

MINUTES

Niles City Council held its regular meeting of October 3, 2012 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 Lastic to accept the Minutes of the regular meeting of September 19, 2012. Motion carried.

REPORTS AND COMMUNICATIONS

FROM The Auditor's Office

The Estimated Versus Actual Revenues thru September, 2012

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

President Marino informed the Auditor and Council that there will be another ten percent reduction in state funds and to adjust our budget when it comes to revenues received from the state.

FROM The City Income Tax Office

The Monthly Receipt Totals thru September, 2012

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

FROM The Ohio Division of Liquor Control

Two permit transfers from Reld & G Enterprise DBA Didis Beverage to Maanee Inc. DBA Didis Beverage

It was moved by Stredney, seconded by Merlo to refer the permit to the Police Chief and Safety Director for their report and recommendation. Motion carried.

Councilman McCormick questioned the Didis permit and thought that it might have come before council earlier in the year. The Mayor thought that it was a restaurant around there not the carry out. President Marino told Councilman McCormick to ask the Police Chief or the Safety Director.

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL

Mr. Kenneth Ellwood Sr., 19 Franklin Avenue, Niles: I would like to give a quick thank you to Reggie Giancola, Mayor Infante, and Mr. Dull for their support in trying to enact the anti- scab law. It is very important to us at Phillips Manufacturing since we have been on strike since September 13, 2012.

Mr. James Cronin 3 Arms Blvd., Niles: I also would like to thank the members of council who have been very helpful and the Mayor. I would like to say that in these negotiations with this

company they have received a lot of help from the city and the county. They have turned their backs on the City of Niles and on us as employees. The owner of the company has no ties or loyalties to the City of Niles or employees. I think that any new perks that some political entities apply to businesses shouldn't even be considered because these people are ruthless and they don't care about the residents or employees. You can tell by their actions like driving a van load of scabs at speeds that exceed the speed limit. They show a disregard to the residents and us as workers.

COMMITTEE REPORTS

None

ORDINANCES AND RESOLUTIONS

ORDINANCE NO.__(Draft No.50-12)

AN ORDINANCE AMENDING CODIFIED ORDINANCE NO. 731.01(A) BY ADDING SALTWATER INJECTION WELLS AND INJECTION WELLS FOR ANY OTHER WASTE MATERIALS PRODUCED IN ASSOCIATION WITH OIL AND NATURAL GAS DRILLING TO THE ACTIVITIES PROHIBITED BY SAID SECTION; AND, DECLARING AN EMERGENCY

It was moved by Stredney, seconded by Wilkerson to amend Draft No. 50-12 to Draft No. 50-12-A, Motion carried.

It was moved by Stredney, seconded by Wilkerson to table Draft No. 50-12-A Motion carried.

Council Stredney asked council to add Draft No.50-12-A to October 17, 2012 agenda. A Public Hearing concerning Draft No. 50-12-A was set for October 17, 2012 at 5:45p.m. in Council Chambers.

RESOLUTION NO.__(Draft No. 53-12)

A RESOLUTION APPROVING AMENDMENTS TO THE PLANS FOR CONSTRUCTION IN PHASE II OF THE PARK PLACE VILLAS PROJECT

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

Councilman Papalas informed council that this Draft changes the plans a little and it was approved by the Planning Commission.

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. 53-12 has been adopted on the 3rd day of October, 2012.

RESOLUTION NO.__(Draft No. 54-12)

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

Councilman McCormick informed council that they get a contract every year for the sludge disposal and chemicals. He has discussed this Draft with Mr. John Nement the Superintendent of the Sewage Department and he doesn't anticipate much of a price increase.

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

YEAS: 7 NAYS: 0

Rules are suspended.

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

YEAS: 7 NAYS: 0

This Draft No. 54-12 has been adopted on the 3rd day of October, 2012.

RESOLUTION NO.__(Draft No. 55-12)

A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED GENERAL FUND TO TWO BUILDING AND ZONING ACCOUNTS; AND DECLARING AN EMERGENCY

Councilman Papalas asked Mayor Infante if these were matching funds and the Mayor told him that the county will reimburse the city ten thousand dollars.

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 Giancola that this Draft be adopted.

YEAS: 7 NAYS: 0

This Draft No. 55-12 has been adopted on the 3rd day of October, 2012.

RESOLUTION NO.__(Draft No. 56-12)

A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED COMMUNITY DEVELOPMENT FUND TO THE CONTRACTED LABOR ACCOUNT; 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 Giancola that this Draft be adopted.

YEAS: 7 NAYS: 0

This Draft No. 56-12 has been adopted on the 3rd day of October, 2012.

ORDINANCE NO. __ (Draft No. 57-12)

AN ORDINANCE AMENDING THE ZONING ORDINANCE TO ADD A NEW SECTION REQUIRING THE REMOVAL OF GRAFFITI BY OWNERS AND/OR OCCUPANTS OF PROPERTY; AND, DECLARING AN EMERGENCY

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

President Marino: I want to thank the Police Chief, the Mayor and everyone involved with these efforts to start rounding up these hooligans that have been doing this. I know that I am speaking for many people and they are very appreciative for all of the efforts of Terry Dull's Office and the Prosecutor. I think this will add another layer of helping us address what we have been encountering in this community.

Chief Hinton: We will be going for restitution for anyone that we file charges on. We have six cases pending through juvenile (inaudible).

Councilman McCormick asked Mayor Infante if property that belongs to the city is involved who is responsible for cleaning it up. The Mayor said that the city will clean it up and if they catch the person responsible they will prosecute and seek restitution.

YEAS: 7 NAYS: 0

Draft No. 57-12 has received a first reading.

MISCELLANEOUS REMARKS

Mayor Infante announced the Bike Path ribbon cutting for October 12, 2012 at 11:00 a.m. down at the trail head. Once the ribbon is cut the rest rooms will be open up during the day and locked up at night. The rest rooms will be closed during the winter.

The city received another \$500,000 CHIP Grant. Mr. George Zokle does a great job this must be our sixth grant in helping people fix their homes. On November 21, 2012 at 5:30 p.m. Sarah Boyarko of the Youngstown/Warren Regional Chamber will give a presentation on economic development.

Chief Brown and Chief Hinton obtained a grant for a four wheeler to use on the Bike Trail.

Councilman Giancola: Mr. Ray Smith you called me Monday night for a question and I answered your question and you write up in the paper Dan Wilkerson. We don't have a Dan Wilkerson on city council.

Mr. Smith replied that he was sorry.

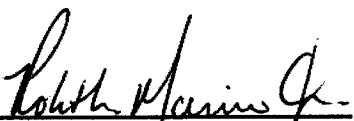
Councilman Stredney did not schedule a Safety Committee Meeting for next week but will discuss scheduling one at the October 17th council meeting. Also, one of the Cub Scout troops from Niles will be at the November 7th meeting.

Councilman Wilkerson and President Marino scheduled a Public Hearing on November 7, 2012 at 5:45p.m. for Draft No. 57-12.

President Marino encouraged city officials to use the State of Ohio's public notice website in order to save money.

It was moved by Giancola, seconded by Merlo to adjourn the meeting. Motion carried.


Linda A. Yuhasz, Clerk of Council


Robert Marino Jr., President of Council