I'm asking that we make this a priority. The police department was asked to reduce their minimum manning. We did. We have three officers on the road to night. We are out their taking concessions to help the city out at the end of the year. They did that. (inaudible) This is how we'll spend the money (inaudible) The street crimes unit (inaudible) We still have dash cameras using VHS tapes. We need to start investing in the police department is what I'm asking and make that a priority whether we have to analyze every employee, every expense to the general fund and try to create some money. We are in dire straits because we are going to have no one to call back. Thank you.

Chief Danielson: I just want to update council on some of the stuff we have going on. Last council meeting you heard about the new software we need for our records. We've been running it for about ten days and we're getting comfortable with it and it seems to be working well. In the past I mentioned about the MVT's, we're close (inaudible) by the next council meeting and be up and running. (inaudible) Received an update on the truck. We reminded them they told us it would be here first of June and anything after the end of June there's a penalty clause in the contract, so they're well aware that they have to move that thing up.

Mr. McNaughton: Do you feel confident that it will be there?

Chief Danielson: They won't want to pay any money.

Mr. Crowley: Just in case you weren't here for the 5:30 presentation to council on the Neighborhood House Assessment we are doing, there's a public meeting at the Wellness Center on the 12<sup>th</sup> from 6:00 to 7:30. Kick off session (inaudible).

Mr. Vivolo: Just two brief comments. I'd like to extend my appreciation to all the council members who were there yesterday at Mr. Steffey's Finance Committee Meeting, there were department heads there, the administration was there and I don't think there is anybody in the room that's attended more committee meetings, roundtables, or council meetings than me because I've around a long time. I'm an old guy. That was the best exchange of ideas and compromise and moving that box farther and getting outside that I have seen in a long time, so I just wanted to extend and let the people know that everybody is working together, but it's not easy so thank you very much. I appreciate that. The second thing is I want you to know and I talked about this yesterday and I had what I would call a very positive meeting with two union officials and the Auditor today at my office relative to coming up with some kind of a plan because June 1st I'm going to be out of money to pay the two workers that I have in my department and June 1st is not the end of the baseball, soccer, picnics, rentals, garbage, litter, barrels, restrooms and all that, so I'm going to get some facts and figures and put them on the table so you'll know what you're dealing with and we had a good sharing of ideas so we'll let you know next Monday at 2:00 the head of the (inaudible) has asked me what is coming in so that we can get their input and we need to do that, we have to have the union's input so we're trying to give you accurate information.

Mr. Catanzarite: If you don't know me, I'm Andy and I'm in charge of the wastewater. First, on the wastewater side if you have read the paper we have quite a project going on. An update, we're moving on and we think we are about three to four months ahead of schedule. Right now the financials are lined up right and everything is going according to plan. We are hoping to get the construction project done about six months early. That would be a blessing for us. Again, the amount of cooperation from the group in the past, we know thirty five million dollars is the target number. It's a lot of money. We worked our butts off. We got the city a loan of under 1%. You can't get much cheaper than that as far as a loan for a project like this. In that project we have purchased a new VAC truck and that is to be used for our streets, our sanitary sewers and our storm sewers. I ask you to be patient with the guys when the truck comes in which is due in next month. It will be a new shiny truck and please don't think we squandered money because this was bought with that 1% loan. It's getting to be spring time and one problem we

had last year and Councilman Pezzano was out with me, please do not throw grass clippings into the catch basins. You would be shocked at how many people call us about their neighbors they see people dumping their bags into the catch basins. When you do that it just plugs up and we have to get the gravel out in the winter and salt and you add the grass to it and it just makes it a lot more work for us. That's when the streets get flooded and we have lines that we are unfortunately going to have to probably dig up and replace because they are cemented tight and we just cannot get through them. We are going to give it a try with our new truck and see if that works first and if not, we'll have to dig up streets. On the water side, just to inform council just today we had inspections done on the towers, all three towers, and I'll get a report from them within about three to five weeks and I'll come back with more information on that. They have warned me that two of them need to be painted and one tower is on the north end and unfortunately we are pretty sure it has lead base in it. One thing they have that's new – that tower is a welded tower, therefore, they have basically a robot and you go up and down the sides and strip the paint. It's a whole lot cheaper than the big tents that you may have seen in the past. The tent alone is \$100,000.00 if you have a tent brought in and put up and I want everyone to know this is not a cheap process and you're looking at a company that is going to try to negotiate. We will get a proposal and ask what they can do for us. It is just a proposal. We are not entering into any contract. We will get the proposal and then we will come back to council and if we don't like their proposal – we'll probably get a couple of them and then we'll put it together. It's going to be some pretty hefty money to get it done.

Mr. Steffey: Are those the towers in the Bolindale area?

Mr. Catanzarite: Those two on Ridge Road and also one on Deer Trail. Deer Trail is fairly new but it is also – something about Deer Trail on reviewing the study there are a few spots that need to be blasted as far as where it's rusted. If anybody knows who is shooting paint balls, please tell them to stop. That one we caught early enough, that will take minimal scraping on the outside and then they can prime those spots and then repaint it. If we catch it early enough we just repaint it. If it's bad, those have to be primed and it has two coats of paint.

Mr. McNaughton: The lead is on the outside?

Mr. Catanzarite: The lead is on the outside, yes. Yes the lead is in the paint, not on the inside.

Mayor Scarnecchia: The project that Andy is working on is one of the largest capital improvement projects in Niles for years and years. What's the price tag, Andy?

Mr. Catanzarite: Well, it started at \$32,000,000.00 jumped to \$48,000,000.00 and we got it down to about \$33 - \$34,000,000.00.

Mayor Scarnecchia: \$34,000,000.00 so that's progress. Of course, it's not coming out of general fund, we know that.

Ms. Ford: I just wanted to make a correction about the water meters of what Mr. McNaughton said about new water meters. Those businesses are still under construction. They are not using free water. They are not even ready for water yet. They are on order and they will be put in.

Mr. McNaughton: That was my mistake.

Acting President Papalas: I do have a couple comments and one is that I want to thank Lori for helping me along tonight. I'm President Pro-Tem and I don't often do this so if it looks like I'm rusty, that's because I am. Dr. Marino does a pretty good job at this, so I can understand from being up here what a challenge it is for him sometimes. I also want to make the remark that I'm very pleased that everyone was civil this evening. That's something that we need to start looking at a little more closely. Dr. Marino and I have talked about that and I'm glad we didn't see any below the belt stuff tonight. We don't need any more of that business. A lot of good remarks and a lot of good questions were brought out tonight. We appreciate that from everybody here. That's really important to all of us. That's all I have to say.

Mr. McNaughton: First, I want to thank Mike for his work on getting the Agendas and Minutes on line for everybody. The whole transparency thing. Thank you for that. Two, I think everybody signed off on it. I want to make sure and double check that the Utilities Committee meeting for 5:00 on Tuesday, we're all good on that? It will be across the street. Will that work for everybody? The press is here so I am alerting you folks. Tuesday at 5:00 and everybody else. Three, I want to follow up on what we talked about earlier. Whatever plan we have moving forward for meters and fire hydrants, we cannot and should not assume we are getting a million dollars. There has been some wording the past few days from some folks who make it seem like it's pretty much done; it is not. As Utilities Committee chair, I have been given a lot of large numbers of things that might need to be fixed at the MVSD. Big numbers, so I think it would be premature to assume that we are getting a million dollars and Youngstown is getting more than us, so our plans should not incorporate that. If we get it, that's fantastic. Best case scenario. Quickly on the general fund, I didn't mean to put you on the spot earlier, but just so everybody knows, from the time that us newbies have stepped in, in three months our general fund carry over went from \$800,000.00 to \$200,000.00 to \$20 some thousand to minus \$200,000.00. I just want everybody to know the reality of the situation and every month the State Auditors and others are finding more crap from the past that needs to be cleaned up. And last, it is my understanding there is a Wellness Center Advisory Board meeting tomorrow?

Mayor Scarnecchia: Tomorrow.

Mr. McNaughton: Are we anywhere closer to knowing when we are going to merge that into the park system? I know that was the plan beforehand.

Mayor Scarnecchia: We'll discuss that tomorrow night at the meeting with the Advisory Board.

Mr. McNaughton: Okay. As long as we are moving forward on that. I appreciate it. Thank you and thank you for correcting my remarks.

Mr. Steffey: I want to just thank Mr. Hogan, our Safety Director, Acting Chief Holland. This week I met with Chief Holland unannounced and he took plenty of time to talk to me about some issues including that four-way stop, but it was a very good meeting and I appreciate you taking the time to share information with me. I also want to thank our Service Director. I have brought

three or four items to him in the last couple of months and he has acted very quickly and corrected it for our residents. Residents bring different issues to the table that are very important to them and there is no issue that is too small or too big that we can't do working with the administration. So thank you all for your help to allow us to help the constituents.

Ms. Marchese: I would like to thank everybody. I know it can be hard. You think you accomplished one thing and then we get hit with something else. Sometimes it gets the best of me so I know how you guys all feel. We do want everybody back to work, but as you're hearing it's going to take some time. I was hoping by August. Chief Holland, we have an issue that growing into a severe problem on Summit Street. I was going to come down and talk to you. Not only do we have four-wheelers riding down the sidewalk, now we have big choppers. I mean big bikes.

Acting Chief Holland: Tell your people to call us.

Ms. Marchese: Well, they did. You guys have a lot with being short staffed and that's the reason why it took them a while to get there and they were gone. I have to explain that to him that they were on accidents and emergencies and shorthanded and I went down there and sat and waited and waited and once they get on those trails, you might as well hang it up.

Acting Chief Holland: I've told you before, once they get on the trails –

Ms. Marchese: I know. Can't we come up with an ordinance or something? We did have a gentleman that did get hurt. We did have a gentleman that did get hurt. He owned the apartments on Summit and they have – he wasn't happy. They are tearing up the yard.

Acting Chief Holland: We need to get our own ATV to get back there.

Mr. Mientkiewicz: I think Linda was reading my notes here because I had the exact same concern for you Captain Holland on James Street down behind James Street going on all through the day and night the residents are complaining about the ATV's back there. I was told at one time wasn't there gates on that one access those access roads down there?

Acting Chief Holland: It's all owned by the railroad. They had gates at one time and they got open and they were never replaced.

Ms. Marchese: They told me because there's a well back there, a gas well, and the people needed access to it.

Acting Chief Holland: Those gas wells have a gate and lock to them. (inaudible)

Mr. Mientkiewicz: One of the residents that I talked to said he knows who they are and knows where they live. I said, if that's the case can they call you and say so and so is back there riding again, can you send someone?

Acting Chief Holland: If you know where they are coming from, tell the dispatchers.

Mr. Mientkiewicz: Even if you guys don't catch them in the act? If you know who it is?

Acting Chief Holland: To give them a ticket the officer has to see them. We can try and talk to them and advise them.

Mr. Pezzano: I have a couple things. Mr. Dull, I had a resident asking me about the name change to the ally. It was Draft 101-15. Can we put it back on the Agenda?

Mr. Dull: Yes.

Mr. Pezzano: Second, Mayor Scarnecchia and I attended a meeting at Fairhaven Schools with Commissioners and Mr. Stark is going to come to our next meeting.

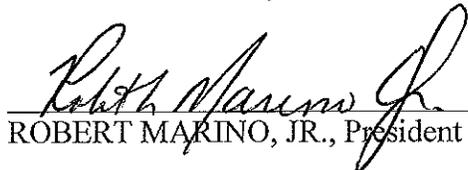
Wanda Burns: Is it too late to get clarification from Auditor Merlo on the \$204,000.00?

Acting President Papalas: Yes. You can ask him after the meeting.

**ADJOURN**

It was moved by Steffey, seconded by Pezzano to adjourn the meeting.

  
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LORI KUSZMAUL, Clerk of Council

  
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ROBERT MARINO, JR., President of Council