MINUTES

Niles City Council held its regular meeting, Wednesday, June 20, 2007 at 6:00 p.m. in Council Chambers, Safety-Service Complex in Niles, Ohio.

There was a moment of silence to remember the nine brave fire fighters that lost their lives fighting a fire in South Carolina.

The meeting was called to order by President Robert Marino, and the Clerk; Linda A. Yuhasz called the roll:

Lastic-P; Papalas-P; Scarnecchia-P; Cox-P; Stredney-P; Papas-A; Wilkerson-P; Marino-P A motion was made by Stredney, seconded by Cox to excuse the absence of Councilman Papas. Motion carried.

A motion was made by Papalas, seconded by Lastic to accept the Minutes of the regular meeting of June 6, 2007 and place them on file. Motion carried.

REPORTS AND COMMUNICATIONS

FROM The Office of the Building Inspector

A letter recommending to Niles City Council to approve the variance for the lot size for Mr. Michael Neopolitan

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

FROM The Office of the Building Inspector

A letter recommending to Niles City Council to approve the zone change for the site at 101 W. Third St. Niles, Ohio

It was moved by Scarnecchia, seconded by Stredney to accept the letter and place it on file. Motion carried.

FROM The Office of the Building Inspector

The Housing Code Monthly Report for May 2007

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

FROM The City of Niles 4th of July Committee

A letter inviting the council members and their friends and family to participate in the parade

It was moved by Stredney, seconded by Lastic to accept the letter and place it on file. Motion carried.

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL

Mr. David Anderson 2132 Gardenland, Niles, Ohio: I am here (inaudible) neighborhood about the noise coming from McMenamy's. I have been here before and there has been nothing resolved. We had noise last Wednesday until 11:45 p.m. We had noise Friday,

12:30p.m.and Saturday until 12:45p.m. I am getting all kinds of mixed reports on it that the police can't do any thing about it and they can't enforce this law. (Inaudible) how many times have they enforced this law prior to this? Let's ask the police chief that question there.

Police Chief Simeone: Do you mean at McMenamy's?

Mr. Dave Anderson: At anybody breaking these three ordinances that said about the noise.

Chief Simeone: I cannot give you that answer (inaudible) exact number.

Mr. Anderson: I am also hearing that you are giving time period. So I understand that between seven and eleven roughly the time period that you are giving that they are allowed to break these ordinances and that at eleven o'clock they are not allowed to break these ordinances, these laws. Now this isn't right at all.

Chief Simeone: Well first of all as far as we are concerned they are not breaking the ordinance.

Mr. Anderson: What part of disturbing the peace don't the police understand?

Chief Simeone: We have done everything that we have been asked to do. We checked the decibel levels. We had them shut down at 10:30p.m.on Wednesday and it was a little after eleven on Saturday.

Mr. Anderson: Saturday was 12:45p.m.; yes one of the neighbors (inaudible).

Chief Simeone: Well I wasn't there at the time. We have done everything that has been asked of the neighbors in Niles...

Mr. Anderson: Not according to the ones I talked to.

Chief Simeone: Well who did you talk to?

Mr. Anderson: I talked to all the (inaudible) people down by Pace Pontiac.

Chief Simeone: Well Wednesday night there were decibel readings taken.

Mr. Anderson: Where were the decibel readings taken?

Chief Simeone: Well there was one right at where the music was.

Mr. Anderson: What was that reading?

Chief Simeone: A little under five.

Mr. Anderson: Five? Come on Chief right now we are talking 47 decibels.

Chief Simeone: You asked me and I am telling you.

Mr. Anderson: Well we are talking at forty some decibels and I can guarantee you...

Chief Simeone: We are talking at sixty seven right now.

Mr. Anderson: Okay and you are saying that the band was five?

Chief Simeone: Yes.

Mr. Anderson: Come on Chief.

Chief Simeone: This is what I wanted to show you. We went to one of the other residents back on Taft and it was fifty one. In fact Saturday night I even went up my self and checked Belle Terre, checked Taft and in fact the fireworks were louder than the music up there.

Mr. Anderson: Let me ask you something how can you read five decibels where the source is at and sixty one decibels or what ever you said ...

Chief Simeone: No I said fifty decibels. In fact Councilman Scarnecchia was there and carried on a conversation with the officers that were there right next to where the band was.

Mr. Anderson: Councilman Scarnecchia came to my house Wednesday and said you are right Dave this is unacceptable, it's too noisy. Right?

Councilman Scarnecchia: Excuse me I would like to clarify that, I said it was loud. Also went and talked to the owners of McMenamy's that night and you know what this is a continuous problem. The only thing I could say is that we are legislators, we make the laws but enforcing is done by the safety director, police chief and the administration. So, I don't know what it is going to take for this to ever be resolved.

Chief Simeone: Councilmen we have taken decibel levels since 2005 in fact I have a report from one of our supervisors that went up in 2005. The traffic and the crickets in the field across the street from your house were louder than the music levels.

Mr. Anderson: Bruce you could make all the statements that you want but there is nobody that is going to believe it. If I have to close my house up and turn my air conditioner on which I shouldn't have when it is only seventy one degrees outside. I had to close all this up and turn my TV up and forget about sleeping until they shut down. You keep quoting the decibels, Ordinance 17-94 the first one says "disturb or destroy the peace and quite of the neighborhood". The second one "cause inconvenience, annoyance or create a condition which is physically offensive to persons of ordinary sensibilities". Thirdly, "be

dangerous or detrimental to health or safety", then we come down to the decibels. There are three other sections of this ordinance that is being broke.

Chief Simeone: The officers going out are testing the decibel levels and they are not even coming close to the sixty. Plus the ordinance also says if you read the other section, it says that "no person, firm or corporation in any industrial, heavy manufacturing or commercial zoning district inclusive, at any point on the boundary of a residential zoning district,". Where is the residential zoned district, way up by your house correct?

Mr. Anderson: No, it is also right across the street, right?

Chief Simeone: No that is all commercial. There is not another commercial zoning until you get up onto Belle Terre.

President Marino: Residential.

Chief Simeone: Residential, I am sorry.

Mr. Anderson: Do you live in a residential area or commercial?

President Marino: I live in a residential.

Mr. Anderson: That is what I am saying. You have heard it before, you have heard me make that statement?

President Marino: I have heard it yes I have.

Mr. Anderson: There are others that have heard it. Officer Ludt he has called. They seem to (inaudible) they are not backing them up. He said him and his wife have to sleep in their basement.

Chief Simeone: Well that is not true.

Mr. Anderson: I just talked to him yesterday and he told me.

Chief Simeone: If he is telling you that was what he was told, that is not true.

Mr. Anderson: Are you saying that Officer Ludt is lying to me; he didn't sleep in his basement? That is Ordinance 17-94. We have Ordinance 9-92(the correct number is 6-92) "no person shall play any radio, music player or an audio system, musical instrument or any other type of sound device upon any public road, street, highway or private property in this Municipality in the manner or at a volume as to disturb the quiet, comfort or repose of other persons." Is that not being done? If you are getting a call about a disturbance is that not...?

Chief Simeone: That wasn't written for commercial areas.

Mr. Anderson: It is in residential areas.

Chief Simeone: It wasn't written for commercial areas.

Mr. Anderson: The noise is coming into residential areas.

Chief Simeone: I understand. Two years ago on this council floor I asked council to pass a time that we could enforce, okay and it hasn't been done.

Mr. Anderson: Why do we need a time, if you are breaking the law you are breaking the law? (Inaudible) until eleven.

Chief Simeone: Because we have so many other things, what are you going to do with the fireworks?

Mr. Anderson: I don't worry about the other stuff right now (Mr. Anderson and the police chief were speaking at the same time)

Chief Simeone: We have to also worry about the Rib Fest, Mt. Carmel Festival, about the Scrappers Game; there is an enforcement problem there.

Mr. Anderson: You are telling me that certain people can break this law.

Chief Simeone: No I am not telling you that.

Mr. Anderson: That is what you just said, you named it.

Chief Simeone: No I said there is an enforcement problem with it; I am not saying they are breaking it. It is you saying they are breaking it.

Mr. Anderson: No your ordinance is saying its breaking it.

Chief Simeone: When the officers go up and take decibel readings and they are below what it says. You want to read just certain paragraphs and sentences out of ordinances.

Mr. Anderson: So do you, decibels, that is it you won't use the other ones. Your police force will not enforce it.

Chief Simeone: Listen it is a commercial area if you are going to enforce it there, we are going to enforce it across the city. If these gentlemen want us to do that and the community wants us to do that, then there won't be one ounce of noise in this town.

Mr. Anderson: That would be nice, and then we could all live in peace there. Wouldn't it be nice if we could all live in peace instead of (inaudible)?

Chief Simeone: I don't know how to argue that point.

Mr. Anderson: I don't really see what the city has to argue about. These laws were made; we are asking to quiet down the music. Don't shut it down; they can play it all night if he wants as long as we don't have to listen to it. But you are giving it a time limit. That means I can't go out on my patio until eleven o'clock when they decide you are going to have them quiet down.

Chief Simeone: Do you neighbors have graduation parties in your neighborhood?

Mr. Anderson: Yeah.

Chief Simeone: Can you hear it?

Mr. Anderson: No.

Chief Simeone: You never heard it?

Mr. Anderson: No.

John Vogel, 1763 Arbor Drive, Mineral Ridge, Ohio: I represent the McKinley Heights; I am one of the three trustees of the Weathersfield Township. I believe our police chief also called in on Saturday evening about this. Just to make sure the record is clear and it is not just a case of the high notes it is the base that causes most of the trouble. Not only is it aggravating it is irritating. I am sure that every one has experienced it briefly when the boom boxes go by in the cars and the radios cost more than the cars do. It is a situation that is not unique to McMenamy's but it is a situation where residents on both sides of our boundaries are making complaints about it. The Rib Fest, I don't think you get that many complaints about. We did have an instance for example; there was a graduation party up the street from Mr. Anderson last year and our police department went up and advised the folks to cool it and they did. That was the end of that situation. We have also had (inaudible) with a neighbor on this base sound problem; where the music is just vibrating the windows right out of the ceilings. That worked out and this may be an idea. One of the neighbors went and got the police and had a consent agreement drawn up and became the (inaudible). All parties are entitled to the peaceful use of your property. We have residents that pay taxes to both of our municipalities and they say that they are not enjoying the peaceful use of their property. I think it is something that we all need to look at to see if it is a civil matter that has to be handled that way, then maybe our governments can count on our friends of the court or (inaudible) of the residents and help out with either our attorney or the (inaudible) attorneys that can execute some kind of a agreement. The mayor has met with the residents several times over the past couple of years. I have been in on a couple of those meetings and I think, not to put words in your mouth you are kind of frustrated about it. We have tried to reach some compromises with the Leonard's. I think Mr. Leonard one time last year when I was here came down and addressed the situation with council. It is still a persistent and chronic problem in this neighborhood. I really don't know if you have a chronic problem with the people cheering on a home run for a Scrappers game. It's never made the paper. You have a diligent reporter here who no doubt sites the name

of the person who hit the home run. In this particular instance regarding the complaints people are identifying themselves. Your dispatchers are probably getting a little short about the number of calls they get. It is a documentation process so if these folks do go to court they will be able to say "judge we complained, we tried everything we could". Can we save a lot of money from the folks and try to work something out so we don't have to go to court? Is that a possibility?

Mayor Infante: I still think it goes back to the enforcing this. It is the discretion of the police department when they go there. They got the ordinances right in their car with them. They got the decibel reading. I think it is up to the enforcer and what they feel because they are the ones that have to deal with it.

Mr. Vogel: Mayor in the instance of the decibel readings they are (inaudible) indisputable, sixty one decibels you can't fly, unless the machine is not calibrating properly. But it would be possible that the bass isn't, the pumping of the bass drum even would be below the decibel level but the vibrations from that bass are the aggravating problems. May be the language of the law isn't in line with the science of the situation and that needs to be looked at.

Mayor Infante: It probably isn't because it's reading sixty in here right now in a confined room and only fifty out there in an nopen area that proves that.

Mr. Vogel: If we had five Barry Whites in here speaking in that deep baritone voice, it would make a lot more impression on us than those of us that are talking in normal sounds. That deepest is what causes the (inaudible).

Chief Simeone: Just to sort of correct or let you know I think that I did get a call from Chief Consiglio. All he advised me is about complaints, not about how loud it was or anything like that, just that he had gotten complaints. Some of the complaints that we got were as early as seven o'clock because their wife had to go to sleep. Well you can't stop the world because people's hours of work are being interrupted a little bit. If somebody can tell me how to do that then that would be fine. There has got to be some reasonable on everybody's part. We talked to Mr. Leonard, we tried to talk to Mr. Anderson and we just can't come to some type of (inaudible). But, we have other things going on in this city, like you have in your township that you don't want to stop, you can't stop. You can't stop the trucks going down 46that make noise, we can't stop them from going down 422 that make noise, we can't stop the Scrapper game, we can't stop the festival, we can't stop the parades. When you have parades go through your town and it goes through a residential area, do they stop blowing the sirens? Our parade is scheduled for seven o'clock on the 28th, so by the time you get done it will be eight o'clock. So, some of the people that were complaining starting complaining at seven o'clock. If people in the town and if council wants us to do it we don't have a problem with shutting everything down. But, is that what we want? It is called reasonable.

Mr. Vogel: I understand that, but we need to understand that there isn't universal application of law and (inaudible). I could speed through Niles and shave yellow lights

and (inaudible). Mr. Miller could go through and if he even comes up a shadow of a yellow light he gets a ticket. Well Vogel just got away with it. It's not a (inaudible) position. If you say the parade, the 4th of July parade, the Rib Fest gets away with it, McMenamy's doesn't, these people complain reasonably complain on those other events.

Chief Simeone: We get plenty complaints from all those. We have had complaints from people when they had the concerts on the lawn at the Memorial, people complained about it. So where do you draw that line? I hope somebody can tell me.

Cecil Fluharty, 1838 Crain Drive, Niles: By the way the crow flies that is quite a long distance from McMenamy's and I can't sit on my patio. I come inside, I got a brick home I shut the door and I still hear them. Now that is quite a way away and what do I hear it is not your high pitched noises, I hear that BOOM, BOOM, BOOM. I had company from out of town and they said "do they do they all the time"? I said "yeah whenever they want". It's not like they are right on top of me, I know it's got to be bad if I can hear them that far away and there is a lot of trees and stuff in between. I pity those poor people around there.

Chief Simeone: Do you hear the Rib Fest?

Mr. Fluharty: The Rib Fest, no. I hear the Scrappers game when they put off the fireworks. I hear Pace Pontiac once in a while, their inner com, not to often but I do. But when you hear that BOOM, BOOM, and BOOM for that many hours, that is not good for any body's health mentally or otherwise. It wouldn't be nice for you if you had to listen. I know that you hear them if you go outside and sit down you hear BOOM and BOOM. I believe in everybody making a buck but, isn't there some way to tone it down? Because that is what we are in this world for and when we leave we aren't going to have that dollar so it doesn't matter.

Safety Director Maurice Guarino: I think one of the major problems here is that the residential and commercial areas are so close together. The commercial area keeps growing, growing and growing and the residential area (inaudible). I feel sorry for Mr. Anderson and everybody else but you got to realize too that commercial business is here to make money to pay their bills. We have been there with the police like the chief said. Wednesday night I think the reading was fifty one. The other nights I don't know what it was the police officers were there. If council has any more suggestions, the chief said that he suggested it the last time that we put a time on it. It is commercial property and it seems to me that it was a good idea, but whatever council desires are I know the chief will cooperate and do the best we can. We should stop this problem, it has been going on too long and I don't know what to do about it. The Leonard's are here to make money; everybody commercial is there to make money. The residents want to sleep we know that.

Ruth Graves, 2760 Wabash, Niles: I am wondering about the amplifiers, how many do they have up there? Do they need that many? They are only entertaining the people that

are there, why do they have to entertain the whole McKinley Heights? I think that the amplifiers are the thing that is too much.

Chief Simeone: I have no idea how many amplifiers but normally when they bring in well known musicians like Eddie Money they bring their own equipment. Look at what we are bringing into the area also. We are bringing in well known musicians to the area.

Mrs. Graves: But they are only entertaining those people up there we don't need all that.

Chief Simeone: Well it means a lot to a lot of businesses.

President Marino: I don't want to cut anybody off but we need to pass our legislation. I heard the director and the chief mention something about council and times. My suggestion fellows come up with what you want with the mayor and what you propose. I am certain that the members of council will be very receptive to whatever you come up with.

Mr. Anderson: I just don't understand where they can say it can go on until eleven. Why do they say shut down at eleven, noise is noise?

President Marino: Well I think if I heard correctly in the beginning the chief remarked was the times. He suggested the times last year and whatever reason it fell through the cracks. I have heard it mention again so I agree with Councilman Scarnecchia's opinion with regards to the members of councils position. The ordinances are there for the administration to enforce. If they want something changed then by all means I am sure the seven members of council will entertain that.

A couple members of the audience were speaking all at once and couldn't be heard.

President Marino: I think it is safe to say that everybody in this room understands your concerns regarding the noise.

ORDINANCES AND RESOLUTIONS

ORDINANCE NO.____ (46-07)

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR THE REMOVAL OF CULVERTS LOCATED ON TRUMBULL DRIVE; AND, DECLARING AN EMERGENCY

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

YEAS: 6 NAYS: 0

Rules are suspended.

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

YEAS: 6 NAYS: 0

This Draft No. 46-07 has been adopted on this 20th day of June, 2007.

RESOLUTION NO.____ (47-07)

A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE OHIO DEPARTMENT OF DEVELOPMENT ACT OF 1974, AS AMENDED; ADOPTING A PROPOSED BUDGET FOR THE FY 2007 COMMUNITY DEVELOPMENT PROGRAM, INCLUDING THE COMMUNITY DEVELOPMENT PROGRAM AND ALLOTING THE FUNDS FOR THE FISCAL YEAR 2007 COMMUNITY DEVELOPMENT FORMULA ALLOCATION PROGRAM; AND DECLARING AN EMERGENCY

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

YEAS: 6 NAYS: 0

Rules are suspended.

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

YEAS: 6 NAYS: 0

This Draft No. 47-07 has been adopted on this 20th day of June, 2007.

RESOLUTION NO. (Draft No. 48-07)

A RESOLUTION ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2008; AND, DECLARING AN EMERGENCY

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

Councilman Scarnecchia: Mr. President it is my understanding this is just under law it has to go to the auditor and then it is not our actual budget?

President Marino: Correct.

YEAS: 6 NAYS: 0

Rules are suspended.

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

YEAS: 6 NAYS: 0

This Draft No. 48-07 has been adopted on this 20th day of June, 2007.

RESOLUTION NO. (Draft No.49-07)

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

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

YEAS: 6 NAYS: 0

Rules are suspended.

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

YEAS: 6 NAYS: 0

This Draft no 49-07 has been adopted on this 20th day of June, 2007.

RESOLUTION NO.____ (Draft No. 50-07)

A RESOLUTION AUTHORIZING THE SETTLEMENT OF LITIGATION WITH SCHARBA EXCAVATING INC; AND, DECLARING AN EMERGENCY

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

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by Papalas, seconded by Wilkerson that this Draft be adopted.

YEAS: 6 NAYS: 0

This Draft No.50-07 has been adopted on this 20th day of June, 2007

It was moved by Papalas, seconded by Stredney to place Drafts No. 41-07A and 27-07 on the agenda. Motion carried.

ORDINANCE NO.___ (Draft No. 41-07 A)

AN ORDINANCE REGARDING THE PROPOSED CONSTRUCTION OF A GROUP RESIDENTIAL DEVELOPMENT BY MICHAEL AND JUSTINE NEOPOLITAN

It was moved by Papalas, seconded by Stredney to give this Draft a first reading.

YEAS: 6 NAYS: 0

Draft No. 41-07 A has received a first reading.

ORDINANCE NO.___ (Draft No. 27-07)

AN ORDINANCE AMENDING NILES ORDINANCE NO. 36-06; CHANGING THE ZONING FOR PROPERTY KNOWN FOR STREET NUMBERING PURPOSES AS 101 THIRD STREET, OWNED BY SADIA SINDHU, FROM R-A RESIDENTIAL DISTRICT TO B-2, COMMERCIAL DISTRICT; AND, AMENDING THE ZONING MAP AS REQUIRED THEREIN

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

Councilman Papalas: The reason we need first readings is because by law we have to give thirty days before we have a public hearing on this.

The Public Hearing was scheduled for Monday July 23, 2007 at 9:00 a.m. in the first floor conference room at City Hall.

YEAS: 6 NAYS: 0

Draft No. 27-07 has received a first reading.

MISCELLANEOUS REMARKS

Mayor Infante: I sent the Vesta Corporation a waiver so that they didn't have to wait the forty five days, because we set that earlier in the first notice. That seems to be moving along pretty good. Amanda just told me today that they were awarded \$350,000.00 from the State. That is a great start, and then in sixty days they will have ownership of the Royal mall.

Safety Director Guarino gave the councilmen two sample ordinances concerning rental property. These ordinances were passed by surrounding communities. He would like the councilmen look at them and meet to discuss the legislation.

Fire Chief Brown told council that the fire department would be testing the fire hydrants during the month of July.

Mr. Mark Hess passed out the street resurfacing list consisting of nineteen streets and cost approximately one \$500,000.00. It should be awarded in the next couple of weeks and it should be done by the end of summer.

Councilman Lastic: I wanted to comment on last night's rain. No one is more aware of the rain than I am. With all the water problems and the heavy rain that we had last night (inaudible) eliminated. I talked to two of my neighbors, Bonnie Brae and Spruce was flooded again last night and right after the rain I don't know how long it took to go down. Good job (inaudible).

Mr. Anderson asked the police chief what law could be enforced.

Chief Simeone: We have supervisors on every shift and they are capable of making a decision as to what is going on.

Mr. Anderson: It depends on what the supervisor wants to do is how long McMenamy's is going to stay open that night? (The rest was inaudible)

Chief Simeone: I understand that on week days they are shutting down before eleven o'clock and on weekend's right around eleven, eleven thirty.

Mr. Anderson: It wasn't last weekend.

Chief Simeone: Well I will talk to Mr. Leonard about that.

Mr. Anderson: William Miller is also one of our representatives. Right now what can we expect from the City of Niles to help us out, is there anything coming our way?

Mayor Infante: The chief said that he was going to meet with Mr. Leonard.

Mr. Anderson: Does council have any plans (inaudible), work out something? I know you guys got to be tired of getting calls too.

Safety Director Guarino: Safety Chairman, I think that we should have a meeting with the mayor, you and I, chief and if you want to invite Leonard's that is entirely up to me. I think we have to suggest a time limit or something and I am sure that the Leonard's will cooperate (inaudible) reasonable (inaudible) meter in and we have to send the police up there. If it is too loud they have to quiet down, if it is not they go about their time. But I still think they need a time (inaudible). I suggested that last time and they did nothing about it.

Councilman Scarnecchia: Eleven o'clock that was just a verbal agreement, wasn't it last year?

| Linda A. Yuhasz, Clerk of Council |
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| it was moved by winterson, seconded by streamey to adjourn and meeting at o. 1 ip.in. |
| It was moved by Wilkerson, seconded by Stredney to adjourn this meeting at 6:44p.m. |
| President Marino: Bull and Bear Tavern, I remember I was in one of those discussions |
| Mr. Guarino: The ordinance we got from Boardman and they had it about eleven? |