

MINUTES

Niles City Council held its regular meeting of October 1, 2008 at 6:00 p.m. in Council Chambers, Safety-Service Complex in Niles, Ohio.

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

Lastic-P; Papalas-P; Scarnecchia-A; McCormick-P; Stredney-P; Papas-A; Wilkerson-P; Marino-P
It was moved by Stredney, seconded by Lastic to excuse the absence of both Councilmen Scarnecchia and Papas. Motion carried.

A motion was made by Stredney, seconded by Wilkerson to accept the Minutes of the Regular Meeting of September 17, 2008 and place them on file. Motion carried.

REPORTS AND COMMUNICATIONS

FROM The Auditor's Office

The Estimated VS the Actual Revenues thru Sept. 2008

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

FROM The City Income Tax Dept.

The Monthly Receipt Totals thru Sept. 2008

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

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL

Brenda Claypool introduced Boy Scout Troop 143 who is in the process of earning their Citizenship in the Community Merit Award.

COMMITTEE REPORTS

A Special Council Meeting will be held on October 8, 2008 at 3:15p.m. in Conference Room 1 at City Hall for agenda items only. Immediately following the Council Meeting the Safety and Finance Committees will meet.

ORDINANCES AND RESOLUTIONS

RESOLUTION NO. ___ (Draft No. 76-08)

A RESOLUTION AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR SLUDGE DISPOSAL AND CHEMICALS AND, DECLARING AN EMERGENCY

It was moved by Stredney, seconded by Lastic to give Draft No. 76-08 a first reading.

Councilman McCormick: This is normal operating business for Randy down at the plant and he has requested that we do this and it is necessary to keep everything working down there. Randy has been doing a good job staying on top of things.

YEAS: 5 NAYS: 0

Draft No. 76-08 has received a first reading.

ORDINANCE NO. ____ (Draft No. 77-08)

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR THE PURCHASE AND INSTALLATION OF EMERGENCY OPERATIONS EQUIPMENT, AND, DECLARING AN EMERGENCY

It was moved by Papalas, seconded by Lastic to give Draft No. 77-08 a first reading.

Councilman Papalas: This ordinance is to purchase equipment so that we can put an emergency operations center into the Wellness Center.

YEAS: 5 NAYS: 0

Draft No. 77-08 has received a first reading.

It was moved by Stredney, seconded by McCormick to place Drafts 63-08 and 64-08 as amended on tonight's agenda. Motion carried.

ORDINANCE NO. __ (Draft NO. 63-08 amended)

AN ORDINANCE AMENDING NILES ORDINANCE NO. 36-06; CHANGING THE ZONING OF A PORTION OF THE PROPERTY KNOWN AS TRUMBULL COUNTY AUDITOR'S PARCEL NO. 25-488390, OWNED BY MICHAEL & ANGELINA RAZZANO, FROM R-A RESIDENTIAL DISTRICT TO B-3, GENERAL COMMERCIAL DISTRICT; AMENDING THE ZONING MAP AS REQUIRED THEREIN; AND, DECLARING AN EMERGENCY

It was moved by Stredney, seconded by Wilkerson to give Draft No. 63-08 a first reading.

Councilman Stredney: As recommended by the Planning Commission this draft was amended and it reads a little different now. Section One reads that if nothing is built on this property in two years it will go back to its original designation.

Mr. Anthony Vigorito: It was a condition that the Planning Commission when they recommended that there be a two year time limit or other wise everything reverts back.

YEAS: 5 NAYS: 0

Draft No. 63-08 has received a first reading.

ORDINANCE NO. ____ (Draft No. 64-08)

AN ORDINANCE VACATING A PORTION OF PLUM ALLEY

It was moved by Stredney, seconded by Wilkerson to give Draft No. 64-08 a first reading.

YEAS: 5 NAYS: 0

Draft No. 64-08 has received a first reading.

MISCELLANEOUS REMARKS

Mayor Infante: The contract with Vectren for our opt-in gas has been finalized. Neil spent the weekend negotiating the price and it kept going down. It started out at about \$11.58 and he got it all the way down to \$10.39 on Friday. Neil will be finalizing that tomorrow and signing the contract. We will have everyone a 1-800 number and they can call and also Vectren will be sending postcards to all the residents to sign up. Neil has instructed Tom to put it on the utility bills.

Councilman Papalas: Law Director Dull where are we on the bike trail and that railroad issue?

Law Director Dull: I just got an e-mail this afternoon that we are in agreement (inaudible) certify the right of way and they are going to mail the original document to me. I expect to get it next week or the end of this week.

Councilman Papalas: What will be the next step?

Law Director Dull: From our end we just have to record those documents and then Mark is the person that is working up the certification(inaudible).

Mr. Mark Hess: Then we have to send the certification to ODOT that we acquired the right of way. We already started that. Right now the project is sitting in Columbus and we had to make some changes in the (inaudible) package and our engineers are working on that, just minor changes because it has been sitting so long. We are probably looking at next February or March.

Councilman Papalas: Thank you. Tom do you think that the e-mail will be fixed by next meeting?

Mr. Tom Telego: (Inaudible)

Councilman Papalas: So when do you think that it will be taken care of?

Mr. Telego: Tomorrow morning.

Councilman Papalas: Thank you.

Councilman McCormick: I just want to commend those who worked on the gas rate. It is my understanding that this is just an option. If you choose to use the Vectren rate you can, but if you have another company you want to use you can use them. You are not restricted to that one particular company. We are locked in to a good solid rate and if the market goes down you can still buy your gas from someone else, you don't have to buy from this company. We are locked into a rate we can live with and I do want to commend the mayor, Neil and especially Dave Wilkerson who helped get this going too.

Councilman Papalas thanked the Boy Scout Troop 143 for coming out to the council meeting and wished them success in obtaining their merit badges.

It was moved by Stredney, seconded by Wilkerson to adjourn the meeting at 6:15p.m. Motion carried.

Linda A. Yuhasz, Clerk of Council

Robert Marino, Jr., President of Council