

MINUTES

Niles City Council held its regular meeting of November 2, 2011 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; Merlo-P; Wilkerson-P; Marino-P

It was moved by Stredney, seconded by Wilkerson to accept the Minutes of the regular meeting of October 19, 2011 and place them on file. Motion carried.

REPORTS AND COMMUNICATIONS

FROM The Auditor's Office

The Estimated Versus Actual Revenues thru October, 2011

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

FROM The City Income Office

The Monthly Receipt Totals thru October, 2011

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

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL

Mr. Barry Steffey, 511 West Third Street, Niles, Ohio: I want to thank Councilman McCormick, Chief Brown and Chief Hinton, the three of them have been actively involved in our block watch program and trying to get it off the ground. We really appreciate the support and we feel like it's moving in the right direction and want to thank you for attending and supporting us at the extreme level. I would like to find out where we stand with Garfield Elementary and I am asking for the help of council to try and find out how we are going to rectify this. I feel like we are getting stalled here and I don't know what to do. So, I am asking the people that are in the position to know better than I as to what direction our group should go in to try and get some resolution about that property. The property is blighted and an eyesore, the property is listed under a realtor but they are not taking care of the graffiti. I am asking for the help of the leaders here in this room to try and get this situation resolved.

Mr. Anthony Vigorito: I called and left a message, I stopped at your home one day to let you know that there is no rule on the book to cut the shrubbery out. I talked to Mr. Burke about this and because of the visibility issue there is no rule to force him to cut it down. I asked him to trim it back, I did send the letter out. I am just waiting for them to respond.

Mr. Steffey: It is really the graffiti and the shape of the building, the wood is being pulled from the windows and the windows are being broken. There is more graffiti all over the building and at some point if he doesn't answer these ten day letters then what is the recourse?

Mr. Vigorito: The only thing that I can do if he doesn't answer and I have talked to the mayor about this is to get my own crew over there and trim the shrubbery and clean the building up. As for the building it's not bad enough to condemn or go after for demolition. I didn't notice the plywood being pulled back.

Mr. Steffey: Are you saying the exterior is not qualified for demolition because Chief Brown just walked through that building and I think that if you walked through the interior you would say that it is.

Mr. Vigorito: I did walk through with Chief Brown and we took pictures and they had a fire inside which suffocated itself. The plaster is falling off the walls inside because of the humidity and moisture inside. That still doesn't qualify the building to be structurally unsound. I have asked him to do something and he is trying to sell the building. He seems cooperative but then he never seems to get any one to do something.

Councilman Lastic: Did the realtor that we met with that night ever show up?

Mr. Vigorito: No he never showed up and I called him back.

President Marino: Terry is there any nuisance ordinances that we can look at?

Law Director Dull: I don't think we can get to the point of demolition but let me look at something that I can file in court.

President Marino: Well how many police calls have been over there, nuisance and building and try to get them into court one way or the other.

President Marino and council discussed what the zoning was concerning Garfield School and what happens when old schools are empty. President Marino asked Law Director Dull to check the ordinances concerning Garfield School and what is was currently zoned as.

President Marino told Mr. Steffey that in the next two weeks he would have more information on the nuisance ordinance and told him that he could call and talk to Chief Hinton about it.

Chief Hinton told council that the nuisance ordinance will not cover it because it is zoned commercial.

Mr. Vigorito told council that schools used to be zoned A ,but council gave the owner of Garfield School a zone change. It is zoned B-2 which is neighborhood commercial so that he could run his operation out of there. The city was hoping that the building could be productive and pay taxes to the city.

The mayor and council discussed changing the zoning of the Garfield School back to A before it is sold. President Marino asked Councilman Stredney to meet with Law Director Dull to discuss that .

COMMITTEE REPORTS

None

ORDINANCES AND RESOLUTIONS

ORDINANCE NO.____(Draft No. 56-11)

AN ORDINANCE DECLARING A PROPERTY TO BE INSECURE, UNSAFE, STRUCTURALLY DEFECTIVE AND/OR UNFIT FOR HUMAN HABITATION AND ORDERING AND PROVIDING FOR ABATEMENT OF NUISANCE AND AUTHORIZING THE TRUMBULL

COUNTY PLANNING COMMISSION TO ABATE THE PROPERTY NUISANCE BY REMOVAL AND DEMOLITION OF NUISANCE STRUCTURES ON BEHALF OF THE CITY. THE STRUCTURE IS LOCATED AT 145 CHESTNUT, IN NILES CITY, TRUMBULL COUNTY, OHIO AND SHALL BE DEMOLISHED WITH FUNDING THROUGH THE NEIGHBORHOOD STABILIZATION PROGRAM 3; AND THE DECLARING OF AN EMERGENCY

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

YEAS: 7 NAYS: 0

Rules are suspended.

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

YEAS: 7 NAYS: 0

This Draft No. 56-11 has been adopted on the 2nd day of November, 2011.

RESOLUTION NO.__(Draft No. 57-11)

A RESOLUTION OPPOSING CENTRALIZED TAX COLLECTION IN THE STATE OF OHIO

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

Councilman Papalas: This is on council floor because of recent news that people in our state government are considering taking over the collection of city income. I have briefly spoken with Lisa about this and it would be a terrible idea. I don't know what it would lead to in the future, but based on previous history it certainly doesn't bode well.

YEAS: 7 NAYS: 0

This Draft No. 57-11 has been adopted on the 2nd day of November, 2011.

RESOLUTION NO.__(Draft No. 58-11)

A RESOLUTION OF INTENT TO IDENTIFY OPPORTUNITIES FOR THE CITY OF NILES AND THE TOWNSHIP OF WEATHERSFIELD TO COOPERATE IN THE PROVISIONS OF GOODS AND SERVICES FOR THE MUTUAL BENEFIT OF BOTH COMMUNITIES AND THEIR CITIZENS

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

YEAS: 7 NAYS: 0

Rules are suspended.

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

YEAS: 7 NAYS: 0

This Draft No. 58-11 has been adopted on the 2nd day of November, 2011.

MISCELLANEOUS REMARKS

Law Director Dull asked council if he could bring in the agreement for indigent legal services for adoption at the next council meeting and have Council as a Whole for sponsorship. Council told Mr. Dull that would be alright.

Police Chief Hinton told council that he was looking forward to working with all levels of city government. Chief Hinton told council that if any one has a problem just call him.

Chief Brown, city administration and council congratulated Chief Hinton on his promotion.

Treasurer Swauger thanked city council for passing Draft 57-11.

It was moved by Giancola, seconded by McCormick to adjourn the meeting.

Linda A. Yuhasz, Clerk of Council

Robert Marino Jr., President of Council