

MINUTES

Niles City Council held its regular meeting of November 21, 2007 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; Linda A. Yuhasz called the roll:
Lastic-P; Papalas-P; Scarnecchia-P; Cox-P; Stredney-P; Papas-P; Wilkerson-P; Marino-P

A motion was made by Stredney, seconded by Papas to accept the Minutes of the regular meeting of November 7, 2007 and place them on file. Motion carried.

REPORTS AND COMMUNICATIONS

From The Cemetery Department
The October 2007 Sales Report
It was moved by Stredney, seconded by Wilkerson to accept the report and place it on file. Motion carried.

FROM The Income Tax Department
The Monthly Receipts thru October 2007.
It was moved by Stredney, seconded by Cox to accept the report and place it on file. Motion carried.

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL

None

COMMITTEE REPORTS

None

ORDINANCES AND RESOLUTIONS

ORDINANCE NO. __ (Draft No. 80-07)

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR OR MAYOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE PURCHASE OF CHEMICALS FOR THE WASTEWATER TREATMENT PLANT; AND, DECLARING AN EMERGENCY

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

YEAS: 7 NAYS: 0

Rules are suspended.

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

YEAS: 7 NAYS: 0

This Draft No. 80-07 has been adopted on this 21st day of November, 2007.

RESOLUTION NO.____ (Draft No. 81-07)

**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: 7 NAYS: 0

Rules are suspended.

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

YEAS: 7 NAYS: 0

This Draft No. 81-07 has been adopted on this 21st day of November, 2007.

RESOLUTION NO.____ (Draft No. 82-07)

**A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM
THE UNAPPROPRIATED FUEL FUND TO THE GASOLINE ACCOUNT; AND,
DECLARING AN EMERGENCY**

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

Councilman Papalas: We are adding money to this fund because the increase in fuel prices over the summer has eaten up the account.

YEAS: 7 NAYS: 0

Rules are suspended.

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

YEAS: 7 NAYS: 0

This Draft No. 82-07 has been adopted on this 21st day of November, 2007.

ORDINANCE NO. ___ (Draft No. 83-07)

AN ORDINANCE AMENDING THE FINES FOR VIOLATIONS OF THE CITY'S PARKING ORDINANCES; REPEALING EXISTING CODIFIED ORDINANCE NO. 351.99; AND, DECLARING AN EMERGENCY

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

Councilman Lastic: This is the revised one right? They took out the thirty days that is it that is all we revised?

Law Director Terry Dull: Actually if you look at the next page paragraph C, where the previous page it had the "after thirty days" paragraph C has that language in there now. After thirty days is goes to fifty, if it gets to sixty the fine goes up and after ninety it goes up to one hundred fifty.

Councilman Scarnecchia: Mr. President this is also bringing the fines in line with the times because currently most of our fines if I am correct are five dollars or three dollars so it is bringing it up to the time where it is now.

Councilman Stredney: So in paragraph C it is saying that after sixty days the fine goes up to one hundred dollars and then after ninety days it goes up to one hundred fifty dollars? It is just my opinion I would think that fifty dollars would be more than enough after sixty days. We go years now with people getting parking tickets and we wait for their three dollars. I would feel better if we change it to or leaving it at fifty dollars instead of one hundred and one hundred fifty.

Councilman Papas: I think that you ought to leave it right there.

Councilman Stredney: You are going from three to ten for the first five days and after the five days it is going to twenty and after thirty days it would go to fifty.

Councilman Scarnecchia: Well it should certainly encourage them to pay that fine, don't you think Councilmen rather than letting it lie there like some do?

Safety Director Guarino: I think this is lower than some communities.

Councilmen Papas: I think that you ought to leave that in there.

Councilman Wilkerson: What do we have right now, three dollars, that is it just three dollars?

Mayor Infante: If you want to cure the problem this is the way we do it.

Safety Director Guarino: Remember at the last council meeting there was a gentleman in the audience that complained about the way people park all over the city? So I asked the police department approximately the eighth of November to be aware of and looking out for illegal parked cars all over the city and they did a really terrific job. As of November 19th they wrote one hundred sixteen tickets. If you think sometimes they have to ticket them twice because at three dollars they don't care. I don't think that the fine is too great and they did a good job. Hopefully we can clean the city up a little bit and stop illegal parking.

Councilman Scarnecchia: Normally do you have any idea of how many tickets go beyond the thirty days or the sixty days? Do we have any idea at all? That is kept by the police department right?

Councilman Stredney: I only get calls of people getting tickets for parking tickets when we sit here and ask the police to go around and do this which is like twice a year depending on council. I am glad that we are raising the rates to ten, twenty and fifty; I would think that would be enough.

Councilman Scarnecchia: Well if you want, you can make a motion to that, Councilman Stredney.

Councilman Stredney made a motion to amend Draft No. 83-07 Section C to read fifty dollars after sixty days. Councilman Wilkerson seconded the motion. The vote was 5 yeas and 2 nays to amend the Draft. Councilmen Scarnecchia and Papas voted no. Draft No. 83-07 was amended.

YEAS: 5 NAYS: 2

The rule wasn't suspended.

It was moved by Papalas, seconded by Lastic for a first reading.

YEAS: 5 NAYS: 2

Draft 83-07 has received its first reading.

It was moved by Papalas, seconded by Scarnecchia to add Draft No. 84-07 to the agenda. Motion carried.

ORDINANCE NO.____ (Draft No. 84-07)

**AN ORDINANCE REGARDING THE ABATEMENT OF CRIMINAL ACTIVITY
NUISANCES AND THE COLLECTION OF COSTS OF THE POLICE
DEPARTMENT FOR RESPONDING TO SUCH NUISANCES; AND,
DECLARING AN EMERGENCY**

Councilman Lastic: I have a couple questions; I wish I would have been able to attend the meeting. Number one who was there? Bob were you there?

President Marino: Yes Tom, Steve, Ed and Ted.

Councilman Lastic: Is there a fee or do they have to go by the formula?

Council answered the formula.

Councilman Lastic: There is no extra cost to us, we don't have to hire a secretary there is no money involved?

Councilman Stredney: Tom Telego was there also and we have our computer programs.

Councilman Cox: That is for the third time that police have been called, correct?

President Marino: Yes.

It was moved by Papalas, seconded by Stredney for a first reading.

Councilman Scarnecchia: This Nuisance Ordinance is going to be a great ordinance. According to how we will fine them, it could be hundreds of dollars, it could be. Yet in our parking ordinances we have to be very thin if they don't pay it. I am referring to the parking ordinance and I just wanted to make a statement on that.

YEAS: 7 NAYS: 0

Draft No. 84-07 has received its first reading.

It was moved by Papalas, seconded by Lastic to schedule a Public Hearing on December 19, 2007 at 5:30 p.m. in Council Chambers, 15 East State Street, Niles, Ohio. This Public Hearing will give the community an opportunity to comment on Draft No. 84-07. Motion carried.

MISCELLANEOUS REMARKS

President Marino: I wish all of you a very restful Thanksgiving break. It could not have gotten here soon enough.

Mayor Infante: I wish everyone a Happy Thanksgiving.

Auditor Nader: I would like to invite all of Council next week we are going to try to start budget hearings for next years budget, next week. I know that some of you can make it after three. Some of the big ones we will try to have then and the rest we will try to have ready for the first meeting in December.

Councilman Lastic: I know that everyone got this Trumbull County Homeland Security letter, do we do anything or the police do anything with that?

Mayor Infante: All city employees get the training. They did two years ago.

Councilman Lastic: That qualifies for some of those things, the scan-wands. We could get them for the garage.

Safety Director Guarino: Metal detectors; is that what you are talking about? We did order seven.

Councilman Lastic: They are all training we could get them from the government for nothing, Happy Thanksgiving.

Safety Director Guarino: I am sure that the Chief will be looking into it.

Councilman Lastic: I want to wish everyone a Happy Thanksgiving.

President Marino: I had the opportunity to attend the Welcome to Niles from the regional Chamber of Commerce and the Mayor gave the State of the City Address. It was interesting to listen to the folks and the business people in the room speak with envy in terms of the mayor's leadership and council's leadership in terms of the progress the city has made over the past number of years. I think that it is worth noting. You fellows and this Mayor and his administration do a very good job of being stewards of the city. Maybe we do get compliments but maybe not as often as we should. Your efforts are noted and appreciated by many in this area, business and private. Warren speaks very highly of the efforts of you fellows and this Mayor. I think that it is important that you be reminded of the appreciation that is extended to your efforts and the Mayor.

Councilman Scarnecchia: We are getting to the end of the year and almost on to a new term, I am sure that you are going to be open next month for any recommendations on our rules of order plus any suggestions we have on committee standings, is that correct?

President Marino: They are your rules and they are your committees. It is to your pleasure, within consultation of the Law Director, as to how they are written. I was going to talk about that next council meeting. We have to look at a Swearing In and setting a time probably after the December 19th Council meeting to vote for your committees and establish that.

Councilman Stredney: I was wondering if at all possible that the Treasurer, Auditor, and Cemetery Reports be sent out with our ordinances a couple days ahead of time?

Auditor Nader: It all depends when the council meetings are.

Councilman Papalas: Logistically you are complicated things.

Councilman Stredney: Okay we will go with the current system.

Councilman Papas: I would like to wish everyone a Happy Thanksgiving.

Councilman Wilkerson: I would like to wish everyone a Happy Thanksgiving.

It was moved by Stredney, seconded by Papas to adjourn the meeting at 6:20 p.m

Linda A. Yuhasz, Clerk of Council

Robert Marino, President of Council