

**COUNCIL MEETING MINUTES**  
**October 19, 2016**

Niles City Council held its regular meeting on October 19, 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-P, McNaughton-P, Steffey-P, Marchese-P, Mientkiewicz-P, Pezzano-P, Marino-P

It was moved by McNaughton, seconded by Lastic to accept the Minutes from the October 5, 2016 regular council meeting and place it on file.

Motion carried.

**REPORTS AND COMMUNICATIONS**

**FROM** The Niles City Auditor

Statement of Cash from Revenue and Expense from 01/01/16 to 09/30/16

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

Motion carried.

President Marino: This evening we have Mr. Holloway and appointed director, Mr. Hale, and before we get to public comments we are going to give the floor to these gentlemen.

Mr. Holloway: Thank you, Mr. Marino. I just wanted to thank the Council for giving me a few minutes of your time. I came here this evening to update you with regard to a project that the Mahoning Valley Sanitary District is starting on October 24<sup>th</sup>. We'll be starting Phase III of the value project. This involves replacing valves in Main Street and Belmont Avenue. We will be starting on Belmont Avenue on Monday, October 24<sup>th</sup>. We have put out a road detour and we also will be giving public notice to the public with regard to the detour involving the project. Additional locations are right by the Mahoning River on both sides of the bridge, so Kirila Contracting will be doing the work and they will be having detours up to handle traffic on Belmont Avenue starting on Monday. From there, we will move up to Forest and Belmont and do that site. There's a valve pit there, also. From Belmont we will be moving onto Main Street and working at 5<sup>th</sup> and Main and then 2<sup>nd</sup> and Main. There is also one outside the city and it's up by the bar formerly known as Grandpa's. We'll be working at that site, also. Again, all these sites will have traffic plans. I have been working with Jim DePasquale and Andy Catanzarite with regard to this project. I've been keeping them informed. Prior to us going to any locations we will always have a meeting before we go into those locations to make sure that we cover any issues before we start at that location. Again, we will make sure the public is aware. With regard to other projects at the District, we are currently going a Venturi meter project. That's where we are changing out Venturi meters. Those Venturi meters are used to measure the volume of water that's billed to the City of Niles and the City of Youngstown. We will be replacing all those meters. They are the original meters from the 1930's so we'll be replacing

those water meters that records and registers the flow every month that you're billed on. We also are doing a chemical line feed project. We are changing our chemical line feed location from the center of our facility to the north wing of our building where we will change how we treat the lime and the amount of lime we put in the water. Again, we are trying to reduce the calcium carbon that's in the water which gives you that white crusty buildup in your toilet tanks and hot water tanks and your faucets. Also, we are looking at the dam and spillway. We'll have to make a decision of how to proceed on the dam and spillway improvement project. Information is being gathered by our consultant, Gannett Fleming and we'll be discussing with the board the next phase of improvements associated with the dam and spillway. The next part of the project that the board will make a decision on will be the subsurface investigation of the dam and spillway, which involves the consulting engineer coming in and doing some tests with regard to the materials that are underneath the dam and inside the dam, the structure and condition of the dam and any improvements that need to be made. From the results of that subsurface investigation we will then decide whether we will go into a full design of improvements of the dam and what those costs will be. This is real quick on what the District is doing with regard to projects. If there are any questions, I'll be glad to answer them.

Ms. Marchese: I have a question. We talked a while ago about maybe some money filtering back into the City of Niles. Anything at all about that? Has there been anything on that?

Mr. Holloway: That is a board decision. I just advise them on what improvements need to be done. The board would have to decide if funds come back to the cities.

President Marino: There is probably no shot with what he just told you with the dam and the money that might be needed to replace it.

Mr. Steffey: When you do the Main Street portion of the project, will it be closed or will it be limited lanes?

Mr. Holloway: It will be limited lanes. It's not a detour but an altered traffic plan.

Mr. Steffey: An altered traffic plan. What about the buses at the end of the bridge?

Mr. Holloway: Yes. It is going to be very difficult. I just want you to understand that that's why I'm here tonight. You may get some complaints because of the traffic flow. 2<sup>nd</sup> Street and the viaduct. It will be difficult because of the location of that value. The contractor is trying to adjust the schedule so that we would do that next year or something. Each location will take four to five weeks to replace the value, so we'll move through all the seven locations with regard to replacing the values.

Mr. Steffey: Thank you.

Mr. Pezzano: Actually I was going to wait to the end of the meeting when it was my turn to speak, but Mr. Holloway informed me he is not going to be here, but publicly I want to thank two people along with our administration because everybody knows we have been having a lot of water breaks, mainly in the 4<sup>th</sup> Ward, but Mr. Holloway, Randy Smith and Kevin from our

city jumped up to the plate to help us out and solve this, along with Andy, and also the water department; mainly our water department. I don't want to forget them. They jumped up to the plate to help us out and try to solve this problem, so I want to thank you publicly and appreciate it.

Mr. Holloway: Thank you very much. Any more questions?

President Marino: I know you have decided at the end of the year that you will close the books once again in one way shape or form. You are a true gem and jewel and we very very much appreciate you. You are a top notch and I wish you would stay. I really do. Thank you, Tom.

Mr. Holloway: Thank you.

Next order of business if public remarks. Would anyone wish to address Niles City Council?

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

David DeChristofaro, 1128 Shadowridge Drive, Niles. I am here today as manager of the Shadowridge Homeowner's Association. We have a few other people here as well that I would like to introduce in the event that you don't know them. Of course, everybody knows Jimmy Schrock. Jimmy is one of our newer residents and on the board is our President, Sam Slovan, Rob Wade, another one of our board member, Sam Durico, another one of our board members and Ed Rantilla, one of our members. I appreciate the opportunity to speak before you and my issue is with regard to Shadowridge Drive pavement. Now, for those of you who are unfamiliar, Shadowridge Drive and Tripodi are both public roads. They are not private roads as are all the utilities on those roads. We have recently experienced a problem one Shadowridge Drive in front of 1131 Shadowridge Drive, which is the address (inaudible) the greatest issues regarding the paving problems. I'm going to pass out a couple pictures for your view while I'm talking so you can get a feel for the type of damage that we're dealing with. It's not just surface damage. Its structural damage of the pavement and it's something that is only going to get worse as it gets into the winter season. Once you get water into the cracks, it's going to heave and currently that pavement is raised about 6" above the actual grade of the road, so it's creating a problem for residents pulling in and out of their driveways. There are often times they are hitting their mufflers, the catalytic converter and I'd hate to see them lose something and have to come to city council and ask you to pay for it. Right now, we're just dealing with the problem of the pavement. This road is used quite frequently by walkers, by runners, by bicycle enthusiasts and a lot of our walkers are elderly. Most of the people in our association are elderly and they do frequently walk the road on a daily basis. If you live there, you know all the people who are walking because they are out there every day. They walk their dogs on a leash as required, but they're walking so what I'm concerned about since there are not sidewalks on this pavement, I'm not talking for many of the streets in Niles, we do have sidewalks, there are no sidewalks along the pavement so people have to walk on the streets. The concern I have is while they are walking on the street they can either break an ankle or if they move away from the issue into the lane of travel something more could happen. They can get hit by a car. We don't want to see anything like that happen so I've brought this to the attention of the administration and when I didn't get any response I brought it to the attention of my councilman and he has been very

responsive and we are here to try to get a response that is not in words, but is in action. I have a lot more to say, but I talked to a gentleman here this evening that kind of allowed me to cancel all of my other words because he has assured me or he told me that I will have assurance tonight that the repairs will be made this season before the construction season ends, which is probably in two or three weeks. When the asphalt work closes in early to mid-November, the repairs are pretty much over with when it comes to asphalt. Yes, you can make temporary repairs, but those sometimes create more problems than fixing the problem itself. I'd hate to see a temporary repair made and then you have to come back and fix it next year. Keep in mind if you don't fix it, your damage to a snow plow would probably exceed the cost to repair the road. We are only talking dollar and cents, so you get a feel for how much cost wise, I did my own estimate and I estimated \$1,500.00 in materials would take care of the problem. If you hired a contractor to do it, it may be closer to \$3,000.00, but with \$1,500.00 in materials and you have your own forces to repair the work or damage, it's a lot cheaper than the liability that you could have, now that you're all well aware of it, the liability that you have if someone got injured on that road or someone damaged their property or a personal injury. So for the cost to fix this, it's so much cheaper than to wait and have a problem. Having said that, I would like to ask the question that addresses what I heard earlier and I'd like to ask the question to the administration, I have heard and I'd like you to assure me that this problem is going to be addressed and corrected within the next two weeks.

Mr. DePasquale: You could have saved a lot of talking. I hired a contractor today.

Mr. DeChristofaro: I didn't do a whole lot of talking, but I would have done a lot more had I –

Mr. DePasquale: I went out to a few paving companies and it's very difficult to get somebody in there now. It's late in the season as you well know, but I've hired an excavator to go up there and he's going to soft cut that all out, repair and base, ok, know exactly what needs done and we'll pave it. It will be taken care of in the next week. The price is \$2,000.00.

Ms. Marchese: What year was it when it was first put down?

Mr. DePasquale: I was an inspector in those years and it was probably in the mid to late 90's.

Mr. DeChristofaro: That's correct and it was actually resurfaced two years ago by the city if I'm not mistaken.

Mr. DePasquale: I was retired then. I don't remember that.

Mr. DeChristofaro: It was probably two years ago. With that answer on record, I am satisfied and I wanted to thank Steve Mientkiewicz, my councilman, for assisting me in working with the administration to get this accomplished. Thank you very much, Steve and I thank the administration.

Mr. DePasquale: We'll take care of it.

President Marino: I want the record to reflect that Steven has worked on this because I have seen numerous emails and communications over several months and I apologize on behalf of the city that you had to come down here for something that should have been fixed months ago, and I'd like to add additionally that when things like this happen, we have a shared services agreement with the county engineer. They have equipment and expertise that very quickly could have possibly alleviated this, so I'm pleased that this is being taken care of; not pleased that it has taken this long for it to be addressed. This is not what we're all about; having people come down here and have to put on a pony show to get something fixed that could have been fixed two months ago.

Mr. DeChristofaro: That's when I brought it to the attention of my councilman. It's been two months to the day. I went to Steve's house on October the 4<sup>th</sup> and he came to the property on Monday evening. Very responsible, but to make a point to your point --

President Marino: That's all right. Everybody knows what I'm saying. Everybody got the point.

Mr. DeChristofaro: We have a membership meeting with 89 of our family members. We have 89 families in our association and it was about two weeks ago or maybe a week or two ago, this was one of the biggest issues that they wanted me to push. We have a lot of issues that we're pushing. We are in the process of spending over \$300,000.00 on upgrading our properties by siding every building in our project. We will be improving our property by over \$300,000.00 in improvements. We're doing what we can to keep our places looking good. Our members were very upset about the road. Actually, I could have had about 50 people here, but I told them don't come; we just wanted a small group. If I had to bring 50 to the next meeting, I would have.

President Marino: I know. We've been around for a long time.

Mr. Mientkiewicz: Just to touch upon that real quick. I think me and Mr. DeChristofaro met back in August and then we've had multiple conversations since then. I've spoken with the Safety Service Director a few times about that issue and the other one. There were four different issues we had. We took care, I believe, two of them. The road issue was the other one and the other thing, I don't know, the light pole. That was the other one.

Mr. DeChristofaro: It's not up yet.

Mr. Mientkiewicz: Jim, can you check with Mr. List about that. I know I did speak to him and Jim about that.

Mr. Newbrough: The one that was leaning over?

Mr. Mientkiewicz: No, this is one that --

Mr. DePasquale: No. A new pole.

Mr. Newbrough: A new one?

Mr. DePasquale: Yes. There was never one there. We will put one in.

Mr. DeChristofaro: We have already been assured it will be taken care of.

Mr. DePasquale: Yes. I want to say one thing contrary to what you said Mr. Marino. There were a couple items that were addressed on this and were fixed immediately. I did not ignore anybody.

Mr. Mientkiewicz: That's why I wanted to say that.

Mr. DePasquale: The road issue is a little bigger issue. I had to get a few prices and there were a couple issues with the catch basin, so I did not drag my feet on this.

President Marino: If it was you, I would have said you.

Mr. DePasquale: I misunderstood. You know me, Dave, and you know I get things done.

Mr. DeChristofaro: My only issue is I hadn't heard back from you. I wrote the letter to you and I did not hear back from you for a month and a half.

President Marino: Anyone else wish to address city council?

Amy Cantola, 208 Vienna Avenue, Niles. Captain Marshall, I'm here about the parade route. Can you tell me why it was changed?

Mayor Scarnecchia: You can answer that.

Captain Marshall: The old parade route that everyone was happy that we didn't use in July unfortunately presents a number of issues for us. There are so many turns involved with it that we created a situation where we are concerned somebody is going to get injured and the civil liability of that injury falls on us. Two, the staffing issues. The entire parade route requires an additional 10 people. Those 10 people make up about 60 hours of pay. We had zero problems with the Fourth of July parade route other than (inaudible) but honestly, it's a safety issue and staffing is secondary.

Mrs. Cantola: So the July 4<sup>th</sup> parade, when we didn't have enough forces, I thought that was the only reason you were changing it.

Captain Marshall: That was a contributing factor then too. I'm not sure if you're aware, we still have two policemen that don't exist anymore. It's not that we don't have the number of people available to work; it's that those people cost money. We can effectively complete the parade route as done in July without the additional 10 personnel required for that parade route.

Mrs. Cantola: Would you be willing to get volunteers to help?

Captain Marshall: No.

Mrs. Cantola: Why?

Captain Marshall: We're not going to assume the liability for civilians directing traffic. We do have volunteers that work some of the parking lot accesses for us and that worked great in July. As far the roads, the state roads and local roads and intersections, they have to be patrolled by somebody that is not a volunteer.

Mrs. Cantola: You're not going to change your mind at all about this?

Captain Marshall: No.

Mr. Lastic: I should also mention that at 1:00 that day, same time as the parade, they are dedicating the bridge –

President Marino: In Warren.

Captain Marshall: There is some additional events that are taking place in Warren on the same day. This is part of why the parade was set up and the Thomas's could give you more information, but there is a contingent of people who are leaving the event in Warren to come to our parade. It's too much – sometimes during the parade, there are kids running out and literally reaching out under the tires to get candy. At the Halloween parade last year I actually had to tell people that I was going to arrest them if I saw their kids in the street again and the kids literally almost got run over by a semi-truck.

Mrs. Cantola: That can happen again even with this new route.

Captain Marshall: Yes, it can, but we don't need to make ten turns through town.

Mrs. Cantola: You have a lot more people at the Halloween parade then you have at the Fourth of July parade.

Captain Marshall: I don't know if there is any truth to that. There are a lot of people at the Fourth of July parade. How many more entries do we have in the Halloween parade barring the political people that are running for office?

Mrs. Cantola: I don't know (inaudible)

Captain Marshall: It's the political entries that is what stimulate increased size of the parade.

Mrs. Cantola: Can I ask who made this decision? Was there a committee?

Captain Marshall: We actually had myself, Captain Holland, the Mayor, the Safety Director, Fire Chief, Traffic Officer and the Thomas's and the decision was basically made by the police department.

Mrs. Cantola: Okay.

President Marino: Thank you, Amy. Mr. Joseph, you were next.

Mark Joseph, 1227 North Road, Niles. First, I want to thank certain members of the City Council for inviting me to the Avenue and Main Street meeting as well as thanking you for taking interest in some of my concerns. I really do appreciate you gentlemen for helping me out. It was a boost of confidence for me. Thank you so much. The meeting was very informative. Thank you. While it is obvious that we spend good money on projects that have been less than successful, the McKinley House, the Wellness Center, the renovation of the public pool that hasn't been open for over two years, what I don't see or hear is what attempts are being made to overcome our daunting task of making our residents proud of our community. Instead what I see and hear is talk about the 422 corridor. You know as well as I do pouring money into and focusing on that area while it is important, I agree it is important, will not stop the exodus we have or help squash their civic pride. If any of you are interested, I have made a quick list of events that I believe are easy to obtain and very inexpensive. I especially would like to talk with a member of our law enforcement basically for what you were talking to her about. What are the points of failure? I have a list of things, what's wrong with them. Polk holes in them. Tell me that I'm wrong and I'll shut up. I promise you, but it's going to take a lot. Finally, my number is 47 and I hope I can help change that number to 0. Thank you.

President Marino: Your name and address for the record.

Jackie Zook. My question is about the parade and I was actually told to contact you. As a mother of a 14 year old (inaudible) they came back to the high school because it is a confined area.

Captain Marshall: Okay. Here's the situation. With respect to the band, the school district because the band performance (inaudible) part of the band curriculum, the school has to provide them transportation because it is an event for a class at school. Now, as far as the other groups and athletic teams and everything else, that's why we have facilitated the parking lots behind the city build and the old downtown Times building and the city administration building and the area at St. Stephen's so that you can plan ahead and have somebody there that can transport them away without having to reroute the through traffic in order to get back to the starting point. It doesn't make good sense to cut off the middle of town for an additional hour when what it does is limits police, fire and ambulance to go to both sides of town. What I would have to do is what we have done in years past and actually separate our responding emergency forces so that half are on one side of town and half were on the other side. I hoped that both sides had enough staff for whatever went on because, if not, all the resources would have to go through Mineral Ridge, through Girard and back to Niles or go through Warren and back to Niles because it literally stops everything from going through the center of town for the entire parade route. The new parade route doesn't do that, it allows east and west transit through downtown and (inaudible) so until the parade is done, we have access to both sides of town so if you or your family is on one side and need something, an ambulance or a fire truck and it's not there, again, that's our fault for not planning for emergency services.

Jackie Zook: (inaudible)

Captain Marshall: There are still only going during the (inaudible) of the parade. (inaudible) the parades over. The vehicles can go wherever they go, walkers go where they are designated to go. It worked perfectly in July, honestly, it did.

Jackie Zook: (inaudible)

Captain Marshall: We cut that off because it is an unnecessary additional distance for them to go and frankly there is more area for cars to get to the available lots.

President Marino: Ms. Miller, your name and address for the record.

Mary Ann Miller, Cherry Avenue. My question is about the parade again. How many years have we had the old parade route, do you know?

Captain Marshall: I don't know. I expect that it's been a significant number of years because I've been here for 23 years and with the exception of one parade, prior to the Fourth of July, it's always been that route.

Mary Ann Miller: Right. It's been about 35 years. How many accidents? How many problems have we had in the past?

Captain Marshall: I couldn't answer that. I'd have to actually have to go back and look at the records for each of those parades.

Mary Ann Miller: Don't you think you should have done that before you changed the route?

Captain Marshall: Not at all. No, because looking at things that have happened historically is no way to predict what is going to happen tomorrow.

Mary Ann Miller: You're right.

Captain Marshall: Because you weren't in a car accident for 60 years doesn't mean you're not going to leave here and get in a car accident on the way home, right? So I'm planning for worst case. I don't want a little kid to lose an arm or the leg or their life for a piece of candy. I'm eliminating some of the problems by changing the parade.

Mary Ann Miller: You think that these children are not going to run in that street and try to get candy?

Captain Marshall: They always run on the street and try to get candy. Right. What problems you eliminate by eliminating the turns, when you're driving a tractor trailer that is pulling a float or when you're driving a tow truck that can tow a semi-truck, dump trucks, fire trucks, whatever, when you make a left or right turn you actually make a turn and you lose a lot of your view

especially beside the vehicle. If there's somebody there and you don't see them, you will run them over. There is no way around that. It can happen. Because it hasn't happened doesn't mean that it won't. I'm sorry but I wish I had another answer for you.

Mary Ann Miller: I don't think you did enough foresight and I think you made rash decisions that hey, we're going to save money.

Captain Marshall: It has nothing to do with saving money. That's secondary to our consideration.

Mary Ann Miller: You said --

President Marino: All right. The President is going to conclude this topic for the evening. It has been exhausted. Are there any new questions?

Al Cantola, 208 Vienna Avenue. Real quick. Mr. Joseph mentioned something about taking pride in the city and shortening the parade would not definitely do that, but leave it alone. My question involves the Wellness Center. We were supposed to be making strides in having appointments and figuring out things. What's our plan?

Mayor Scarnecchia: We have several plans in the making. We're not able to introduce them at this time. Several different plans.

Al Cantola: Are they at any time in the near future other than --

Mayor Scarnecchia: The near future before the end of the year.

Al Cantola: When can we expect something to share with our plans?

Mayor Scarnecchia: Well, what we're working on I had hoped before the end of the year that we can start.

Mr. Papalas: Are you at least keeping the committee member from council involved with this?

Mayor Scarnecchia: We are coming to council with what we are doing shortly. Okay?

Al Cantola: I'm just here for transparency. I'm trying to figure out what's going on.

Mayor Scarnecchia: This has been one of our biggest problems in the city. This is general fund situation and we are -- that's all for now.

Al Cantola: I understand and it does concern me. We made a lot of different decisions and changed things. We give days off. We give days back. We spend money on things we probably shouldn't have, but we hit the general fund every time we do it. We make bad decisions and we have to come back and fix them.

Mayor Scarnecchia: We have been bleeding from the Wellness Center for quite a while and by hook or crook, we've got to find a way to at least get out.

President Marino: Anyone else wish to address city council?

Wanda Burns, 562 Wyoming. A couple questions on terminology, but the leaf vac, I called it the leaf vac but it probably wasn't the original intent but already the people on my street are raking their leaves down to the end of the street and they're expecting the leaf vac to come and suck it up. Now, it's been broke for the last couple years so then you have to put a note in the mail and say clean up your leaves or else because all they do is blow around all winter. Are we going to -- should I send the notes out now so I don't have to wait until December or are they going to come around and suck up the leaves periodically?

Mr. Catanzarite: I'd like to address that. Last year it was made public that that truck that was used for leaf pickup was not a leaf pickup truck and it was made public at that time that we got the new truck that we just paid \$384,000.00 for. That truck is for sewer lines and water lines. It is no longer a leaf pickup truck. We no longer have a leaf pickup truck so that area of town is going to have to do like everyone else and bag it and have it picked up.

Wanda Burns: Thank you. That's all I wanted to know so we can spread the word now to pick up your own leaves the city is not coming. Maybe put it in the newspaper and on the internet. My second question is where are all the department heads? I come to meeting after meeting and they're never here.

Mr. Papalas: That's a very good question.

Wanda Burns: And so I thought maybe I'm expecting too much so I was actually crazy enough to take the time to go to some other council meetings. Not only --

Mayor Scarnecchia: Two were excused tonight.

Wanda Burns: I didn't know that. Who were the two that were excused?

Mayor Scarnecchia: The first one was Carmen Vivolo and the second --

Wanda Burns: For all long term or just for this meeting?

Mayor Scarnecchia: No, for tonight.

President Marino: Just for clarification, council rules state that department heads are to be present. Those are our rules. However, the department heads do not work for nor do they answer to council. They answer to the Mayor and the Safety Service Director so they Mayor and Safety Service Director do possess and retain the right to excuse at their discretion department heads. Preferably we'd like them here, but at deference to the Mayor and Safety Service Director, that is the way it is handled.

Wanda Burns: Well, a couple of these meetings I went to one of them I was really impressed because part of, not the Agenda itself, but an attachment of a report from every department head so you knew how many fire calls there was, you know how many -- Mr. Newbrough tonight quite frankly was shocked there was no telephone pole that needed replaced. That would be part of the report.

Mr. Newbrough: That's not quite true. The development has been there for over 20 years and there has never been a pole there. And now we're going to add one.

Wanda Burns: Okay. So things like that would be no nice for the public and I'm sure it would be nice for you folks, too. Included in that was something shocking to me is that it included overtime so every two weeks it said light department has x amount of dollars in overtime with a little explanation of why. So and so had x amount of overtime in here's why because we have sick leave, we have vacation, we have whatever.

President Marino: Wanda, those reports, if requested, would come through the Mayor and the Safety Service Director and/or we have committee chairs and committee chairs do have a responsibility with respect to certain departments. If the committee chairs or the administration wanted to work on something like that, it would be my preference that that's how it would occur. With these folks working with our department heads if, in fact, that's the direction they would like to go. I'm not sure that is the direction --

Wanda Burns: My comment on that is I think that's part of transparency.

Mayor Scarnecchia: Wanda, whatever you have requested from our office, don't we get it to you?

Wanda Burns: You do.

Mayor Scarnecchia: Right?

Wanda Burns: You do. I don't even know what -- well, I guess that solves it. The requests are now on. You'll have some tomorrow.

Mayor Scarnecchia: You get the Board of Control minutes?

Wanda Burns: I do and I appreciate that.

President Marino: I would hope that, with all due respect under Ohio Open Records Law, we have provided you with your specific requests. We do not have to recreate or create records for you.

Wanda Burns: I know that.

President Marino: So I would like to think that we could work through our committee chairs and with the administration to try to come up with an amicable solution rather than get bombarded

with open records requests because they can be very burdensome and time consuming – not excusing away our responsibility because I know what we are required to do by law, but I know John is very busy and Nicki is in her office and I have a feeling that's where those requests would go because you've asked for money. Overtimes reports are generated out of the Auditor's office. The approval process occurs with Jim at the discretion of the Mayor so I would hope that we would work together and not get a tidal wave of open records requests with all due respect. Although if you want to, you can get –

Wanda Burns: You covered it.

President Marino: I really didn't, but it is what it is.

Wanda Burns: Okay. Thank you.

President Marino: Would anyone else wish to address Niles City Council?

Paul Davis, 44 Hartzell Avenue, Niles. What does it cost us to keep the Wellness Center open, monthly, quarterly, annually? Is it a negative balance?

Mayor Scarnecchia: Yes.

Paul Davis: Roughly, what's it cost?

Auditor Merlo: Last year was approximately \$200,000.00.

Paul Davis: Has a study been done closing the Wellness Center securely and efficiently and safely versus keeping it open?

Auditor Merlo: That would cost us \$240,000.00.

Paul Davis: To close it?

Auditor Merlo: We would have a loan or bond payment for the next 20 or so years.

Paul Davis: Is that bond payment in that \$240,000.00?

Auditor Merlo: Correct. Our payment is \$235,000.00.

Paul Davis: Everything it costs us to keep open is \$200,000.00?

Auditor Merlo: With revenue and expenditures? Is that what you're asking?

Paul Davis: Everything that it costs us to keep the Wellness Center open.

President Marino: What's the operating budget for the year, John?

Auditor Merlo: \$470,000.00 with the expenditures. I'll take that back. It's a little over \$500,000.00 and our revenue is about \$300,000.00 so we do made the payments and it's \$200,000.00.

Mayor Scarnecchia: We're bleeding.

Auditor Merlo: Either way you look at it, keeping it open or not you still have a loan payment on it of \$240,000.00.

Paul Davis: And the wear and tear, that's all figured in that?

Auditor Merlo: That is just the loan payment.

Paul Davis: That's just the loan payment?

Auditor Merlo: Yes.

Paul Davis: \$200,000.00 is the loan payment?

Auditor Merlo: \$235,000.00.

Paul Davis: The heats in there and everything else is in there; correct?

Auditor Merlo: Are you talking about the utilities of the building?

Paul Davis: Yes.

Auditor Merlo: The utilities --

Paul Davis: The wear and tear of the carpet, the wear and tear of the track.

Auditor Merlo: I can't answer the function of the facility or the wear and tear. I just know the --

Paul Davis: I haven't been there for a while, but the last time I was there the track was showing a sever sign of wear.

Mr. Papalas: Mr. Davis, may I say this?

Paul Davis: Yes.

Mr. Papalas: We filed our different approaches on this and the feeling is we would be further ahead if we found a solution in bringing more programs and generating more money. That's why Mr. McNaughton and I, Mike Lastic, most of us on council have talked about going in a different direction with supervisory positions and so on and I'm a little concerned and I'm going to bring that up in final remarks about some plan that's being thought of that certainly doesn't

seem to mesh, I don't think, with what we've been asking them to look into. So there will be more discussion held on that tonight and we really don't think the solution is to close it.

Paul Davis: Well, we've been in business going on 10 months now and I have not seen any improvement on what we are doing.

Mr. Papalas: We're as frustrated as you are.

Auditor Merlo: I'm as frustrated as you are because I was going to inform council later in my remarks, but I'll just do it now, that I'm out of appropriations to spend on temporary help. Those folks up there need to make a decision if they're going to fund any more.

Mayor Scarnecchia: And I'm not frustrated, I'm stressed. I want to tell you that.

Mr. Papalas: Tom, you don't need to be stressed. I asked you in January.

Paul Davis: Thank you.

President Marino: Your name and address for the record.

Emma Kuznik, 2110 Robbins Avenue. I have a complaint. I have been here since 1995 and I've had stuff thrown at my house. I've talked to the cops and they all never do anything. I had the proof, I had pictures and everybody has put the word out and I am now fighting to save my soul. I'm saving my life and this goes on every day ever since I brought the suit against this city, my house – I cannot leave my house without something being taken. Chief Simeone said if they replace it you don't do nothing about it. I have (inaudible) they have taken by linoleum whatever they want. They have taken tools and I've gone through this and now I guess I have you guys on my back. Your building guy come out and (inaudible) she moved in and she had a friend come out and there was a pipe going down and her and I talked about it. Well, her friend come to the city and I got a knock on my door saying she is complaining about my fence. Okay. I came down and talked to him about what's going on. He said my neighbor complained about the fence. She didn't complain, her friend did and she had no business getting into it. They made me tear down the fence that was there for almost 20 years. It was stained every year. My property is very well kept. All my bushes are kept and I did it by myself. (inaudible) I have pictures of it because all my Christmas stuff is being stolen. They pull in the driveway next door and they take it. A year ago Christmas I called the police department. Tammy answered. They changed my nativity scene with an old one and took the new one. That fence was up to protect myself. I have the mail people going right through in the grass. I have to put up a note and they said well, it's not to code. That fence was there for 20 years (inaudible) across the street from me and this fence was put up to protect my Christmas stuff and it is a decorative fence. He told me it is not a decorative fence. He should go to Lowe's and tell them.

President Marino: May I ask you, have you been down to see the Mayor? Mayor Scarnecchia?

Emma Kuznik: No.

President Marino: Might I suggest you make an appointment? We can get you the phone number at the conclusion of public remarks and the Mayor and Safety Service Director can get the police and folks together and have a meeting where you can share your concerns with Tom and Jim. They have just been in office 10 months. Ralph's gone, so I would encourage you to do that. We don't want you to be upset and we most definitely don't want you concerned in your home. That's not what we're about and we can get you the Mayor's number.

Emma Kuznik: This town has cost me my retirement. Every piece of my antiques, my antique glass. They took my gold and silver dollars. They took my Kennedy half dollars.

Mayor Scarnecchia: Do you have any idea who did this?

Emma Kuznik: No, sir.

Mayor Scarnecchia: No idea?

Emma Kuznik: No. I have an idea, but see when I talked to Nick Wilson and Dickson, who passed away, God rest his Soul, they didn't want to listen to what I had to say. Officer Martin knows and I've had these guys laughing at me. You guys put out that I was crazy because nobody wanted to listen. Two years ago when the Attorney General come to this town, they took all my pictures that I had. Attorney Dull seen them. The attorney from Akron seen them. Rick Wilson seen them. They've all seen them, but nobody wants to believe anything and they told the insurance company (inaudible) and I had pictures to prove it.

Mayor Scarnecchia: I would appreciate it if you would call the office and you come and we'll set up an appointment and I'll also have somebody from the police department there, too. As a new administration, maybe we can help you. Okay?

Emma Kuznik: I appreciate it very much.

Ms. Marchese: Can I ask you where on Robbins Avenue you are located?

Emma Kuznik: I live almost diagonal to Mayor Infante. We had a cut through. That's why I put the fence up in the back, but I have pictures of the last fence. (inaudible) and I'm tired of being picked on. The electric company, lighting company and the water company, they read my meters wrong. A month ago they had 108 total amps off and this has been going on for a good many years. Every time I send my bill in I put on there, your reading is 100 and some kilowatts off ... Oh, I'm sorry, they misread it. That's what they're trying to do.

President Marino: When you go to meet with the Mayor, he can get Stephanie over to talk to you about that as well.

Emma Kuznik: Okay. I thank you very much for your time.

Mr. Mientkiewicz: Mayor, since this is the first that I've heard of this since she does live in the 2<sup>nd</sup> Ward, when you do get something on the books, please notify me so I can come down.

Mayor Scarnecchia: I'd like to have the meeting during the day and you're not available because of your job.

Mr. Mientkiewicz: Well, it might have to be at 3:00.

Mayor Scarnecchia: Okay.

Mr. Mientkiewicz: I'll make it work. Just let me know when you get something on the books.

Mayor Scarnecchia: Okay.

President Marino: Thank you. Would anyone else like to address Niles City Council?

David DeChristofaro: I have a comment.

President Marino: You can't. You only have one time.

David DeChristofaro: It's about a building permit.

President Marino: Dave, only once. Sorry.

David DeChristofaro: (inaudible)

President Marino: Only once. That's the rule. Sorry.

David DeChristofaro: It's about a building permit. The city –

President Marino: Dave. Dave. Once I'm sorry. That's the rule.

David DeChristofaro: That's a wrong rule, Bob.

President Marino: Well, no it's not the wrong rule. It's a correct rule. We are one of the few communities you can come to and you don't need to sign a book, we recognize you and give you your five minutes and we follow the rules here. I'm sorry. Not another word or I'll have to ask you to leave, Dave, and it would pain me immensely to do that.

David DeChristofaro: I won't say a word.

President Marino: Thank you. That's the conclusion of public remarks. Next order of business is Committee Reports. There being none, next order of business is tonight's legislation.

### **COUNCIL COMMITTEE REPORTS**

**None.**

**ORDINANCES AND RESOLUTIONS**

**RESOLUTION NO. \_\_\_\_\_(Draft No. 130-16)**

**A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED LIGHT FUND TO THE BANK SERVICE CHARGES ACCOUNT IN THE LIGHT DEPARTMENT; AND, DECLARING AN EMERGENCY.**

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

**YEAS: 7    NAYS: 0**

Rules are suspended.

It was moved by Papalas, seconded by Lastic to adopt this Draft No. 130-16.

**YEAS: 7    NAYS: 0**

This Draft No. 130-16 has been adopted on the 19th day of October 2016.

**ORDINANCE NO. \_\_\_\_\_(Draft No. 134-16)**

**AN ORDINANCE AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO ENTER INTO CONTRACT FOR THE LEASE-PURCHASE OF THREE TRUCKS WITH SNOW AND ICE REMOVAL EQUIPMENT FOR THE STREET DEPARTMENT; AND, DECLARING AN EMERGENCY.**

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

President Marino: Is there a second? We need a second. Motion dies due to lack of a second.

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

**YEAS: 7    NAYS: 0**

Draft No. 134-16 has received a second reading.

It was moved by McNaughton, seconded by Pezzano to add Draft 139-16 to tonight's Agenda. Motion carried.

President Marino: Would the Clerk please present Draft 139-16 by caption?

**RESOLUTION NO. \_\_\_\_\_ (Draft No. 139-16)**

**A RESOLUTION AUTHORIZING THE MAYOR TO FILE AN APPLICATION AND THE ACCEPTANCE OF AN EMERGENCY GRANT FROM THE OHIO PUBLIC WORKS COMMISSION FOR THE SUMMERBERRY WATERLINE REPLACEMENT PROJECT; AND, DECLARING AN EMERGENCY**

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

Mr. McNaughton: I would like to refer to the Mayor or Safety Service Director to give this good news.

Mr. DePasquale: This is for the problem that we have on Summerberry. It is a major infrastructure problem with the water lines. It's 2500 feet of water line. We've had many breaks on that street since the first of the year. We had a meeting with the Trumbull County Engineer, Randy Smith, and his team and me went over this and came up with a number. We went after an emergency grant. I talked to Mr. Robertson, who is here, to go after that grant with a proposal and we received the grant for \$293,000.00 to repair the water lines and install a new water line on Summerberry. It's an OPWC grant and 25% of that will be our responsibility, which is roughly \$73,000.00 - \$74,000.00.

Mr. McNaughton: And we did check with our friends from the State?

Mr. DePasquale: We did.

Auditor Merlo: This is a health and public welfare issue with the water line infrastructure, it will come from the water fund, the local share.

Mr. DePasquale: It is a health and welfare issue. This is a one-time grant.

Ms. Marchese: What is our percentage?

Auditor Merlo: 25%.

Mr. DePasquale: Around \$73 to \$74,000.00.

President Marino: Any other comments?

Mr. Catanzarite: Just so everyone knows, the reason for suspension is these grants come through and we have to act on them or lose them.

Mr. McNaughton: As the utilities chair, I want to thank Kevin, the administration, Andy, this happened very quickly. A lot of moving parts and a lot of hard work as Mr. DePasquale said a one-time only, but we closed our eyes and fired it and hit the bullseye so my thanks to everybody.

Mr. DePasquale: A special thanks is owed to Kevin Robertson who did a lot of work on this and hopefully he will be our new grant writer shortly.

Mr. Pezzano: Ladies and gentlemen, that's what I was referring to back when Mr. Holloway was up here that everybody came together at a meeting on Thursday or Friday and thanks to everybody. I appreciate it.

Mr. McNaughton: Frank, good job on this.

President Marino: For suspension, call the roll please.

**YEAS: 7    NAYS: 0**

Rules are suspended.

It was moved by McNaughton, seconded by Pezzano to adopt this Draft No. 139-16.

**YEAS: 7    NAYS: 0**

This Draft No. 139-16 has been adopted on the 19th day of October 2016.

President Marino: That concludes tonight's legislation. Next order of business is Miscellaneous Remarks.

### **MISCELLANEOUS REMARKS**

Mr. DePasquale: Thank you. I just wanted to inform council and residents that the HVAC unit has been installed and it's online working properly. We now have air conditioning and heat in that building, which we haven't had since the first of the year. The roof is scheduled to be replaced starting the 25<sup>th</sup>, which is next week.

Chief Danielson: I just wanted to inform council that it is grant time. The assistance of firefighters grant opened up this past week and we have until November 18<sup>th</sup> to apply. We're looking at two difference grants. It is a 5% match for the city share. The first thing we are looking at doing is getting battery operated jaws equipment. They are asking for \$43,000.00 for the grant and the city's share would be just over \$2,100.00. The next thing we were asking for is 6 sets of turnout gear for \$18,000.00. 5% match if \$900.00. I wanted to know if we could (inaudible). I'm not sure what you wanted us to do.

Mr. Papalas: Chief, I want to ask something. Just throw it out there and see where we go. With the Auditor saying that our expenditures are tighter than ever right now and with our issues at the Wellness Center, which I'm not very comfortable with at all, would you be comfortable in my asking that we just go for one of those grants at this point?

Chief Danielson: I think the turnout gear is more important than the jaw equipment.

Mr. Papalas: Can we do that? We need some help and we certainly want to help you any way we can.

Chief Danielson: With the turnout gear it will cost the city \$900.00.

Mr. Papalas: Mr. President, does the fire department need council action from us to pursue that grant?

President Marino: Yes, they do. That needs to be done. Terry's not here and I don't know if it's a resolution or an ordinance granting them permission to pursue the grant with all the terms and conditions of the grant and the expectation of the specific dollar amount that we would have to be willing to appropriate upon securing the grant.

Mr. Papalas: It would probably be an ordinance since we'll be spending money.

President Marino: Ryan, can you keep it on your radar to get ahold of Terry before the next meeting to have an ordinance prepared granting permission to pursue that grant and work with the Chief to get the details?

Mr. McNaughton: Yes.

Mr. Mientkiewicz: Chief, you are going to go for that grant coming up shortly –

Chief Danielson: We have until November 18<sup>th</sup> to get it turned in.

Mr. Mientkiewicz: Okay. As far as the transaction, will that take place during this fiscal year or budgeted for next year?

Chief Danielson: It will be next year's budget.

Mr. Mientkiewicz: Okay.

Mr. Catanzarite: Just briefly, I wanted to thank Kevin, too. We met on Friday at 1:00. 2:30 we got out of our meeting Friday afternoon by 4:00 Kevin had the letter written and the grant process started. That was phenomenal especially for someone doing this on a part-time basis. I wanted everybody to know that we are getting money to fix (inaudible) every door we can to find money to continue for more repairs. We really have, for some reason, that North Road area is where the majority of our leaks are. They are isolated for some reason. We borrowed some equipment from Trumbull County for pressure readings (inaudible). We're doing everything we possibly can. I will try to keep everyone informed as best we can. Just because we got one grant doesn't mean we are quitting. We'll take every grant we can get. I went to a seminar today put on by the EPA for compliance issues. I'll get all of you the information. There's a lot of stuff on the way, which means a lot more record keeping for the city. A lot more paper work.

Mr. Papalas: I have a couple things. One is I would like to make a motion that we bring in a resolution at the next council meeting, council as a whole, to commend Diane Marchese for her

time as Recorder for the many years of service and to congratulate her on her pending retirement next month. Can I make that motion?

Mr. Lastic: Second  
Motion carried.

President Marino: Steve, you'll work with Terry on drafting that?

Mr. Papalas: Yes, I will. I wanted to turn my attention to the Wellness Center again. We talked a couple of times about having somebody come in here who has a degree in sports management, a master's degree, and Ryan was good enough to look into this and that was a month ago or more. We spoke to you about it in January and here we are. This Wellness Center I'm afraid is going to collapse and we've done nothing. Mayor, we've given you possible solutions, we've got some leg work that was done. What are you going to do about it?

Mayor Scarnecchia: Councilman, I would like to set up a private meeting with you and me so I can tell you what we are doing. I would like that. You and me. Would you do that?

Mr. Papalas: Does it have anything to do with somebody in sport's management who can come in and run this thing like we have talked?

Mayor Scarnecchia: I have discussed that. There's a couple programs. Ryan told me about what he did, right?

Mr. McNaughton: Certainly.

Mayor Scarnecchia: And there's something else that is important that I would like to have a private discussion.

Mr. Papalas: I'd rather it be stated publicly, Mayor.

Mayor Scarnecchia: I can't do that now. Let's do it privately and if you think it can be publicly said, then I will follow your wishes.

Mr. Papalas: I'll bring somebody with me.

Mayor Scarnecchia: I'd appreciate it if you bring the President with you, too.

Mr. Papalas: That's who I was thinking.

Ms. Marchese: Mr. Mayor, we do have to do something with the Wellness Center. I have to agree with Mr. Papalas because it's been going on -- when we had the Wellness Center Board, we had a committee and applications were brought in and I know what the problem is and we put it on hold and now it's time to move forward. Time to find a person --

Mayor Scarnecchia: It's something you just don't do like that. Soon you will be hearing about all of this.

Ms. Marchese: I hope so.

Mr. McNaughton: Thank you. I'll share again what I shared publicly a couple weeks ago. Steve asked me to help in this process to not only find someone to run that facility, but as everybody will remember as Joe Public sitting where Ms. Smith is in August of last year, I stood up the day it was announced that that position was going to be eliminated, I stood up and paraphrasing, you will (inaudible) the day. You will create more problems that you are going to solve and I don't want to be the one that sits up here and fixes it. Well, guess whose sitting up here working with my colleagues trying to fix something that should have never ever happened. I've gone on record in the past and I'll go on record again. That decision by Mayor Ralph Infante was stupendously idiotic and please quote me on that. It was personal and it was a vendetta and he has cost this city dearly and we are still turning our wheels in mud. Not that that place was running smoothly before, and I don't blame the folks who were up here before. The first time they heard about it was the day they had to vote on it. To eliminate the director position that we are still trying to replace. There was no plan concrete to replace the position or the person, so here we are again. And again, I want to say, I'm not blaming the folks who were in these chairs before. They were given no advance warning. None. Just like they weren't when they had to vote on the first recovery plan.

Mr. Papalas: I just have to ask a question to clarify things for my own memory. Didn't the Director volunteer to go part-time?

President Marino: Yes. Full disclosure, that is correct. However, when the plan evolved, we were going to change it from one to three. Giovanna was in the meeting in the lower conference room, I was there and we cautioned the Mayor that it was setting the place up for failure.

Mayor Scarnecchia: The former Mayor.

President Marino: The former Mayor. Ryan correctly states moving forward one to three.

Mr. McNaughton: So I'm off my soap box, but we are working. I made calls today with the folks at Kent State University to work at getting a meeting together with parties within the city and folks in these programs who have qualified individuals. Who will also help us craft a good job description. A plan. My idea, I hope all of our ideas here, not only find a short-term solution, but a long-term solution, so that's kind of where we're at. It's going to be a collaborative effort so that's that. In regards to the infrastructure, thanks to Kevin and everybody else. I do want to let my colleagues know and I gave you something before the meeting. I was in touch with State Senator Schiavoni's office late last week after we had a conference call we had Friday in regards to getting this grant. Senator Schiavoni is working on something called Senate Joint Resolution 3 within the State of Ohio, which would authorize – and I want to quote – “The general assembly will be able to authorize up to one hundred million per fiscal year over a ten year period for sewer and water capital improvements for full investment of one billion dollars.” This will be a way for communities to be able to tap into monies, like ours, who have

issues. It is bipartisan support. There's one person in the State of Ohio who doesn't support it and that's the Governor. So our state senator is hoping to introduce it at the start of the next fiscal year. He has traveled across the state to get support so what I handed out to you folks is a resolution passed by the City of Dayton back in April. It is basically supporting Senator Schiavoni to try to push the gas pedal to make this happen. I would suggest if we, as a collective governing body, could create something like this and pass a resolution, if you agree to do so, so that we can put our hats in the ring for our friends down in Columbus to let them know that again the rainy day fund is packed and it's pouring cats and dogs literally out of our pipes. So I would appreciate your consideration if we could do something like this in the very near future. The senator's office has been very amenable to working with us perhaps speaking with us. That is all I have.

President Marino: Is there an appetite for council to sponsor a resolution at the next meeting?

Mr. Papalas: I'll make that motion.

President Marion: It was moved by Papalas, seconded by Steffey to sponsor that resolution council as a whole.

Motion carried.

President Marino: Ryan, you'll need to coordinate with Terry Dull for the specific language that you're going to need.

Mr. McNaughton: Yes, I will. Thank you.

Mr. Steffey: Go Indians! That's it.

Ms. Marchese: John, you and I have had many discussions on the trucks how we had to get them through. How come we have to wait until Monday for the Fiscal Commission?

Auditor Merlo: We're not going to now. This will not be on their Agenda. It will not go on their Agenda unless it was acted upon council first.

Ms. Marchese: That's why we were suspending today so why did this all change?

Auditor Merlo: I don't know.

Ms. Marchese: I would like to ask my colleagues –

Auditor Merlo: It will not be on the Agenda for the Fiscal Commission on Monday.

Ms. Marchese: You have known about these trucks for how long?

President Marino: The Fiscal Commission cannot act upon it until council does. The commission, after you agree to pursue that debt obligation, has to take action upon it. So the commission cannot do that until council has expressed its will.

Mr. DePasquale: We're going three readings? Then it goes to the commission?

Auditor Merlo: It won't go to the commission until the November meeting, which is, I think, November 16<sup>th</sup>.

President Marino: That's correct.

Mr. DePasquale: You are aware that if I ordered these trucks today I wouldn't get them until the end of January.

Ms. Marchese: If we have already met with state regarding this and they are aware of what's going on, why (inaudible)

President Marino: Because it's a debt obligation.

Auditor Merlo: Any debt obligation while in fiscal emergency must be brought to the Fiscal Commission.

Ms. Marchese: Can you call a special council meeting this week?

President Marino: I cannot, but you can and the Mayor can and I believe we are going to need a special council meeting on Monday or Tuesday or Wednesday or whenever you want it.

Ms. Marchese: Mayor, we need that meeting. If we don't get these ordered, you're going to have everybody in the city on you because if we get 20 feet of snow, these people aren't getting their streets plowed.

Mayor Scarnecchia: Let me look into it.

President Marino: Anything else, Linda?

Ms. Marchese: Yes, one other thing. John, I know you and I talked and I can't let this go. I would still like to see this brought back and I don't know if our Safety Committee person, Frank Pezzano, was a part of this, but I think we need to sit down and relook at this parade. I think that maybe – okay, maybe not the whole block and I know how you feel I understand, but I have to ask you this and I need to know; are our policemen because this is upsetting me, are they – how can I put this the right way – they do not want to work the parade this year?

Captain Marshall: I'm not sure what you're getting at.

Ms. Marchese: It's on the street.

Captain Marshall: This is my advice, half of what you see and half of what you hear is usually –

Ms. Marchese: I know, but I want to know if we can sit down and maybe cut that route down. Most people do not want to go to the right on Federal.

Captain Marshall: My conversation this morning was following this parade we are open to looking at some possible changes, but again the reality of eliminating all the turns is probably the direction that it's going regardless of the emotional attachment that everybody has with the old parade route and that's really purely what it is. The way I remember it when I was a kid and it's always been that way and it's important to me because it's familiar and I appreciate that and we understand that, but that's like I said earlier, from the prospective of those of us who are trying to execute it in a safe and efficient manner it's completely different point of view than everybody involved especially the emotional –

Ms. Marchese: I guess I don't look at it safety-wise the way you are because you're looking at it because I'm looking at the opposite way. Our city needs something better for happiness. They can go there with their kids.

Captain Marshall: This is what I talked to you about. The possibility that they can have some events in the area of the library is something else that will be there as a community event whether it's costume contest for kids or some other thing going on in addition to the parade that will still draw the community and get community involvement. It doesn't have to involve cutting half of the town off for an additional hour during the busiest time of the day.

Mr. Pezzano: Excuse me. Real quick and I have to agree with Captain Marshall even though I liked the old parade route, but being in the parade at times I've experienced my own self it's not a good feeling to have children come out almost to your wheels. It's a scary feeling so I appreciate what Captain Marshall and his crew is doing, but I also understand the residents, but we have to look for safety too so being one of persons making those bends and you have to keep eyes everywhere and my wife's screaming at me, watch everywhere, I have to say it happened to me a few times when the children were running out in the parade.

Mr. Lastic: I've been in the parade 17 years and it is scary.

Mr. Pezzano: Mr. Lastic was in front of me also during the parade.

Mr. Lastic: It gets worse every year with the kids.

Ms. Marchese: On the same token, I forgot about the parade and I went down to Sparkle to get something so I know (inaudible) I stood there and I can say I watched adults and they were very in depth and I was way back and I thought I'm not going to stick around the watch this and went all around. I was one of those people. The poor little kids couldn't get up to get candy. They were jammed in there.

Captain Marshall: The route doesn't change the behavior of the person or spectators of the parade. What this route does is eliminate all occupied road space because if we have something go wrong, (inaudible) but again we talked about the overall appearance of the parade. It is still well attended and if you add another mile of roadway for the parade (inaudible)

Ms. Marchese: That's what I said today. Instead of going left, you can go right on Federal downtown past Giant Eagle (inaudible) straight down Robbins Avenue and make a right right back to the school.

Captain Marshall: We'll take a look again after the Halloween Parade, but we were pleased when it comes to the safety and security and efficient responsibility of staffing this parade as the route's been set.

Mayor Scarnecchia: One observation of this parade, if I hear the word one more time today, but I was in the last Halloween Parade and I know a lot of people in this town and if I can't remember their names, I know their faces. I looked around the parade and it seemed like very few people from Niles were there. I think we included everybody from somewhere else. I didn't know these people. We threw out a ton of candy to everybody, but I don't see why the complaints are so much from the Niles residents. It's just that we are supporting other districts, which I'm happy to do that for kids if they wouldn't run out onto the street. I was like Frank was. I was petrified we were going to hit somebody. That's it. Thank you, Mr. President.

Mr. Mientkiewicz: I'll make one more comment about the parade. Just kidding. I've had enough of the parade to last me a lifetime, but if any of the residents from Shadowridge are still here I just want to thank them and/or apologize for them taking the time out of their evening to come down here all for the willingness to improve their development in the 2<sup>nd</sup> Ward. We are on top of it and I know Jim, when you say you're going to get something done, you get it done for me, so I hope to see that fixed in the near future. With all the issues that we are dealing with day in and day out, I'm very confident in my colleagues that we continue to hold and line, continue to hold the purse strings so that we can have a rainy day fund and have a reserve fund available for us so that when issues come up with the Wellness Center or we need trucks or we need to make street repairs and road repairs and that kind of thing, there's going to be a reserve fund sitting there in hands reach. So that is, I believe, still the main concern for this council and the administration and I hope we continue to hold the line and continue to try to build those funds for the years to come so that we continue to improve and make Niles a better place to live. Thank you.

Mr. Pezzano: I want to thank my colleagues and administration for the Summerberry project and also Ms. Burns brought up a point and I left the paper at home, but in the Warren Tribune the city took out a nice full page ad about their ordinance for leaves and grass clippings for storm sewers and not put them in the street. So the Mayor, not this year but next year, maybe put something in our utility bills and warn our residents because we have an ordinance also because I had to go down behind Mill Creek and let people know that they can't dump their grass clippings in the creek, so if we can do that in the future?

Mayor Scarnecchia: Yes.

Mr. Steffey: I move that council go into executive session under Ohio Revised Code Section 121.22 to review collective bargaining negotiations with firefighters, police rank and patrol

including compensation and other terms and conditions of public employees. We would also ask that the Mayor and Auditor join us in executive session.

President Marino: There will be no other action afterwards.

Mr. Papalas: Are we discussing policies?

President Marino: No. We're discussing what he just said.

Mr. Papalas: Okay.

It was moved by Steffey, seconded by Lastic to go into executive session.  
Motion carried.

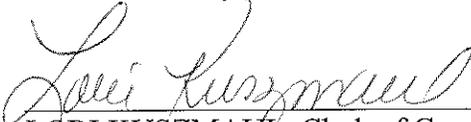
President Marino: Let the record show that at 7:26 p.m. we adjourned.

President Marino: Let the record reflect council reconvened at 7:55 p.m.

It was moved by Lastic, seconded by Marchese to reconvene.  
Motion carried.

**ADJOURN**

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

  
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LORI KUSZMAUL, Clerk of Council

  
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ROBERT MARINO, JR., President of Council