

COUNCIL MEETING MINUTES
January 20, 2016

Niles City Council held its regular meeting on January 20, 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

President Marino: The Treasurer asked to be excused. He is in Cleveland on business.

It was moved by Lastic, seconded by McNaughton to excuse Treasurer Swauger from the meeting.

Motion carried.

It was moved by Steffey, seconded by Pezzano to accept the Minutes from the January 6, 2016 regular council meeting and place them on file.

Motion carried.

REPORTS AND COMMUNICATIONS

FROM The Niles Municipal Court
Annual Report of 2015 Balance Sheet

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

Motion carried

FROM The Ohio Division of Liquor Control
Notice of legislative authority of LA Latina Market & Tacos, LLC dba La Latina Market & Tacos, 815 Youngstown Warren Road, Suite 18 & 19, Niles, Ohio.

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

Motion carried.

FROM The Ohio Division of Liquor Control
Notice of legislative authority of Big Daddy JJ, Inc. dba Classy Clean BP Carwash, 5373 Youngstown Warren Road, Niles, Ohio.

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

Motion carried.

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL

President Marino: The next order of business is the audience to address council, but before we get to the general public we have a representative from Auditor Yost's office, Mr. Jim Armeni who has asked to address council and the administration. Mr. Armeni.

Mr. Armeni: Mr. President, Mayor and council members, I am Jim Armeni of the East Region liaison. I answer to the Auditor and tonight I just want to come and get an update on the Financial Recovery Plan so if someone can tell me where we are at. We are three weeks into January so I would like to get an update.

Auditor Merlo: The Financial Recovery Plan that has been put in place, there hasn't been any action on it.

Mr. Armeni: No action?

Auditor Merlo: No.

Mr. Armeni: Ok. That's disappointing. Why hasn't there been any action?

Mr. Papalas: Maybe that's a question for the Mayor, if I could, Mr. President. Mayor?

Mayor Scarnecchia: Yes, I would be happy to answer that. In my department we have had action. We cancelled items that were suggested to be cancelled by the commission. We have met with police and fire unions in regards to their manning time and asking for relief, but we haven't heard back yet. My friend we are trying to do everything we can do to make sure that we are in line with the commission.

Mr. Armeni: Ok, but your Auditor just said there hasn't been anything implemented yet.

Mayor Scarnecchia: Well, for the Auditor. I've been working on that but I haven't reported to him yet.

Auditor Merlo: Jim, you're asking, if I may, the implementation of items on the plan?

Mr. Armeni: Items on the plan, that's correct.

Auditor Merlo: Items on the plan, manning is part of that.

Mr. Armeni: 911 dispatching, where are we at with that?

Mayor Scarnecchia: That has been resolved. They have met with and complied with the Auditors on what they're doing. They have documented it and they have worked within the enterprise funds and they have pleased the Auditors, right?

Auditor Merlo: They said there are things that they would accept in an amended plan, but there is no amended plan so I think Jim is speaking to the current plan that is in place. There have been no implementations of the current plan. Am I speaking correctly?

Mr. Armeni: That's correct as of 2:00 today the financial advisor told me that there has been no other formal plan to amend.

Mayor Scarnecchia: We're working on it sir.

Mr. Armeni: Ok.

Mayor Scarnecchia: Sir may I ask, why are you so eager to get rid of our dispatchers?

Mr. Armeni: I'm just following the plan. I'm not eager. It's not my plan.

Mayor Scarnecchia: You evidently are since you bring them up.

Mr. Armeni: How about the income tax collection? Those are big items in the plan. A lot of savings. I need to make a report to the State Auditor –

Mayor Scarnecchia: They are satisfying the Auditors. Believe me.

Mr. Armeni: Ok. I just find it disturbing that we are three weeks into January, you have a plan and I have to caution the city, do not stall. You cannot stall with this plan. You have to move forward.

Mayor Scarnecchia: We find this very disturbing that when we came into office, which has only been two and a half weeks, that we found just a mess that the financial situation that we have, you aren't the only one. We're as disturbed and upset as you are. Hopefully, we can get ourselves out of this mess.

Mr. Armeni: Well, Mayor I hope you do. We want the city to stand tall again. We are here to help you. We do not want to be looked at as an adversary. We are not. Ok, we are in a position just like most of you are, but all of you are in the position of leadership. When you're elected, you're supposed to be leading. If you can't lead you find someone to follow and you know what the third one is, you step aside. I hope someone here starts leading. You're in a new year. Do not go back to the same play book which the city has been using for several years. It will not work. It's a whole new game, this is not business as usual as we told you and the Service Director two weeks ago in a private meeting. So I'm not sure what has changed since we met last time.

Mayor Scarnecchia: There's an old saying, sir, that you cannot get blood out of a turnip and we're trying to get blood out of a – we're trying to make everything right on that plan and we won't know until we meet again with them next week.

Mr. Armeni: Ok Mayor. Mr. President, I have one more issue.

President Marino: Yes, sir.

Mr. Armeni: I have three books with me today on the Ohio Sunshine Law and I thought since the city is in the financial emergency, I think I should once again bring it to their attention when you use executive session, there's only so many issues you can go into executive session for and I'd like to recite some of them, if I could. I have two other books and I'll be glad to give you one and I can get some more. The first one is personnel matters concerning an appointment, employment, dismissal or discipline. Second one is the purchase of property; pending or imminent court action; collective bargaining, which is the one that is used the most because of dealing with contracts; matters required to be kept confidential, which are matters of federal law, federal rules, state statutes; and security matters; hospital trade secrets; veterans service commission applications. I have these books here. I can get more.

Ms. Marchese: I would like one since I didn't get one.

Mr. Armeni: I have three.

President Marino: I gave them to you before you commenced your term. Thank you, Mr. Armeni. For the record let it reflect that I did speak with our Law Director concerning that matter and that we adhere to the law with respect to the Sunshine Laws and if someone were to have attempted to speak on matters outside of that, I can assure you that I directed them they were not permitted to do so. So I appreciate you sharing this information with us, but I want to reassure you that from this seat I take that very seriously and we will make sure that we comply with the law.

Mr. Armeni: Thank you. I have one more request.

President Marino: Certainly.

Mr. Armeni: I would like to request the Clerk of Council to furnish me with a copy of the Minutes in a timely manner.

President Marino: I'll get them to you. I'll e-mail them to you in draft and then once they are approved, I'll send you the approved copy.

Mr. Armeni: Thank you.

Mr. Mientkiewicz: May I make a quick comment?

President Marino: Yes.

Mr. Mientkiewicz: No disrespect to anyone, but I've said it once and I recommended that we use the plan which this gentleman had said. We have one in place that's going to free us of financial emergency if implemented fully by 2019-2020. Whatever is in it we need to follow because it was sent for the citizens of Niles, the taxpayer, and it's going to hurt a lot of people's

feelings, but it needs to be done. Mayor, if you have any recommendations for an amended plan, I'm sure we'll all be happy to go over that and if feasible we will implement it, but again I truly believe that the longer we stall, the worse shape we are going to end up in. And that year 2019 is going to turn into 2020, 2020 is going to turn into 2021 and so on. So I would suggest that either you get on board with implementing the current plan or very soon you come up with some sort of amendment that will be cost savings for the future of this town. I think it needs to be done. It needs to be implemented. Again, it's going to be tough, it's not going to be in everyone's favor, but it's going to be what's best for the taxpayers and it will free us up from fiscal emergency.

Mayor Scarnecchia: We agree with you. The Auditor's Department and the administration have been working on this almost every day and I'm sure we will be making a final decision very soon whether we are going to be able to implement this or whether we're going to amend it.

Mr. Mientkiewicz: Ok. As long as it is coming about soon.

Mr. Papalas: Steve's point is well taken I think by all of us. As I said earlier in the Finance Committee meeting when we spoke with the Auditors last Thursday, I believe it was we were told we were losing -- bleeding \$92,000.00 every month. We are spending that much more than we are bringing in. We are spending \$92,000.00 more than we are bringing in. That's a hemorrhage financially and the money runs out in March. In March there is no more money and so we've been sounding this call for a long time and now we're here. We'll work with you in any way, but Mr. Mayor, I'm not going to play chicken with the Auditors. I don't think any of us on council will do that and I'm starting to detect from what I just heard and in the Finance Committee meeting that there's animosity, whether it's well founded or not, you have to put it aside. These people are like umpires in a baseball game. Their word is final. We don't like everything that we have heard. We don't think that we should be doing everything that has been so strongly recommended. For example, the Wellness Center, but we have to. That's it. That's the State's demand, their decision and so we have to abide by it. To question it is to go down a path that I don't think is going to be beneficial to you politically speaking or in any other way. I just want to say that. The items that Steve was mentioning that are in that plan that he alluded to were put together by the previous administration, the Auditors of the State who were looking over his shoulders and they very strongly recommended that he put it together. There was some limited input from a few of us on council and it was, I thought, a plan which worked. In essence, it was a gift to you because you didn't have to do another thing when you stepped into office. It was there. It may have worked. It looked like it was going to work. The Auditors certainly thought it was. Now, we don't know where we're at so I really do hope, as Steve does and many others in this room all of council that you come up with a plan. We need that soon.

Mayor Scarnecchia: That's the same thing we want.

Mr. Papalas: We're waiting for you.

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

Jerry Altobelli, 576 N. Road, Niles, Ohio. The State Auditors, I don't quite understand. Mr. Auditor –

President Marino: You can only ask a question to the administration or council.

Mr. Altobelli: The question is why is the State in charge?

President Marino: Because of Ohio Revised Code 118. Is that the correct citation, I believe.

Mr. Armeni: Yes.

President Marino: Once the City was put into fiscal emergency.

Mr. Altobelli: By the state?

President Marino: By the state. There were a series of steps which placed us there based on the finances, etc., deficit fund balances, extinguishing fund balances, once that occurred, we are often reminded by Mr. Quinten Potter, our Fiscal Chairman, we have to follow ORC 118 and I don't remember all the sub-sections –

Mr. Altobelli: Are we receiving state funds somewhere?

President Marino: Because of Ohio Revised Code, Jerry, we have to adhere to Ohio Revised code and once that occurred – that's how it goes. We do get annual audits from the State Auditors and one of the responsibilities is working with the State Auditors in reviewing the State Audit. I believe my predecessor, Mr. Camerino, can attest that when those audits come out we have meetings with them, there are management letters and things that the city is doing not so well that need to be corrected and it paints a financial picture so that has always been the case. Good question.

Mr. Altobelli: Ok. Thank you.

President Marino: Anyone else wish to address Niles City Council?

Paul Davis, 44 Hartzell, Niles, Ohio. You get audited once a year. I'm not grasping or was this kept from us that we had bad audits in '14, '13, '12, '11 or how did this all happen in '15? Was something kept from us?

President Marino: The audit of '12 during the routine audit, they discovered anomalies in our funds.

Mr. Davis: Was that public?

President Marino: Audits are all published. Once they have been released from the State Auditor, they are on the website. The newspapers cite them in their stories, so it is released. That led to a whole series of occurrences. Keep in mind while those things were occurring, it

was some of us that were insistent that the Mayor call in a Performance Audit. It is true that the Mayor did sign the document formalizing it, but that was suggested to get the Auditors to do a more investigative look at how the City is operating, etc. From that, they conducted a series of meetings with Mr. Papalas, Mr. Lastic, Mr. Pezzano was at some of those meetings and folks who are no longer with us where the performance auditors shared things with us. Simultaneously the routine auditors were meeting with us sharing things just as well and they were being directed -- and Mr. Merlo was in some of those meetings -- that you leave no stone unturned. You do and you follow wherever the bread crumbs lead and since that point since the '12 audit, that has occurred. On a separate rail, there were some of us telling the Mayor in no uncertain terms that we were deficit spending. We were telling him. You can go back and read the Minutes and see that we were questioning the finances. The former Auditor failed to tell us that we were two and a half million, I believe was the number, in the red in the Water Department. We were all sitting in a meeting with the Auditors, Mr. Pyers shared on a screen that the water account is two and a half million dollars -- Steve Papalas and I looked at one another like, what? It was never disclosed, so is there responsibility? Yes, sir there is, but there's also a whole lot of us that were trying and doing things to stop the bleeding, to hold people accountable and to fix it. And each time we turned a page and thought we were the end of the book, there were 50 more pages in this book. So I don't know if I've answered your question accurately, but --

Mr. Davis: Yes, you have, but you know from the outside looking in and we are certainly on the outside because things have been kept from us, I think, it seems like the plan now is that this ½% tax, which I'm in favor of, is the save all. Forget the rest. It just looks that way from our point of view outside. We need to become efficient. Thank God for Ohio Revised Code 118 because it was indicated over here that why is the State here? Well, thank God they are because if this had gone on -- we need like Steven and Steve said we need action. Just to keep covering it up and covering it up and say we're not going to worry about this department, well I don't know what the reasoning is, but we need help and it shouldn't all lie with the taxpayers.

President Marino: I agree with you that there's a significant relief that occurs if the income tax passes. No one would argue that. Relative to the city's operations and the plan, to review the process the plan originates from the administration, the plan is then submitted to Niles City Council for approval, rejection or amendment, based on that process it is then sent onto the Fiscal Commission for approval or rejection. So we have the plan now. The plan is the plan, Steven is right, until we get a new plan and as the Mayor said, his administration is working on one and I believe Mayor Scarnecchia said by the end of the month we would have a new plan. But it has to meet the financial approval of the fiscal supervisors that entered into the five-year forecast which is what I was speaking about at the community meeting and showing a positive fund balance at the end of five years. If I have misspoken or if I have inaccurately conveyed anything, please, those who have been around, correct me and those of you who are new, if I have said anything because I want the record to reflect 100% accurate relative to the comments I have shared concerning the Financial Commission. It's important Paul that the people know. Please state your name and address for the record.

Jason Altobelli, 1295 Niles Vienna Road. My question goes back to (inaudible) So there is a plan that's been put forward and a plan to come from the new administration, but there is a plan, right?

President Marino: Yes, there is a plan.

Jason Altobelli: So is it when the income tax passes, and again I support that, is that plan – is any part of that plan stay in place or is it simply the income tax circumvent that plan and then go forward?

President Marino: As I understand it, the plan in total, they don't allow us to include the income tax, do they John?

Auditor Merlo: We did that once in the last plan and it failed so they're not going to give us the option to put that in a plan again on the assumption that it could fail again.

Jason Altobelli: My question is, if the income tax passes, is it all back hunky dory and we're happy or is there still part of the plan that has to be implemented?

President Marino: The Water Department is still in a deficit. The sewer is in a positive fund balance of \$700,000.00, the light department has a \$9,000,000.00 balance, but we have a \$5,000,000.00 debt obligation to AMP Ohio, so the revenue is coming in relative to our enterprise accounts, but it will be just one step in the right direction.

Mr. Papalas: But the plan still stays in place. If the levy passes, this plan is in operation until the State declares us out of debt. All those points that we voted on are in place and they are active until –

Jason Altobelli: Who determines what? So a surplus will be funds coming in will just be banked away or what have you until (inaudible)

Mr. Papalas: Yes.

Mr. Armeni: It goes through the Fiscal Commission, Mr. President and the State Auditor releases the City.

President Marino: Ok. Thank you, Jim. I just want to make sure I understand it. Anyone else wish to address Niles City Council? In the opinion of the Chair there being none, Committee Reports?

COUNCIL COMMITTEE REPORTS

Ms. Marchese: I would first like to thank the Niles Police Department, the two chiefs, you have no idea how many comments I got on your dollar bill that you used. People enjoyed that. I'd like to thank you for coming and answering the questions. I do wish we would have had more of

our city workers there and our city employees to help support this and I'm hopeful there will be more meetings and if they are here, they are in favor of it. There are still a lot more questions out there and I think with the upcoming meeting, more and more people will come and ask their questions and I want to thank you both for being there.

President Marino: Thank you. Mr. Mientkiewicz, a committee report sir?

Mr. Mientkiewicz: Yes. Just briefly commenting on the IT Committee's meeting that was held on January 11th, those present were myself, the chairman of the IT Committee, Mr. McNaughton, co-chair, Ms. Marchese, the member and also Councilmen Pezzano and Steffey were present along with our IT Director, Mr. Mike Dibble. Topics discussed were software updates and upgrades that have been going on and that will take place in the future, projects for 2016 which there's only one currently at this time and upgrades to our city website and that's all. We will continue to bring that into the 21st century.

President Marino: Thank you. Please be reminded that you are required by the Ohio Sunshine Law to submit your meeting Minutes to our Clerk of Council. Any others? In the opinion of the chair, there being none, would the Clerk please present tonight's legislation?

ORDINANCES AND RESOLUTIONS

ORDINANCE NO. ____ (Draft No. 01-16)

AN ORDINANCE GIVING CONSENT AND COOPERATION TO THE OHIO DIRECTOR OF TRANSPORTATION TO CONSTRUCT PHASE 4 OF THE WESTERN RESERVE GREENWAY BIKE TRAIL; AND AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO CONTRACTS NECESSARY TO COMPLETE THE PROJECT, AND; DECLARING AN EMERGENCY

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

Mr. Steffey: In regards to this, it is the final step, Phase 4, of connecting the bike trail to Warren. This is at no expense. The State pays 100% of this upgrade and I want to make sure everybody knows that and also the City's requirement will be to maintain it. I just want to make sure everybody is aware of that.

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Papalas, seconded by Pezzano to adopt this Draft 01-16.

YEAS: 7 NAYS: 0

Draft 01-16 has been adopted on the 20th day of January 2016.

ORDINANCE NO. ____ (Draft No. 02-16)

AN ORDINANCE AMENDING CODIFIED ORDINANCE NO. 143.07 (A) BY INCREASING THE IMPOUNDING/TOWING FEE ESTABLISHED IN SAID ORDINANCE; AND, DECLARING AN EMERGENCY

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

Mr. Pezzano: Mr. President, this was brought in by the Chief. This is to curtail some of the spending that when officers are on the scene it compensates for the time they are there. Am I right in saying that, Chief? Do you want to add to that?

Chief Hinton: Correct. This puts us in line with other agencies in the area regarding the time spent on scene, plus administrative time plus the fact that we send certified mail to the owner.

Mr. Mientkiewicz: A quick comment. Chief, just on an average how many tows do we have per month? The monthly average.

Chief Hinton: I project a total of 250 per year.

President Marino: Do you know how much revenue that will generate?

Chief Hinton: About \$8,000.00.

President Hinton: Thank you.

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Pezzano, seconded by Papalas to adopt this Draft 02-16.

YEAS: 7 NAYS: 0

Draft 02-16 has been adopted on the 20th day of January 2016.

ORDINANCE NO. ____ (Draft No. 03-16)

AN ORDINANCE INDEFINITELY EXTENDING THE TEMPORARY COMBINATION OF THE BAILIFF AND PROBATION OFFICER POSITIONS IN THE MUNICIPAL COURT AUTHORIZED IN ORDINANCE NO. 20-15, RETROACTIVE TO JANUARY 1, 2016; AND, DECLARING AN EMERGENCY

Mr. Steffey: The Finance Committee sponsored this and what it is to break it down for you, Judge Townley last year during the fiscal emergency agreed to merge the bailiff and probation officer position as a cost-savings measure, but the ordinance only allowed that to go through the end of the year so this will make it indefinitely a permanent merger. Judge Townley has projected that he can do that.

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

Mr. Papalas: If we go for a first reading and it's delayed for a couple of weeks and if we go for a second, does it affect the Judge's budget?

Mr. Merlo: It does not. Authorized strength has that (inaudible)

YEAS: 6 ABSTAIN: 1 (Mientkiewicz) NAYS: 0

This Draft No. 03-16 has received a first reading.

RESOLUTION NO. ____ (Draft No. 04-16)

A RESOLUTION AUTHORIZING TRANSFERS FROM THE COURT HOSPITALIZATION ACCOUNT TO VARIOUS ACCOUNTS RETROACTIVE TO DECEMBER 31, 2015; AND DECLARING AN EMERGENCY

Mr. Steffey: This was also brought by the Finance Committee and I am going to ask Auditor Merlo if he would explain this.

Auditor Merlo: This Draft and the next two Drafts are retroactive back to 2015 working with the financial supervisors at the State Auditor's Office these are going to take care of some of the negative balances that don't have to carry for next year, so the first one is a line item transfer into other general fund account. They are all general fund accounts. The next one would be appropriations that are needed and then the final one after that would also pertain to making police and fire whole.

It was moved by McNaughton, seconded by Lastic 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 04-16.

YEAS: 7 NAYS: 0

Draft 04-16 has been adopted on the 20th day of January 2016.

RESOLUTION NO. _____(Draft No. 05-16)

A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED GENERAL FUND TO VARIOUS ACCOUNTS RETROACTIVE TO DECEMBER 31, 2015; AND, DECLARING AN EMERGENCY

Mr. Steffey: I would like to move that we accept the Amended Resolution that Mr. Dull has provided us. It was seconded by Papalas.

President Marino: It was moved by Steffey, seconded by Papalas to amend tonight's Agenda to reflect Amended Draft No. 05-16.
Motion carried.

President Marino: Why was it amended? Was the amount changed?

Mr. Dull: Originally it stated that all of this was coming out of the unappropriated funds, but the intention was that it could still come out of the individual funds, water, light, sewer.

President Marino: Ok.

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

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Papalas, seconded by McNaughton to adopt this Amended Draft 05-16.

YEAS: 7 NAYS: 0

Amended Draft 05-16 has been adopted on the 20th day of January 2016.

RESOLUTION NO. _____(Draft No. 06-16)

A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE MISCELLANEOUS GENERAL FUND TO THE POLICE AND FIRE 1/2% TAX FUND RETROACTIVE TO DECEMBER 31, 2015; AND, DECLARING AN EMERGENCY

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 Pezzano, seconded by Lastic to adopt this Draft 06-16.

Mr. Papalas: This comes out of the general fund, \$50,000.00?

Auditor Merlo: Yes, it does.

YEAS: 7 NAYS: 0

Draft 06-16 has been adopted on the 20th day of January 2016.

Mr. Steffey: Mr. President, I'd like to move that we include the additional legislation, Draft No. 07-16 that was brought in at the last minute. I apologize for that. It is needed to purchase the salt mix for the Street Department to take care of the roads especially on a night like tonight.

President Marino: It was moved by Steffey, seconded by McNaughton to add Draft No. 07-16 to this evening's Agenda. All in favor signify by Aye.

YEAS: 6 ABSTAIN: 1 (Papalas) NAYS: 0

Motion carried.

Mr. Lastic: I thought we had enough.

Mr. DePasquale: No, we don't. The price is low right now. It's a good time to buy. It's only going to be going up. We've still got three months of winter so we have to stock up.

President Marino: Would the Clerk please read Draft No. 07-16 by caption.

RESOLUTION NO. _____(Draft No. 07-16)

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

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

YEAS: 6 ABSTAIN 1 (Papalas) NAYS: 0

Rules are suspended.

It was moved by McNaughton, seconded by Lastic to adopt this Draft 07-16.

YEAS: 6 ABSTAIN 1 (Papalas) NAYS: 0

Draft 07-16 has been adopted on the 20th day of January 2016.

President Marino: That concludes tonight's legislation. Now Miscellaneous Remarks.

MISCELLANEOUS REMARKS

President Marino: Mr. DePasquale, I was hoping that Ms. Ford would be here. Can I ask a favor of you, can you check with her and see what the progress is on getting our billing system to allow the landlords to check on their properties for billing purposes so that we don't have the renters running the accounts up to huge sums and then being delinquent. If you wouldn't mind?

Mr. Depasquale: I'll check with her tomorrow.

President Marino: I appreciate that. Thank you.

Mr. Scarnecchia: First of all, I'd like to extend an apology to this gentleman back here that I may have seemed a little hostile and I would like to talk to you after the meeting, ok?

Mr. Armeni: Mayor, you're fine. There's no problem.

Mr. Scarnecchia: But I would like have a chat with you after the meeting. To see the last phase of the bike trail, I can remember the beginning and it was Councilman Papalas who really worked his butt off to get this bike trail going and it's a compliment to him that we are finally getting to the end and I want to say thank you Steve for everything you did for that. I think it should be named after you.

Chief Danielson: An update on the truck. We finally received a set of (inaudible) we will send it back for final approval and make sure that the changes are the way we want them. We can expect it sometime in June.

President Marino: Thank you, Chief. Thanks to the men for spearheading the income tax effort. We greatly appreciate it.

Auditor Merlo: Now that we've got that legislation, by the end of the week we should have reconciled 2015 so council is welcome to share and come down.

President Marino: Now that this is passed where do you suspect it's going to end?

Auditor Merlo: The general fund will have an estimated balance of \$200,000.00. We anticipated about \$700,000.00 so we will have a bigger deficit going into 2016.

President Marino: Hence my comment, Paul, about the pages in the book. It just keeps going.

Mr. Papalas: Andy, I want to thank you for your response today. Mayor, when you come up with your new plan, would you please make sure that the Auditors of the State support it before it comes to us.

Mayor Scarnecchia: Ok.

Mr. Papalas: Have them review it. Have them help you. They are your friend. They will help you with that if you cooperate with them with what we need done and what they need done as well. Finally and very importantly this proposal of a JEDD that Weathersfield Township is interested in. I spoke with only a couple members of council and I listened to some concerns they had. I understand those concerns so I have spoken with Dr. David Rouan, the Administrator of Weathersfield Township and one or two trustees there. We have set up a meeting for 6:00 p.m. next Monday at Weathersfield at their Administration Building to talk about this and I voiced some of your concerns to them and they were understanding and they feel that all of this is open to discussion except annexation. That will absolutely not be something that they would be interested in, so I ask that we go into this meeting with an open mind as they are and I would ask that we realize that the goal is one word, jobs. If we could take this property that both communities have together and develop it, it would mean jobs. Some of us are interested in technology, some in industry it doesn't matter but we need an industrial park that will work and if you remember Girard's situation, very similar to ours, they were broke and one of the things that got them out of debt was the fact that a big factory, Vallourec, came in and I know it's slowing down now, but that factory got them out of trouble. Bringing it in there was some negotiations that had to occur between Girard and Youngstown. Remember that? It almost failed except for the two Mayors walked right in and came together for this. We need to do that. There's no magic wand here. Even if that levy passes, we're only at the status quo. We can't have a street resurfacing program, we can't do other things that we need with capital improvements, but if we can get businesses to come here with large numbers of jobs, that will help us. Jobs. That's our goal, so please try to make this meeting at 6:00 p.m. next Monday night at Weathersfield Township and the trustees welcome you. Please sit down with them and discuss this. If we have another meeting, we'll have it here. If we need to form a small committee to hammer this together, then fine. Whatever it takes. One other thing, Mayor you and your Service Director also, please try to come.

Mayor Scarnecchia: We'll be there.

Mr. McNaughton: The only other thing I want to say for the record is if anyone questions the shape of the City that we walked into, we are in the middle of January, the warmest winter in years and we are in a critical position of needing salt and slag. That's all I have to say. Moving forward all of us need to be planners, planners whether it's us on council, department heads, the Mayor, all of us. I'm stunned by what I heard an hour ago about a critical need for salt and slag. I was wearing shorts on Christmas day and we now have to put forth an emergency measures to buy salt and it is in an El Nino year. We all need to be planners. Thank you.

Mr. Steffey: I would just implore the public that as impatient as you feel, we feel it, but I will let you know that this body, speaking for myself, is moving forward. We are looking to the future and we are going to correct this. This is an opportunity to put business management systems in place and an opportunity for us to reassess and move forward. So I thank the police and fire for all the hard work they are doing. It's not a scare tactic. I've had people say that it's a scare tactic, but it's not. It's real so win or lose the levy the City will move forward. It's just a pace at which we will do it. That's all I have.

Ms. Marchese: First of all I like to make a comment with the fiscal committee with the State, I know they are working hard. It hasn't been that long for any of us that just came into office. None of us want to see jobs lost so it's going to take some time to move forward and I'm hoping they will grant us patience and show respect on both sides so we can all work together.

Mr. Papalas: One more thing, Mr. Chairman. I forgot to say something and that goes to Mark Hess. Mayor, I appreciate your remarks about that bike trail. It's true I worked hard, but it wouldn't exist if it wasn't for Mark Hess. I can't believe how aggressive he was when he needed to be and how patient he was when -- if it wasn't for that man, this thing wouldn't exist today. Everybody should know that. He worked on this for years. If it is every named after somebody, it should be Mark and that's all I want to say.

Mr. Mientkiewicz: Coming into the election year there are a lot of new faces who have a lot of vision and a lot of ideas of where we want to see this City and what we want to become. Unfortunately, none of those can come into fruition if we're broke and it's really tough to deal with and tough to swallow so that's why I am so demanding that we are accountable for our fiscal spending. I know most of us ran with a platform saying we are going to hold our leaders accountable for the way we spend money and I believe we have to do that. It is my belief. So moving forward, we are hopefully going to continue to do that. To monitor what we do, what we spend, to free of us this mess so that all of these visions and goals and fresh ideas can come into fruition in the future. With that being said it's time for all of us to look in the mirror. The leaders are responsible. The taxpayers, the citizens, what do you want to see this City look like in 10, 15, 20 years? So with that being said, time is running out. Thank you.

ADJOURN

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



LORI KUSZMAUL, Clerk of Council



ROBERT MARINO, JR., President of Council