

MINUTES

Niles City Council held its regular meeting Wednesday, April 5th, 2006 at 6:00 p.m. in Council Chambers, Safety-Service Complex, Niles, Ohio. The meeting was called to order by the President, Robert Marino, and the Clerk; Linda A. Yuhasz called the roll:

Lastic-P; Papalas-P; Scarnecchia-P; Cox-P; Stredney-P; Papas-P; Fuda-P; Marino-P.

It was moved by Fuda, seconded by Stredney to accept the Minutes of the regular Meeting of March 15, 2006 and the Public Hearing and place them on file. Motion carried 7-0.

REPORTS AND COMMUNICATIONS

FROM: The Auditor's Office
The Estimated VS Actual Revenues through the end of March 2006.

It was moved by Papalas, seconded by Lastic to accept the report and place it on file. Motion carried 7-0.

FROM: The Cemetery Department
March Sales Report

It was moved by Papalas, seconded by Papas to accept the report and place it on file. Motion carried 7-0.

FROM: The City Income Tax Report
Monthly receipts for March 2006

It was moved by Papalas, seconded by Lastic to accept the report and place it on file. Motion carried 7-0.

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL

Mr. Robert Lumley, Sr. of 106 Neil Street, Niles, Ohio: I wish to address the intersections of Arlington and Neil and Church Street and Arlington. People are running through stop signs between the hours of 11:30a.m. and 3:00 p.m. Two trucks and a car went through the stop sign. One truck almost got broadsided on the passenger side. He backed up and almost got broadsided on the driver's side. This all within two or three minutes. Something has to be done about that. You need to put speed bumps there on both Neil and Arlington. They get away from Main Street doing 25mph. to 35 or 45mph. on Arlington Street. Nothing is being done about this. There is more and more kids in the neighborhood. I am the old generation in the neighborhood; I use to be the young, now I am the old. There are more kids coming in, what happens if someone gets killed or maimed? Doesn't McDonald have speed bumps?

Councilman Stredney: If I am not mistaken you are not allowed to put speed bumps on public roads.

Mr. Lumley: Well, something needs to be done before someone gets hurt, badly hurt. I hate to see what happens that if something like this would come about, after the fact because somebody is bringing this up.

Mr. Maurice Guarino: I see the Police Chief taking notes, Mr. Lumley so I am sure something will be done in the near future.

Mr. Lumley: I have brought this up before; this is not the first time.

Councilman Fuda: Speed bumps were brought up before, but you are not allowed to put speed bumps there.

Mr. Lumley: Then what can be done?

Councilman Scarnecchia: Chief, is it time to bring out our portable speed monitor?

Mr. Lumley: If it's that big white box that sits on the side of the road, they'll see that and obey it. I would hate to see the camera's like they have in Girard, but something has to be done. I am not trying to be smart about it but something is going to happen.

Mr. Mark Hess: Chief, do you know if we had any accidents there at all?

Chief Simeone: Not that I know of. Even after we put the light on flash we had a couple but not.....

Mr. Mark Hess: That is Arlington and Church Street.

Chief Simeone: At Arlington and Neil Street right at the top of my head I can't think of the last time we have had an accident.

Mr. Lumley: There was a BMW that got hit there just about a year ago. Like I said two trucks and a car on Arlington and Neil and they were going towards Main Street. I have seen where they have gone to a point where they almost stop, it's a rolling stop but they still have time to stop. But if you are going 35mph and you are in the middle of where the crosswalk is there is not a prayer for you to stop, not a prayer.

Chief Simeone: All I can say is I will pass it on to the Captains; we will try to get cars over there.

Mr. Lumley: Honestly there is more patrol cars coming through and that is great, but the timing is all wrong.

Chief Simeone: I understand that but we can't control that. We can't sit there for twenty four hours. We try to set our priorities as to the calls for service. When officers aren't on a call for service they are patrolling the neighborhood. I will tell them about the problem and try to pick it up a little more and try to address it.

Mr. Lumley: It's a very, very bad stop.

President Marino: Mr. Hess, regarding that red light, is there plans to leave that there and put it back in operation when the Senior Housing is completed?

Mr. Mark Hess: We don't know if that is going to happen or not. It's possible it could. It would have to warrant for us to put back that light. If building that complex helps us meet that warrant then we would put it back.

President Marino: I hope that before we take that down we wait until that's done.

Mr. Mark Hess: We are leaving it up there. We don't have any immediate plans to take it down.

Mr. Lumley: That is a caution light there on Church and Arlington because of the residents there.

President Marino: What I was inquiring about is seeing if it was going to be put back in operation when the senior housing is built. Mark had mentioned that it will have to meet criteria to be turned back on.

Mr. Lumley: Well I understand that being a caution light because there is a red one on the corner across from the church and they hear those trucks braking every night and every night. That is going to keep them up and I understand why that is a caution. They stop for that but they have no inkling in stopping for a stop sign on my corner. I could sit out there and watch it with my camera but it wouldn't do any good.

Mr. Mark Hess: The intersection that you are talking about has never been a four way stop so I don't know why all of a sudden....

Mr. Lumley: No it is not all of a sudden.

Mr. Mark Hess: What I mean is that we have not changed anything there; it has always been a two way stop. For some reason people aren't stopping there.

Mr. Lumley: It is mostly through the day. I am going to say from 11:00 a.m. until 3:00 in the afternoon.

Chief Simeone: Right now our traffic officer is on sick leave but I will get with our Captain.

Mr. Lumley: Could I ask Police Chief Simeone a question?

President Marino: You certainly may.

Mr. Lumley: Are you allowed to have an officer in a vehicle sitting on Arlington, just sitting on Arlington watching that intersection?

Chief Simeone: Are they allowed to be stationary? Yes.

Mr. Lumley: Maybe that is an idea. If they sit there for a half an hour every two hours or something like that. There are more police cars around and they are really keeping an eye on the neighborhood and I do appreciate that. I do know that you can only go so far, I understand that.

Chief Simeone: We will try to do everything that we can.

Mr. Lumley: Somebody is going to get hurt and there are more kids in the neighborhood. Thank you.

President Marino: Gentlemen since you are here why don't you stand up and state your name and what you are running for.

John David Moran Jr. (student) I am running for Third Ward Council.

David McCann (student) I am running for Fourth Ward Council.

President Marino: Very good. Good luck to you gentlemen in your political endeavors in Niles McKinley High School.

COMMITTEE REPORTS

None

ORDINANCES AND RESOLUTIONS

ORDINANCE NO. ____ (Draft No. 17-06)

Draft No. 17-06 to be brought to the floor for the third time:

AN ORDINANCE AMENDING THE ZONING DISTRICT CLASSIFICATION FOR MULTIPLE PARCELS OF REAL ESTATE WITHIN THE THIRD WARD OF THE CITY; AMENDING THE ZONING MAP TO CONFORM TO THE NEW CLASSIFICATIONS; AND DECLARING AN EMERGENCY.

Councilman Scarnecchia: Mr. President I would like to table this ordinance pending the Public Hearing which is scheduled for April 19th at 5:45p.m. in Council Chambers.

It was moved by Scarnecchia, seconded by Stredney to table this Draft. Motion carried. 7-0.

ORDINANCE NO.____(Draft No. 07-06)

Draft No. 07-06 to be brought to the floor for the second time:

AN ORDINANCE AMENDING NILES ORDINANCE NO. 9826-70; CHANGING THE ZONING FOR PROPERTY KNOWN FOR STREET NUMBERING PURPOSES AS 345 WARREN AVENUE, OWNED BY ROBERT GODFREY SR., FROM R-B RESIDENTIAL DISTRICT TO B-2, COMMERCIAL DISTRICT; AND, AMENDING THE ZONING MAP AS REQUIRED THEREIN

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

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Papalas, seconded by Papas that this draft be adopted.

YEAS: 7 NAYS: 0

This Draft has been adopted this 5th day of April, 2006.

RESOLUTION NO.____(Draft No. 24-06)

A RESOLUTION FOR THE PURPOSE OF AUTHORIZING THE MAYOR TO FILE A FY 2006 COMMUNITY HOUSING IMPROVEMENT PROGRAM (C.H.I.P.) APPLICATION WITH THE OHIO DEPARTMENT OF DEVELOPMENT AND, DECLARING AN EMERGENCY

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

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Papalas, seconded by Papas that this draft be adopted.

YEAS: 7 NAYS: 0

This Draft has been adopted this 5th day of April, 2006.

RESOLUTION NO. ____ (Draft No. 25-06)

A RESOLUTION URGING THE OHIO GENERAL ASSEMBLY TO MAKE A PRIORITY OF ASSURING EVERY PERSON LIVING OR WORKING IN THE STATE OF OHIO HAS ACCESS TO QUALITY HEALTH CARE

It was moved by Fuda, seconded by Lastic that this Draft be adopted.

Councilman Fuda: The group from U.A.W. was here last meeting to give a talk to us and we agreed to bring in this resolution.

YEAS: 7 NAYS: 0

This Draft has been adopted this 5th day of April, 2006.

MISCELLANEOUS REMARKS

President Marino: Terry, did the transition from the Royal Mall take place with the new owners?

Mr. Terry Dull: I don't know that for sure. I tried to get a hold of them, I can check.

President Marino: Not yet, Mayor?

Mayor Infante: No, we met them down there a couple of times, looking over the properties, evaluating everything.

President Marino: Did they give you a time when they are going to start cleaning that place up?

Mayor Infante: No.

President Marino: When they do will you give us a heads up? Thank You.

Councilman Papalas: I ran into a situation and just realized yesterday and today, I wanted to e-mail some information to two department heads and one department heads employee. They don't have addresses, so I had to send it to Mena today. Is there a way or is there a plan in the future that department heads have e-mail, Mayor?

Mayor Infante: Well, I will have to look at it again but there are only so many that have it.

Councilman Papalas: Okay, I will tell you what I ran into today, Mayor. Somebody had e-mailed pictures of houses and a business they wanted Anthony Vigorito and Steve Yovich to take care of. Rather than call their homes to tell them about it or wait until today when they are in the field and it is more difficult to reach them I thought it would

be a great opportunity to e-mail. Well today I found out that they don't have e-mail addresses.

Mayor Infante: Steve wouldn't have one but Tony could.

Councilman Papalas: Mena said he didn't have one.

Mayor Infante: Tony has one.

Mr. Tom Telego: He has one.

Councilman Papalas: He has an e-mail address, well Mena said he didn't. Maybe we can get one for Steve also.

Mayor Infante: I think Steve's would be based off of Tony's because Steve doesn't have a computer.

Councilman Papalas: Well that is fine, whatever way you want to set it up.

President Marino: Tom, would it be possible for you to compile a list of e-mail addresses for the members of council, much like we get a list of everybody's phone numbers? Distribute it to council at the next meeting so they know who does and doesn't. I too communicate with e-mail.

Councilman Papalas: I think it's just a great opportunity. Do the Chiefs have e-mail? They should have an e-mail address.

Mr. Tom Telego: We are trying to set some up at the police department.

Councilman Papalas: I think that it's imperative, Randy, Mike Burke.....okay, great that would be super.

Councilman Scarnecchia: Do you have an e-mail Mayor?

Mayor Infante: We only have a certain amount and we make them sign a policy, because everybody knows what misuse is, what the word is and that is why everyone doesn't have one. Department heads that do need them we have them for them.

Councilman Papalas: I understand one hundred percent. I understand what you are saying.

Mayor Infante: That is not going to change.

Councilman Papalas: Mayor, the department heads that I mentioned have no time to do anything else.

Council Fuda: Mr. Guarino, Bobby referred to the Royal Mall, could we send someone up to see the manager to clean up the back fence, it's a disaster back there.

Mr. Guarino: Okay, I will take care of that myself.

It was moved by Papalas, seconded by Papas to adjourn this meeting. Motion carried 7-0.

Linda A. Yuhasz, Clerk of Council

Robert Marino, President of Council