

MINUTES

Niles City Council held its regular meeting Wednesday, September 20, 2006 at 6:00 p.m. in Council Chambers, Safety-Service Complex, Niles, Ohio. The meeting was called to order by the President of Council, Robert Marino, and the Clerk; Linda A. Yuhasz called the roll.

Lastic-P; Papalas-P; Scarnecchia-was not present during roll, arrived late at 6:05 p.m.; Cox-P; Stredney-P; Papas-P; Fuda-P; Marino-P.

It was moved by Stredney, seconded by Papas to excuse Mayor Infante and Councilman Scarnecchia. Motion carried. Councilman Scarnecchia did arrive later.

It was moved by Stredney, seconded by Lastic to accept the Minutes of the meeting of September 6, 2006 and place them on file. Motion carried.

REPORTS AND COMMUNICATIONS

FROM: Geauga-Trumbull Solid Waste Management District

A letter from the director, Robert Villers informing city council of a fee increase of \$2.00 effective spring 2007.

It was moved by Fuda to accept the letter and refer it to the law director, seconded by Papas. Motion carried.

FROM: Income Tax/ Treasure's Office

An update on the delinquent income taxes.

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

At this time, President Marino assumed the duties of acting mayor and Councilman Papalas became the President of Council Pro-Tem.

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL

Mr. Jeff Norman of 222 Washington Ave. Niles, Ohio: I am here for the second time to file a complaint about getting something done with raw sewage that comes into my basement when it rains. Now it seems to be increasing, it doesn't take a hard rain like the other night. My storm drains around the house were flowing freely; there was no pond in the road, nothing like that and I just keep getting raw sewage coming up into my basement which is finished. I have done everything I can, exhausted all measures. I put a check valve in so it's definitely closed down and I am not getting the usual foot and a half that I usually get. I'm getting inches but still it's there and it is unbelievable. It is just a nightmare. I cringe every time I know it's going to rain; I don't know what to do. We had a meeting last time and set up another meeting. There was suppose to be some testing to be done and I heard nothing. I know my neighbor was supposed to be here, Bobbi Wilson who lives next to me; she also got quite a bit of sewage in her basement. I think since the

last time I had been here it has happened about three times. The meeting was set up with Randy the last time.

Mr. Mark Hess: There was a meeting in City Hall some time ago, some time last year. I know I talked to Jeff about this just yesterday. I had to apologize to him, for me I know that there were a few people at the meeting but I was one of them and I know that there was follow up that had to be done that I completely forgot about. I know that Randy was at the meeting, we talked about Washington Avenue and we know that there is a root problem on Washington Avenue. We also know that there was an SSES Study done that identified other things on Washington Avenue. The plan at that time was that we were going to go back and look at that plan and see if there was work that was done under the SSES Project on intersections of Pearl and Lincoln and some of the intersections up from Jeff and some of the intersections down from Jeff but they didn't include the intersection of Washington and Pearl.

Mr. Jeff Norman: That is when the problem started. I lived in my house for ten years and we never had a problem, they did that project within six months I had sewer water in my basement.

Mr. Mark Hess: So, Jeff's thinking is that maybe something was missed in the SSES Study that didn't identify a problem at the intersection of Pearl Street and Washington. I think at the time of the meeting, Randy you and I were going to look into doing some stuff that has to do with certain streets and dye water flushing. Those were cross connections that were repaired; we were going to see if that was part of the problem. You had talked about it being the root problem; we had a root problem in that area. Those were the things we were going to look at. We have not done that yet. I have to apologize and I have apologized to Jeff, I just forgot about it. I never heard from anybody and I forgot about it. Jeff if you want to put me on record tonight I think it is a good idea, now we have to do what we said we were going to do a few months back, that is to find out if there is justification of what Jeff thinks is going on and then if there is we will report back to you guys.

President Pro-Tem Papalas: Is that alright with you?

Mr. Jeff Norman: Okay

Mr. Randy Fabrizio: I was out to Mr. Norman's house today with the foreman of the Water Department. I called and there was no answer at his home. He had said something that I didn't quite understand you said the manhole that is not in the center of the road ...

Mr. Jeff Norman: Yes, the center manhole and then the one off to the side. Anytime it rains there are holes in the manhole it is like a fountain.

Mr. Randy Fabrizio: The one off to the side is a storm manhole, not a sanitary manhole. The one in the middle doesn't overflow?

Mr. Jeff Norman: That one overflows in a heavy, heavy rain. The other one....

Mr. Randy Fabrizio: Okay, that is the storm sewer not the sanitary sewer. You said you had a backflow valve?

Mr. Jeff Norman: Yes, backflow.

Mr. Randy Fabrizio: If your backflow valve is working properly you shouldn't be getting any sewage in.

Mr. Jeff Norman: Well, I called the plumber on this back flow valve and he said some times you can get a little flow in and then it is going to shut it down with that pressure. It works on the water pressure.

Mr. Randy Fabrizio: You got an automatic one not a manual?

Mr. Jeff Norman: I have an automatic one.

Mr. Randy Fabrizio: There should be cleanup for that, every year. Some times toilet paper or something gets plugged up in that. You have got to maintain that on a regular basis.

Mr. Robert Marino: Gentlemen may I interrupt here for a minute? It may be better if we let Mr. Hess and Mr. Fabrizio go out and do the investigation. Randy and Mark do we have a time line on when that is going to be accomplished?

Mr. Mark Hess: I talked to Jeff yesterday and I really haven't talked to Randy, as a matter of fact I called him today and I couldn't get him so, Randy and I really have to sit down and it's really up to how soon we can get crews up there.

Mr. Randy Fabrizio: Before we get to that there are a couple other things that I found while I was out to the residence today. Number two there were two down spouts that were plugged up and there is a third one that is going out near your garage and slops back into the house. This water is getting into your footer drain. Well, I am seeing a head shaking no.

Mr. Jeff Norman: Where are my down spouts plugged up? Did you check on my roof?

Mr. Randy Fabrizio: Yes, you're down spouts on your roof. No, you are plugged up where they come out on the side.

Mr. Robert Marino: Gentlemen, we will wait for the outcome of the investigations and report back to City Council and the Mayor and his administration and council will come up with a plan, Jeff. If what Randy is articulating is factual ...

Mr. Jeff Norman: That would not come out of my sewer.

Mr. Robert Marino: I understand. What I don't want to happen here is a tit for tat kind of thing which is what is going on here now. Where nothing gets accomplished, we just all shake heads.

Mr. Jeff Norman: We had a meeting last time.

Mr. Robert Marino: I understand that but, Mr. Hess has apologized because the city apparently dropped the ball for lack of a better word in addressing and looking into and investigating. I compliment Mark for standing up. He has been here a long time. Let's let Mr. Fabrizio and Mr. Hess do what needs to be done. They have assured all of us that they are going to get back to you and to council to figure out what the situation is. I just beg that you give them a chance. If you don't hear back from them by October 4th...

Mr. Mark Hess: What we have to do should be well within that time frame.

Mr. Robert Marino: Between now and then some one will be in touch with you. Councilman Stredney is going to stay on top of it because this is his ward and maybe keep you guys in the loop, so to speak.

President Pro-Tem Papalas: I would recommend also that perhaps Mr. Fabrizio and Mr. Hess, Mr. Stredney and Mr. and Mrs. Norman get together in city hall after some of the findings are brought in and discuss it there. If we need to do something or if he needs to do something that he is not aware of at this point, he can get it taken care of. That should be done as soon as possible.

COMMITTEE REPORTS

Councilman Scarnecchia: The Safety Committee met last week and we are going to continue the investigation and discussion into the feral and domestic cats at the next Safety meeting which we are hoping to have if you have a Finance Meeting, right after. At this meeting there will be different agencies that work with these animals. Hopefully, the Safety Committee will be able to come up with a solution to this problem.

President Pro-Tem Papalas: Mr. Scarnecchia, I don't believe there is going to be a Finance Committee Meeting and I can't be there because I am going to be with some constituents at another meeting. I think we need as much input as possible from council there. There is no reason why I can't catch up.

Councilman Scarnecchia: September 27th at 3:30 p.m. in the first floor conference room there will be a Safety Committee Meeting.

President Pro-Tem Papalas: Have you contacted the Animal Welfare League?

Councilman Scarnecchia: They are all being contacted.

President Pro-Tem Papalas: Good it is very important to get their input.

ORDINANCES AND RESOLUTIONS

ORDINANCE NO. ____ (Draft No. 59-06)

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

It was moved by Scarnecchia, seconded by Fuda to give this Draft a second reading.

Councilman Scarnecchia: Just a reminder that the Public Hearing on this ordinance will be October 18th here in council chambers at 5:45 p.m.

YEAS: 6 NAYS: 0

This Draft No. 59-06 has received its second reading.

RESOLUTION NO. ____ (Draft No. 60-06)

A RESOLUTION AUTHORIZING THE QUARTERLY CASH TRANSFERS; AND, DECLARING AN EMERGENCY

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

YEAS: 6 NAYS: 0

Rules are suspended.

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

YEAS: 6 NAYS: 0

This Draft No. 60-06 has been adopted this 20th day of September, 2006.

RESOLUTION NO. ____ (Draft No. 61-06)

A RESOLUTION ACCEPTING THE AMOUNT AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

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

Councilman Scarnecchia: This is a normal end of year procedure from the County Auditor's Office, right Mr. Nader?

Mr. Charles Nader: Yes.

YEAS: 6 NAYS: 0

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

YEAS: 6 NAYS: 0

This Draft No. 61-06 has been adopted this 20th day of September, 2006.

RESOLUTION NO.____ (Draft No.62-06)

A RESOLUTION AUTHORIZING THE TRANSFER AND APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED GENERAL FUND TO THE CONTRACTED LABOR ACCOUNT IN THE HEALTH DEPARTMENT; AND, DECLARING AN EMERGENCY.

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

YEAS: 6 NAYS: 0

Rules are suspended.

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

YEAS: 6 NAYS: 0

This Draft No. 62-06 has been adopted this 20th day of September, 2006.

RESOLUTION NO.____ (Draft No. 63-06)

A RESOLUTION AUTHORIZING THE TRANSFER AND APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED GENERAL FUND TO THE REFUND ACCOUNT IN THE BUILDING AND ZONING DEPARTMENT; AND, DECLARING AN EMERGENCY.

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

Councilman Scarnecchia: All these transfers, for the audience, all these transfers and appropriation of funds, these are the end of the year transfers right, Chuck?

Mr. Charles Nader: They may not be the last ones, but this should wrap up most things.

Councilman Scarnecchia: It is normal procedure, finishing and closing up accounts.

YEAS: 6 NAYS: 0

Rules are suspended.

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

YEAS: 6 NAYS: 0

This Draft No. 63-06 has been adopted this 20th day of September, 2006.

RESOLUTION NO.____ (Draft No. 64-06)

A RESOLUTION AUTHORIZING THE TRANSFER AND APPROPRIATION OF FUNDS FROM THE UNAPPORPRIATED GENERAL FUND TO THE DEMOLITION ACCOUNT IN THE BUILDING DEPARTMENT; AND, DECLARING AN EMERGENCY.

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

YEAS: 6 NAYS: 0

Rules are suspended.

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

YEAS: 6 NAYS: 0

This Draft No. 64-06 has been adopted this 20th day of September, 2006.

ORDINANCE NO.____ (Draft No. 65-06)

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR ROOSEVELT, TAFT AND CARNEGIE DRAINAGE IMPROVEMENTS; AND DECLARING AN EMERGENCY

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

Mr. Mark Hess: This is our 2006 Issue Two Project. This project is a three hundred forty seven thousand dollar grant. I know Mr. Lastic is excited about this project; it is going to help him tremendously. This project is going to replace almost four thousand feet of undersize storm sewer. It runs from Sunny Estates all the way to Robbins Avenue. We are starting late so this is going to be a winter project.

YEAS: 6 NAYS: 0

Rules are suspended.

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

YEAS: 6 NAYS: 0

This Draft No. 65-06 has been adopted this 20th day of September, 2006.

ORDINANCE NO. ___ (Draft No. 66-06)

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR THE FY 2005 COMMUNITY DISTRESS SET-ASIDE PROJECT, AND, DECLARING AN EMERGENCY

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

Mr. Mark Hess: I passed out the projects that were included in the application for last years distress grant. I have been notified by engineering that they are getting close to finishing the drawings and ready to go into construction so this is why this ordinance is here. We are getting ready to advertise for bids and enter into contract. This is a three hundred thousand dollar Distress Grant with two hundred seventy thousand construction and thirty thousand dollars for engineering. Because of its timing it probably is going to start.... It will be a winter project and finish up in the spring.

YEAS: 6 NAYS: 0

Rules are suspended.

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

YEAS: 6 NAYS: 0

This Draft No. 66-06 has been adopted this 20th day of September, 2006.

ORDINANCE NO. ___ (Draft No. 67-06)

AN ORDINANCE ENACTED BY THE COUNCIL OF THE CITY OF NILES GRANTING CONSENT TO THE DIRECTOR OF TRANSPORTATION FOR PROJECT NO. 80417 AND, DECLARING AN EMERGENCY

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

Mr. Mark Hess: This is legislation from ODOT. This is a project that they have to replace ground-mounted signs along state routes in Trumbull County. They are going to

replace any ground-mounted signs that needed to be replaced. They need consent legislation from you to do it.

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by Stredney, seconded by Cox that this Draft be adopted.

YEAS: 6 NAYS: 0

This Draft No. 67-06 has been adopted this 20th day of September, 2006.

ORDINANCE NO. __ (Draft No. 68-06)

AN ORDINANCE ACCEPTING A PERMANENT EASEMENT FROM NILES BUILDING PRODUCTS COMPANY AND DECLARING AN EMERGENCY

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

Mr. Mark Hess: Niles Building Products extended their sanitary sewer for an addition. The sanitary sewer has been completed and this is them giving that operation of maintenance to us. It is something that we have requested; we will operate and maintain that sanitary sewer for them. We inspected it and it has passed inspection

YEAS: 6 NAYS: 0

Rules are suspended.

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

YEAS: 6 NAYS: 0

This Draft No. 68-06 has been adopted this 20th day of September. 2006.

ORDINANCE NO. ____ (Draft No. 69-06)

AN ORDINANCE ENUMERATING CERTAIN ANIMALS THAT WILL BE PROHIBITED WITHIN THE CITY LIMITS; AND, DECLARING AN EMERGENCY

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

Councilman Scarnecchia: Believe it or not we did not have anything like this on file. This is the same as our sister cities. It's hard to believe when we did have goats and pigs, and wolves and wolf dogs in the city, but this will now eliminate, that they are not allowed to be in the city maintained as pets or even running loose. I have a question, Terry, we have pigs and hogs are they not the same? Do you know?

Mr. Terry Dull: Without being a veterinarian I would say there is a difference but what it is I don't know.

Mr. Cox: Can we put snakes on there? My neighbor got a snake as big as me.

President Pro-Tem Papalas: If we want to amend that for snakes, can we Terry?

Mr. Terry Dull: We could I want to go back and look at exotic animals because we do have an exotic animal ordinance that allows certain things and it wouldn't surprise me if snakes are in there. In fact, I think I don't know the location but it seems to me that somebody with snakes recently went through that permit process. If you like perhaps we could hold up, after this I could take a look at that.

Councilman Scarnecchia: That would be more exotic animal more than this, this is not exotic. The only thing we would have to look up is because they do sell snakes in stores, pet stores. Would you have to stop that then, if we wouldn't allow them in the city? In other words, the pet store at the mall may not be allowed to sell a snake or couldn't sell it to any one in Niles. That is a good question.

President Pro-Tem Papalas: Maybe that is a topic for another Safety Committee Meeting.

Captain Gary Brown: Is there a record of people that have snakes like that?

Mr. Terry Dull: Well there should be, I'm guessing right now there is probably one permit issued for that in the city although I don't know that for sure. But, that is the idea of the exotic animal ordinances that have all the animals registered.

Captain Gary Brown: As the fire department we would like to know who has these big snakes, not that that would deter us from doing our job but we could be more cautious.

Councilman Scarnecchia: Terry is that registered through the health department? Where would that be registered?

Mr. Terry Dull: I don't have the ordinance with me but I could let you know.

Mr. Maurice Guarino: For the people that have these, how long do they have to get rid of them, is there a fine? What is going on?

Mr. Terry Dull: This is going to be under the General Offense Section in our Codified Ordinance for animals. There would be a fine, if somebody is repeat offender they could

actually end up having jail time. This would be considered a fourth degree misdemeanor if they are in violation of it. So, if we pass this as an emergency it could be effective as soon as the Mayor signs it or the acting Mayor signs it.

Councilman Scarnecchia: Do you believe we should grandfather in the pigs or goats we have now, is that what you are saying?

Mr. Terry Dull: No.

Mr. Maurice Guarino: How long do they have to get rid of them and who is going to be the enforcer, our animal control person or the Chief of Police?

Mr. Terry Dull: I think the primary enforcer would be the animal control person technically the police also has enforcement authority. Generally those kinds of complaints are now being funneled to him and he is doing everything he can to try and enforce them. That would be the best place to refer them to. Typically in the city where we have something new like this I think there would be some kind of a notice. This is something that needs to be addressed. I would be glad to talk with Mark because we've got an ongoing discussion on lots of issues and see if he had some ideas and I could report back to the next council meeting as to the plan we come up with to notify.

Councilman Scarnecchia: Mr. President Pro-Tem, can I rescind our suspension and just give it a first reading while we get all this cleared up?

President Pro-Tem Papalas: I would just go ahead with the ordinance and amend if we need to.

Councilman Scarnecchia: Well there seems to be so many questions on it we are going to eventually pass it, but I think this would be giving people because we do know there are wolf dogs harbored in homes, this will give us the opportunity to hear maybe from these people or for them to get rid of before we do enact the law. I am requesting to rescind the suspension and make it a first reading; it's up to the other councilmen.

It was moved by Scarnecchia, seconded by Fuda to rescind the original motion on Draft 69-06. Motion carried.

It was moved by Fuda, seconded by Scarnecchia to give this Draft a first reading.

YEAS: 6 NAYS: 0

This Draft No. 69-06 has received its first reading.

MISCELLANEOUS REMARKS

Acting Mayor Robert Marino: I have just been informed by the Service Director that trick or treat will be on October 31st from five to seven' clock. Please coordinate with the safety director and the police chief for extra patrols.

Mr. Maurice Guarino: As you all know by now that the fire chief has retired and Captain Gary Brown is going to be our acting Chief until the Civil Service test is given.

President Pro-Tem Papalas: Congratulations, Gary.

Mr. Anthony Vigorito: Thank you for twenty thousand dollars into the demolition fund. This should get us six or seven homes. As you all know the housing board just passed ten more demolitions. We just assumed one back from our housing board meeting which was the beginning of the year, so now we have eleven. We are still assuming that we are going to get three or four conjunctions against those eleven that are out there. So this should take care of the majority of what we have coming in to get them out for the remainder of the year.

Councilman Lastic: Is the city's sweeper still in operation right now?

Mr. Don Allen: They are still working on it right now. We have one more part coming in; we should have it in operation Friday.

Councilman Lastic: Don, do you think you could get the top of Spruce on Bonnie Brae, Spruce to Vienna? Somehow or other that part was missed.

Councilman Scarnecchia: I wasn't really prepared to bring this up tonight but I feel I must since we had a short discussion. Three years ago when we had the fifty year flood, some call it the hundred year flood; I call it the immediate flood and Woodland Chase Condominium Association, which there are sixty units, in the first section eight units totally flooded and those people were out of their homes for three months. The homes had to be totally repaired. After that we went through many discussions on what to do. An engineering firm was brought in, blame was being put every where, because there is a city line right behind the apartment building there etc. The engineering firm recommended flapper valves even though the city didn't recommend them. We put them in and we spent approximately thirty thousand dollars putting these flapper valves in. Yesterday was nine nineteen and guess what, eight residents are out of there homes again. They flooded. We are going to have to be having meetings, Mr. Hess, Mr. Fabrizio and the Mayor. The problem is not lying right in Woodland Chase. The problem may come back to be a city problem. I just want to put it on record to know that it is coming. Also that night and this is one thirty on the morning, these people were in such a panic we saw the water rising from the manhole up on the hill. We had calls in and they couldn't reach the water department. I just wanted you to know that. I don't know if any one knows how to reach Randy or what. We needed some assistance and we couldn't reach anybody. Sewage, I'm sorry. I just want it on record, because the same eight people that lost their homes three years ago are out of their homes again. It is a problem that we must get solved and it may be between the association and the city.

Acting Mayor Mr. Robert Marino: Mr. Hess when the initial flood occurred the administration along with council developed a list of projects and prioritized these projects along with (inaudible). Would it be possible by the next council meeting to bring the members of council up to date on where we are at on that list and where we are going in addition to Mr. Scarnecchia, your concerns in regard to the Woodland Chase issue? It may be on there it may not.

Councilman Cox: Just had a few complaints about so much water coming in, especially on Indiana. It's something we are going to deal with sooner or later.

Councilman Fuda: Dave Wilkerson left, I wanted to thank Dave, Carmen Vivolo and the Lowe's Company. They started the fishing pier at Kennedy Park and they are doing a fantastic job. They had fifteen volunteers; four of them were from Lowe's last Saturday and Sunday. They put the posts up and Lowe's has donated all the money to put this pier up and they are donating workers. They are coming back this Saturday and Sunday to complete it. Then we will have the opening fishing first cast by one of the students from Fairhaven. Dave has also been able to get some money for a fishing education center. We are working with Carmen and hopefully also build some time this fall or early next spring. Lowe's has donated some of the money and we will be doing some fundraisers for the rest of the money. It's going to be a building right there at Kennedy Park near the area where we have the fishing pier. I wanted Dave to explain everything today but he had to leave for a meeting. If anybody wants to help us, on Saturday we will be there at eight o'clock in the morning to complete the pier and the same thing on Sunday. I want to thank Mark Hess and his crew. We passed some legislation about some detention ponds last year and they did a great job behind TOPS. They cleared that place out. Mark how are we doing in the rest of the city as far as detention ponds are concerned?

Mr. Mark Hess: Well the ordinance is pretty (inaudible). The first thing we had to do is inventory all the detention ponds that we had in the city going back to the mid eighties. We ended up with fifty five, sixty detention ponds that are located in the city and then we have to go after who owns them now. There are requirements in those ordinances, not only for people that are going to build new detention facilities but also who already have detention facilities. We have done all that, we did all that last winter and now we are in the process of putting together form letters of inspections, different inspection requirements for each type of detention facility. We are going to get better as time goes on. We have started it.

President Pro-Tem Papalas: Mark where are we with the situation concerning the sewer project for North Rhodes Avenue?

Mr. Mark Hess: North Rhodes is stillbecause that project requires us to go on to property that Jerry Altobelli owns. That requires us to what we have as an existing grant that identifies us to wetlands. We have had to submit an application to The Army Corp. of Engineers and the Ohio EPA. We have done engineering up to the point we were able to submit that application and now we are waiting their approval. How we designed it (the tape ran out and had to be turned over) the project that we want to do plus we have to

submit feasible alternatives so all those requirements have to be conducted and required by law. We have done that. Our number one priority and what we wanted to do is extending pipe all the way on Jerry Altobelli's property so that there is no ditch and to a point that even when he builds his condos there isn't going to be a drainage course there. The second priority is to pipe up to the point where we could get past and just into his property and leave the drainage course on his property, re-dig it and leave it an open drainage course until he is going to put some roads in there and we could put some pipe under the roads. There will still be some areas where you are going to have vegetation and a drainage course. They could come back approving either one of those or telling us that we can't do anything, they still have that option.

President Pro-Tem Papalas: How long do you think it will take?

Mr. Mark Hess: They have told us six months, I think we submitted the application back in April. So, they said it would take any where from six to eight months at that time.

President Pro-Tem Papalas: Okay, thank you.

It was moved by Stredney, seconded by Papas to adjourn this meeting. Motion carried 6-0.

Linda A. Yuhasz, Clerk of Council

Stephen Papalas, President Pro-Tem

