

MINUTES

Niles City Council held its regular meeting of December 1, 2010 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; Giancola-P; McCormick-P; Stredney-P; Papas-P; Wilkerson-P; Marino-P

It was moved by Lastic, seconded by Stredney to accept the Minutes of the December 1, 2010 meeting and place them on file. Motion carried.

REPORTS AND COMMUNICATIONS

FROM The Auditor's Office

The Estimated Versus Actual Revenues thru November 2010

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

FROM The City Income Tax Office

The Monthly Receipts Totals thru November 2010

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

FROM The Niles Municipal Court

The Probation Report for the year 2010

It was moved by Giancola, seconded by Papas to accept the report and place it on file.

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL

Mr. Rudy Gallucci, 1937 James Street, Niles: Mr. Gallucci thanked the mayor and city council for listening to the input of the citizens of Niles and because of that he can use his four wheeler this winter to plow and not worry about it. He also was able to put a metal roof on his house and would like council to continue their fight against blight in the city. Mr. Gallucci commented on how low his utilities were compared to his gas bill. One final comment was on how smooth the paving went on Route 422 this past fall.

President Marino and city council thanked Mr. Gallucci for coming down to the meeting.

COMMITTEE REPORTS

None

ORDINANCES AND RESOLUTIONS

RESOLUTION NO.____ (60-10)

A RESOLUTION AUTHORIZING THE MAYOR TO FILE AN APPLICATION AND TO EXECUTE CONTRACTS IN CONNECTION WITH THE OHIO PUBLIC WORKS COMMISSION FOR A PROGRAM YEAR 2011 OHIO PUBLIC WORKS COMMISSION PROGRAM,

FUNDING THE HEATON-NORTH ROAD MILL & FILL PROJECT AND DECLARING AN EMERGENCY

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

YEAS: 7 NAYS: 0

Rules are suspended.

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

YEAS: 7 NAYS: 0

This Draft No. 60-10 has been adopted on the 1st day of December, 2010.

RESOLUTION NO.____ (61-10)

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

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

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Papalás, seconded by Giancola that this Draft be adopted.

YEAS: 7 NAYS: 0

This Draft No. 61-10 has been adopted on the 1st day of December, 2010.

RESOLUTION NO.____ (62-10)

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

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

Councilman McCormick asked Auditor Nader why Fund 71 Motor Fuel had appropriations in both Draft No. 61 and 62. Auditor Nader explained that Draft No. 61-10 gave the Motor Fuel Fund the ability to spend the money and Draft No. 62-10 appropriated the money.

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Papalás, seconded by Giancola that this Draft be adopted.

YEAS: 7 NAYS: 0

This Draft No. 62-10 has been adopted on the 1st day of December, 2010.

RESOLUTION NO.____ (Draft No. 63-10)

A RESOLUTION AMENDING RESOLUTION 34-09, THE 2010 BUDGET; AND DECLARING AN EMERGENCY

Councilman Papalas asked Mayor Infante why Draft No. 63-10 was reducing the 2010 budget. Mayor Infante told Councilman Papalas that Auditor Nader was re-estimating the budget according to what the State of Ohio Auditor's Office told him to do.

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 Stredney that this Draft be adopted.

YEAS: 7 NAYS: 0

This Draft No. 63-10 has been adopted on the 1st day of December, 2010.

ORDINANCE NO.____ (Draft No. 64-10)

AN ORDINANCE AMENDING CODIFIED ORDINANCE NO. 547.01 TO SPECIFY THAT POISON IVY, POISON OAK AND POISON SUMAC ARE TO BE DECLARED A PUBLIC NUISANCE

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

Councilman Papalas: I never knew that poison ivy, poison oak and poison sumac were not nuisances; I thought that was common sense.

Councilman McCormick questioned a section of Draft No. 64-10 concerning the brush, burrs and vines. President Marino explained to Councilman McCormick that this gives Mr. Burke greater tools when he sees things to accommodate the complaints. Councilman Stredney said that the section concerning brush, burrs and vines was already in the ordinance, the poison ivy, oak and sumac were added.

YEAS: 7 NAYS: 0

Rules are suspended.

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

YEAS: 7 NAYS: 0

This Draft No. 64-10 has been adopted on the 1st day of December, 2010.

ORDINANCE NO.____ (Draft No. 65-10)

AN ORDINANCE AUTHORIZING THE VACATION OF A PORTION OF LIBERTY STREET

It was moved by Wilkerson, seconded by Stredney to refer this draft to the Planning Commission for their report and recommendation. Motion carried.

MISCELLANEOUS REMARKS

Mayor Infante thanked council for passing the legislation for the North Road project.

Councilman McCormick: I got a call from Mr. Jim Yuhasz who is spear-heading the Edison Place and he has made a request to see if there is anything we can do about a neighborhood beautification project. It's in the very early stages, I have talked to Steve about it and he has some good ideas. If anyone else has some ideas maybe we can work together with the Enhancement Committee to see if there are some monies available.

A motion was made by Papalas, seconded by McCormick to adjourn the meeting. Motion carried.

Linda A. Yuhasz, Clerk of Council

Robert Marino Jr., President of Council