

MINUTES

Niles City Council held its regular meeting of May 15, 2013 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 May 1, 2013 and place them on file. Motion carried.

REPORTS AND COMMUNICATIONS

FROM The Chief of Police

A letter concerning the junk vehicle week with attached report.

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

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL

Mr. Charles Johnstone, 145 Sheridan Avenue, Niles: I have been trying to find out what has happened since I was last here. I have not seen anything change in the house across the street. We have seen some activity there yesterday but we still have not seen anything that has changed.

Chief Hinton: I took three officers over yesterday based off of what they found with the zoning laws and Officer Hogan may be the one to speak.

Officer Paul Hogan: Yes we made contact with Mrs. Pruski and we were there almost two hours. She was stand offish at first but we made her see a couple of the points that we had. Mr. Vigorito and Mr. Burke were there also. She is going to call us on Monday to see if a cleaning service can come in. She is open to a lot of good things but whether it happens or not I can't promise, but she will let us know Monday morning.

Mr. Vigorito: As far as the canvas tent they are going to get a storage unit once he gets back home and get all that stuff into a storage unit and take the tent down. She seemed a lot more cooperative and that is the first time that I have ever talked to her. I have never actually seen her until yesterday. At least we know that she is alive because that was one of our concerns.

Officer Hogan: We had her go get mom and bring her to the door and we had a long conversation. She seems like she is going to loosen up a little bit. She has some sewer problems and we are going to help her out with that.

Mr. Johnstone: Is there any other issues with the fence?

Mr. Vigorito: No actually when I looked at the fence it needs to be repaired. Our ordinance doesn't say that you can't have two fences, it just says that the good side faces out and it does. The original letter that I wrote says that it has to be in good repair so they will have to address that. So if the fence is leaning out we are going to work with them. She does seem more

cooperative and we did talk to Cathy and Karen. This is the first time that I talked to Karen, I always talked to Cathy or Mr. Pruski.

Mr. Johnstone: Concerning the pick up truck I know the other day she came out and jacked it up and took the jack stand out from underneath it and backed it out to the fence.

Police Chief Hinton responded to Mr. Johnstone but the conversation was inaudible.

Mr. Johnstone: Are they going to clean up the front porch and get rid of the curtains?

Mr. Vigorito: I told them that those curtains were not allowed and they have to take those down. They have to be an outside curtain. If they wanted to throw up bamboo curtains they can do that. At least they would look better and she acknowledged that when I told her. She seemed to loosen up as we talked and we were there for awhile. They didn't want us in. That was the main problem they didn't want us in. I even offered if they knew anybody in the city to come on in. Somebody that they were not afraid of to come in and give us a report of the interior of the home. Let us know what is going on and why do we have the smell, is there somebody in the house or is there animals that smell? What is causing the smell? She loosened up.

Officer Hogan: She did and she is embarrassed for anyone to see (inaudible). For a couple days they are going to do something on their own with the worse stuff before they let someone come in.

Mr. Johnstone: This storage unit it's not something that they drop off on the property and they put in? Is this something that they take off site and take it to a storage area?

Mr. Vigorito: Yes. I know that they have a storage unit some place and they are going to go ahead and take it there. They said that stuff in the tent was their sons and they had it since he passed away.

Nicole Cole, 425 Vine Ct. Niles: There are houses across the street that have been vacant for a long time. The yard is a mess, there are animals in and out of there and there is something in the tree. I didn't know if the house was still for sale, there is no sign and is something going to be done with it?

Mr. Vigorito: The last thing I heard on that house and that was a couple years ago, that's still in the hands of a mortgage company as far as I know. When Steve and I were there they did have some stuff cleaned up, but the grass and the weeds that is the Health Department.

Councilman McCormick: Are there wild animals over there or cats and dogs?

Nicole Cole: There are some cats but my husband said it sounded like a raccoon when he was walking by. I am concerned, it looks really bad in the neighborhood. I am not going to lie but I am allergic to grass and when that starts to get high it bothers me.

Mr. Johnstone: I believe the address is 244 and we know the house is not secure. We know that the people have been in and out of this house on Vine Court. It is flea ridden and there are enough fleas for the stray cats that live underneath the porch. You can't walk on the property without getting bitten by the fleas. The inside of the house is disgusting, it was supposed to have been secure at one time. It is not secure right now the back sliding door is open and the

little house in the back I don't remember if it is secure either. The house is like a mother-in-law cottage.

President Marino told Mr. Johnstone that Tony will go and look at the house tomorrow.

Nicole Cole doesn't want something to happen to the neighborhood kids playing near the house.

Mr. Johnstone: We have had a lot of problems with raccoons and possums. Mrs. Morris has caught 6 raccoons and a possum that had burrowed into her house and was living in her basement because of the property across the street. We never had this problem until we had all this trash across the street. I am sure that there is a raccoon in that house and I was told that there is one in my front yard. We don't know if there are mice or rats in the house across the street either.

Mayor Infante was going to talk to Mr. Mike Burke tomorrow about this property.

Mr. George Davis, 150 Helen Avenue, Niles: I would like to address council about the break-ins that are going on in our neighborhood. I was just made aware that there were 47 of them in our neighborhood. Is there something that can be done. Is there something that we can do?

Councilman McCormick: I have talked to a couple people in the neighborhood and I also talked to the chief a little bit about some things we can do to try to make these things better. He even recommended parking on the streets at night because when the police see a car on the street and there is no parking that puts up a red flag and they go and check it out. That may be something that may deter it.

Councilman Papalas: Where is there no parking?

Councilman McCormick: I didn't say there was, it was something I discussed with Chief Hinton about maybe doing something like that.

Councilman Papalas: It didn't come out that way and that is what threw me.

Councilman McCormick: This was something to help the police do their job. I recommended to Janet (in the audience) that she talk to Mr. Steffey (in the audience) who has been instrumental in getting the Southside Block Watch and the Westside Block Watch going. That is not the answer to everything, but when people are looking out for things and checking on your neighbor it may help some to be organized. The chief did mention that they did have additional patrols over there. The night they had access to the highway patrol helicopter they used it to try and track down a perpetrator.

Chief Hinton: I believe the number 47 that you heard was city wide. We are concerned about your area and are aware of your area. I was working sixteen hours on Friday and Saturday last weekend (inaudible). I believe the suspect has a safe house in the neighborhood. (Inaudible) There is a repeat offender in your neighborhood that has been in and out of prison so maybe you want to keep an eye out. We can't patrol backyards. When someone breaks in they don't break in the front door. We need your eyes in the neighborhood, I have Lt. Villecco working tonight and I will brief him. We have talked to the neighbors in the neighborhood who have worked with the Southside Block Watch in the past to give them some ideas. With your eyes and ears get back to us with any information of suspicious activity that you see. Don't hesitate

to call, too many times people say that they did see that or hear that but twelve hours later! Anybody that doesn't belong in that neighborhood just call us. Don't hesitate, we want them too. Secondly we just made eight drug trafficking arrests last week and we charged eight drug traffickers in the city and two additional drug charges on two other fellows. We are out there and this is drug related. They are going right to the drug houses and are fencing the stolen merchandise in exchange for drugs. (Inaudible). To get rid of the drug houses it's not just a city problem it is a neighborhood one. Captain Thou and Lt. Villecco are downstairs available to speak with you.

COMMITTEE REPORTS

None

ORDINANCES AND RESOLUTIONS

ORDINANCE NO. __ (Draft No. 23-13)

AN ORDINANCE REPEALING AND RE-ENACTING NILES CODIFIED ORDINANCE CHAPTER 922, "STORM WATER MANAGEMENT CONTROL" TO ESTABLISH STANDARDS, PRINCIPLES AND PROCEDURES TO REGULATE THE QUALITY OF STORM WATER RUNOFF DURING AND AFTER SOIL DISTURBING ACTIVITIES; AND, DECLARING AN EMERGENCY

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

YEAS: 7 NAYS: 0

Rules are suspended.

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

YEAS: 7 NAYS: 0

This Draft No. 23-13 has been adopted on the 15th day of May, 2013.

ORDINANCE NO. __ (Draft No. 24-13)

AN ORDINANCE ESTABLISHING NEW STANDARDS FOR EROSION AND SEDIMENT CONTROL DURING SOIL DISTURBING ACTIVITIES WITHIN THE CITY; REPEALING ORDINANCE NO. 24-06 AND CODIFIED ORDINANCE SUBSECTION 923.08(E); AND, DECLARING AN EMERGENCY

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

Councilman McCormick: Mark does this have to be approved by the EPA once you submit this or is it already approved?

Mr. Mark Hess: This is because of the EPA that we are doing this. We are bringing our storm water and erosion and sediment codes up to EPA standards.

President Marino thanked Mr. Hess again for his efforts on Drafts No. 23 and 24-13.

YEAS: 7 NAYS: 0

Rules are suspended.

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

YEAS: 7 NAYS: 0

This Draft No. 24-13 has been adopted on the 15th day of May, 2013.

ORDINANCE NO. __ (Draft No. 26-13)

AN ORDINANCE AMENDING CODIFIED ORDINANCE NO. 351.14 REGARDING THE PARKING OF COMMERCIAL VEHICLES TO ENLARGE THE AREA AFFECTED BY THE ORDINANCE, AND TO PROHIBIT THE OPERATORS THEREOF FROM PARKING THE VEHICLE WITH THE ENGINE OR A REFRIGERATION UNIT IN OPERATION; AND, DECLARING AN EMERGENCY

Councilman Papalas made a motion to change the heading in Draft No. 26-13 to Council As A Whole instead of sponsored by Safety Committee. Motion carried.

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. 26-13 has been adopted on the 15th day of May, 2013.

MISCELLANEOUS REMARKS

Mayor Infante: Concerning Sheridan Avenue if Mike Burke is able to get into the house on Monday we will have the Senior Services ready to go in and help out. Mr. Schulyer is ready to go and he has been there a few times. We also sent the sewer department over there to make sure there is nothing wrong with the sewer, but I haven't gotten a report yet.

President Marino thanked Police Chief Hinton about the police presence in the neighborhoods. He has noticed the police running traffic in the neighborhoods. He thanked the police department for the fine work that they are doing.

Police Chief Hinton commented that it wasn't a ticket writing campaign but just wants to find out who is in the neighborhoods.

Mr. Hess passed out a Street Resurfacing Program handout to council and department heads. He reminded council that this list is just a preliminary list and subject to change.

Councilman McCormick offered to go with the residents of Helen Avenue to speak with the police after the meeting.

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

Linda A. Yuhasz, Clerk of Council

Robert Marino Jr., President of Council