

**SPECIAL COUNCIL MEETING MINUTES**  
**August 24, 2016**

Niles City Council held a special council meeting on August 24, 2016 at 6:00 p.m. in Council Chambers Safety Service Complex in Niles, Ohio.

The meeting was called to order by President Robert Marino, and the Clerk, Lori Kuszmaul, called the roll:

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

It was moved by Lastic, seconded by Marchese to excuse Councilman Papalas, Councilman Pezzano, Mayor Scarnecchia and Service Director DePasquale.  
Motion carried.

President Marino: Will the Clerk please present tonight's legislation?

**ORDINANCES AND RESOLUTIONS**

**ORDINANCE NO. \_\_\_\_ (Draft No. 106-16)**

**AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH PHILLIPS/SEKANICK ARCHITECTS, INC FOR DESIGN SERVICES FOR THE REMEDIATION OF THE ADMINISTRATION BUILDING; AND, DECLARING AN EMERGENCY**

It was moved by Steffey, seconded by McNaughton to give this Draft a third reading.

Mr. Mientkiewicz: Quick question. Yesterday the Service Director felt confident that total package price would come back at around \$300,000.00. John, are we coming up with a number and are we going to work with the architect to come up with a number for a stop work order to where if he feels this project is irreplaceable beyond a certain number, are we coming up with a number for that and a number if we just can't afford it? Are you guys working on –

President Marino: Steve, the way we're proceeding is Mr. Sekanick will evaluate the facility and determine whether the investment in repair is worth our return and life expectancy of the facility.

Mr. Mientkiewicz: Correct.

President Marino: As he is moving through on his portion of the contract, when it is determined when it can be, we'll continue, if it is determined that it can't, it stops there. I asked the Safety Service Director and the Law Director to reach out to Mr. Sekanick to prepare himself to attend a council roundtable after the agreement has been arranged and he is working through the project

making his determination because I feel it is appropriate that you folks be made aware of what the determinations are and what information he has. That's what I directed them to do with the other hat I had on.

Mr. Mientkiewicz: With our fiscal outlook we should be also coming up with a number in mind where if the expenditure exceeds that number that we can no longer move forward with the project. We need to have a number in mind. We have to have a budget set to tell ourselves whether or not we can afford moving on or not. Do you know what I mean?

President Marino: I'm going to rely on –

Mr. Mientkiewicz: So not only do we need to hold the architect accountable on his end, we have to start, based on our financial outlook, where's the breaking point.

President Marino: I'm going to rely on Mr. Sekanick to provide us with information relative to the appropriateness of our return on our investment and life expectancy of the building based on the cost estimates that he develops. I'm not comfortable citing any numbers. I don't think that's appropriate. We are hiring an expert to do an analysis and we'll wait for him to provide us with those numbers. At that point, that's why I wanted him to come and present that information to you so that council can make an informed decision based on the information he provides to you. It will be up to him to share with you the cost estimate to repair the roof, the cost estimate to repair the structure and the cost estimate to fix the vault/basement, etc. Those are the three pieces that we've all, I think, agreed upon that needs addressed based on what he shared with us. After that point, we will work with the Auditor and the Fiscal Supervisors from the state to determine how we are going to fund it, if, in fact, we are going to fund it.

Mr. Mientkiewicz: Okay.

President Marino: And I want to move through this slowly from the standpoint of determining whether the facility is worth being repaired or not and we're going to rely on him, Mr. Sekanick, to provide us direction.

Mr. Mientkiewicz: Correct.

President Marino: Is everyone agreeable with all of this? Anything I haven't said?

Mr. Dull: No. You covered it all.

Auditor Merlo: No.

President Marino: I hope, Steven, that addresses the concerns you've expressed.

Mr. Mientkiewicz: Yes.

President Marino: And I've made the expectations in my capacity as the Acting Mayor of what needs to happen and how it's going to happen. No misinterpretations of my direction. With that said, any other questions for a third reading? Call the roll, please.

**YEAS: 5    NAYS: 0**

This Draft No. 106-16 has received a third reading.

It was moved by Steffey, seconded by Lastic to adopt this Draft No. 106-16.

**YEAS: 5    NAYS: 0**

Draft No. 106-16 has been adopted after a third reading this 24<sup>th</sup> day of August 2016.

**ORDINANCE NO. \_\_\_\_\_(Draft No. 107-16)**

**AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH LEWIS CONSTRUCTION FOR THE REMEDIATION OF THE ADMINISTRATION BUILDING; AND, DECLARING AN EMERGENCY**

It was moved by Steffey, seconded by Lastic to give this Draft a third reading.

**YEAS: 5    NAYS: 0**

This Draft No. 107-16 has received a third reading.

It was moved by Steffey, seconded by Marchese to adopt this Draft No. 107-16.

**YEAS: 5    NAYS: 0**

Draft No. 107-16 has been adopted after a third reading this 24<sup>th</sup> day of August 2016

**ORDINANCE NO. \_\_\_\_\_(Draft No. 108-16)**

**AN ORDINANCE AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO ADVERTISE FOR BIDS FOR A NEW ROOF FOR THE NILES ADMINISTRATION BUILDING; AND, DECLARING AN EMERGENCY**

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

President Marino: I asked, after discussions with the Law Director and the Finance Chairman, if Council consider this ordinance in the event the city building is repairable that the Service Director upon completion of the specifications from Mr. Sekanick can advertise for bids. If it is

determined that the facility is not worth repair dollars to be invested, this is a moot point, but because of the timeline and the way our council meetings fall, I don't think we want Council to continue with special council meetings into the distant future. I think this is the most prudent way to move forward so that we keep to our timeline that we have established with Mr. Sekanick while also reserving the right to determine at that point whether we're going to fix it or not. Terry, is that correct?

Mr. Dull: That's correct.

Auditor Merlo: That's correct.

President Marino: So that's why we are asking for a first reading. It is all contingent upon his analysis of the facility. Any other questions? Call the roll, please, for a first reading.

**YEAS: 5    NAYS: 0**

This Draft No. 108-16 has received a first reading.

**ADJOURN**

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



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LORI KUSZMAUL, Clerk of Council



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ROBERT MARINO JR., President of Council