

MINUTES

Niles City Council held its regular meeting of June 5, 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 Wilkerson to accept the Minutes of the regular meeting of May 15, 2013 and place them on file. Motion carried.

REPORTS AND COMMUNICATIONS

FROM The Auditors Office

The Estimated versus Actual Revenues thru May, 2013

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

FROM The City Income Tax Office

The Monthly Receipt Totals thru May, 2013

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. David DeChristofaro, 1128 Shadowridge Drive, Niles: I am happy to see so many people here who are interested in #8 on the agenda and to hear it first hand. I am a local engineer representing Dale Bishop of Hydra Renewable Resources located in Vancouver, Canada. I apologize for Mr. Bishop on not being able to be here tonight, he had a commitment and he has been here in Niles on several occasions for meetings with myself and the mayor. Hydra Renewable Resources is a renewable resource development company that is proposing to develop two waste energy centers in Trumbull County. One is being proposed in Niles and the second proposal is in Warren. Hydra came to Warren at the suggestion of one of Hydra's business associates who was originally from Warren, but now is working outside of Warren but still has family in Warren. Hydra called me about the Warren project back in January and after I heard the proposal for Warren I asked them if it was possible for them to consider providing a proposal for Niles also. It sounded so good. Hydra met with the mayor back in January of this year and presented the mayor with a proposal. Hydra also met with some of the staff members of the City of Niles as well as the Chamber of Commerce and Congressman Ryan's office. I apologize with what seems to be a rush for approval, but Hydra has been working on this project in Niles and Warren since January. They are at a point where they need to select two communities that they are proposing to do studies in and they have five communities to select from. In order to initiate the study by September they have to move on their project by July. We are at a point where we don't have a lot of time and council is only meeting one time this month so I apologize for the rush, but it is not intended. Hydra's business model is to transform municipal waste and municipal wastewater into recyclable water and renewable energy. That is when Hydra converts a waste and an expense into a resource and revenue. These waste energy centers cost several hundred million dollars to build and therefore before Hydra can commit to financing such a large investment they

need to conduct a comprehensive financial feasibility study to prove to their investors as well as the city that the project will be successful. The study is very comprehensive and will include technical analysis of the wastewater and municipal waste collection treatment process. It will include system analysis of the waste (inaudible) process. It will include systems and operations and maintenance consideration, existing employment and collective bargaining agreements. It will include new employment with the unions and new jobs. It will include environment due diligence with the EPA as far as regulatory due diligence, financial analysis and project funding commitments will be in that study. Renewable energy purchase commitments for the purchase of renewable energy will be in that study and all the legal aspects of the liability issues relative to everything involved in the waste energy center. Insurance, bonding, (inaudible) and much more will be included in that study. Once the study is completed the city will have every opportunity to review it and shoot holes in it if necessary. But the time to shoot holes in the study is after the study is completed, not before the study is started like in some communities where this happened. It is after the study is completed is the time to start shooting holes. The study does not obligate the city to enter into any agreement to build a waste energy center. You can simply walk away after the study.

In developing their project Hydra works with some of the world's largest engineering and construction management companies including, Mace, construction managers, Hyder Consulting they are engineers and Utility Partners. The reason Hydra is approaching the city with the proposal for approval is because an intricate part of the proposed waste to energy center utilizes the city's wastewater and creates a renewable resource. As part of the development of the waste to energy center Hydra would commit to building a brand new state of the art wastewater treatment plant costing several hundred million dollars. A treatment plant that exceeds all EPA standards, a treatment plant financed solely with private funds at no cost to the City of Niles.

Along with building a new wastewater treatment plant Hydra would also commit \$10 million dollars every year to continue improving the sanitary sewer collection system in order to reduce (inaudible), reduce basement flooding and to repair or replace aging sanitary sewer infrastructures. Hydra does not invest in projects like this because of altruism; Hydra makes a lot of money on the sale of renewable resources from the waste to energy center. They have no problem sharing the wealth with the community that they serve. So if the project proves to be feasible from the financial feasibility study and the waste to energy center is constructed Hydra will commit to paying the city \$8 million dollars a year for the ground lease for twenty five years. This money will be for the city to decide to use for however you see fit. I speak for council and the administration however you see fit, including pay raises if that is something that they see fit. After twenty five years the entire center will be turned over to the city or a new lease can be negotiated.

To summarize the benefits to the city you get a new wastewater treatment plant, you get \$10 million dollars a year for a sanitary sewer system, and you get \$8 million dollars a year in ground rental all at no cost to the city. I might add they will also commit to freezing the sewer rates for the next twenty five years. You won't have increase in sewer rates because the money that they make from their renewable resources will pay for any additional expenses in order to upgrade, meet any mandates, pay raises or anything of that nature agreed upon through the collective bargaining units.

The study will take about seven months and once completed the city will have the opportunity to review the study to assure itself that the project is feasible. To make it easier Hydra is providing the City of Niles \$15 thousand dollars to hire its own consultant to work with your staff in reviewing the study. I recognize that there has been some concern over the city workers losing their jobs. In fact the waste to energy center including the wastewater treatment plant will employ about 100 to 150 people in union jobs. So, it is my belief that more jobs will be created than any jobs lost. No jobs will be lost, jobs will be created.

This morning I had a conversation with the executive vice president of the Utility Partners which is the operating company for Hydra's waste energy center and wastewater treatment plant. His name is Bill Douglas and I would be happy to have a conference call with any union leaders that would like to have that same conversation with me and Bill Douglas. Bill assured me of a few things also, he said that Utility Partners operates forty two wastewater treatment plants in thirteen states in the United States. They are programmed to operate five of Hydra's plants in the next few years in Mexico, Vietnam, Dubai, Jamaica and Nigeria. Mr. Douglas said his company does their own internal technical reviews and analysis of Hydra's wastewater (inaudible) and said they were impressed. As for the employees at the plant, Mr. Douglas said that Utility Partners has contracts with other cities for using city employees at some of their forty two plants. The employees remain city employees and union employees, the city pays the employees and Utility Partners pay the city. All employees will be city employees with all the benefits that city employees have, O.P.E.R.S., health care and all collective bargaining and anything else that I can't think of off the top of my head that is associated with your job today. Nothing will change. Mr. Douglas said that they would have no problem agreeing to this here in Niles. I might add quite frankly, from day one your mayor said he wouldn't have it any other way. He has the final say with anything that happens with this project and he would not have that any other way. Hydra and Utility Partners have no issue with that at all.

If the project is (inaudible) Hydra commits to using union employees and union contractors which would be about 100 construction paid jobs billed to the project. Hydra will bond, guarantee and insure every aspect of the project leaving nothing to chance. This will be covered as I said earlier in the feasibility study.

This evening Hydra is only asking for your consent to operate the study at their expense. The agreement to do the study must be approved by your law director and your administration. If the results of the study prove to the city and Hydra that the project will be successful only then will the city and Hydra (inaudible) and move the project forward. Again, the city has no obligation to move forward if the city chooses not to.

In conclusion, I must say that I am not trying to sell you anything or persuade you to do a feasibility study; I am trying to inform you so that you can make intelligent decisions on council as to the benefits for the citizens of the City of Niles. As I said in the beginning as much as Hydra would like to do feasibility study in both cities, their original interest was in the City of Warren. It was me who thought that this might be something that the City of Niles should have a chance to do, so I brought it to the City of Niles. I agree with Mayor Infante's statement in the Tribune today "since there is no cost and no obligation and the benefits would be a welcome relief to a strained budget and rising cost to our citizens then why not have the study done? If you have any doubts as to whether it will work that is what the study is for."

Mr. Bo Marchionte, 330 Russell Ave. Niles: I am first in seniority both in the water and wastewater treatment plant and I feel it is my obligation, my duty to come to council tonight (inaudible). You gentlemen that serve on city council I respect what you do and I appreciate what you do. Mayor Infante you know I have a sincere respect for you as well and I know that everyone's intention here today is to benefit the city. My personal concern and I think the concern is why so many people are here tonight to see the vote and if we are going to move forward on this project. I believe (inaudible) and countless others the reports we have had from social media, Facebook and twitter is an overwhelming amount of negativity for us pushing through with this program in the last 24 hours, it really has been.

Hydra Renewable Resources is the reason why I am here. I believe most of council has received a sugar-coated version of their proposal, promising the world and all its riches is too good to be true. We know, as always, anything that is too good to be true, usually isn't.

That is why we are here tonight. First off, it sounds like a terrific plan. A company comes riding in on its horse when we have a financial misstep and they are going to save us. They are going to throw money into the pockets of the city. Ten fold, eight million a year into the general fund. It sounds good, but there has to be a catch. I looked into Hydra's background and I even looked into the origin of the name. Do you know what the name Hydra means in Greek origin? This is it, a persistent or multifaceted problem that cannot be eradicated by a single effort. When I think of all the multifaceted problems I think of Hydra. Too many eggs in one basket, too many questions left unanswered the definition is how they work in business. While their website spoke they work in 65 countries, but they do not have one operating functional plant in the United States. Hydra told him (Dan) they do not have a single plant. Hydra told Dan that they had two proposals. Do you want to know who the two proposals are in the United States? Warren and Niles in the whole United States are right here in Trumbull County. Think about this, the whole United States and this is the only place this company has to work. I know Dave DeChristofaro mentioned that they have jobs in other sites, they are third world countries, they are not EPA approved. That is what we have to get back to.

They also mentioned this on the website "our prime target markets are made up of cities and other municipalities anywhere in the world that are financially stressed." I believe that if this city wasn't financially stressed we would not be talking to Hydra. Hydra is a cash loan paycheck place from wastewater industries. If you don't believe me why don't they have a functional plant working in the United States? Think about that, this company from Canada and not one plant operating in the United States. The City of Niles feels like it's getting a leg up on the competition, like they are getting a jump on all the other offers out there. This is not true, other cities have had this offer and they have passed. We might have the fiscal misfortune of you accepting it and that is what we don't want. If you want to miss a vote this is the vote that you want to miss. Let it fail if is not good for the city, if it was people would be knocking down their doors. What town any where in this country doesn't want a business to come in and throw millions of dollars at them? Who wouldn't, I would! If that was the truth and if that is the way this thing would end I would be all for it!

The numbers and the questions and the feasibility study is the only answer that they give you. "What about this? Answer is feasibility study." "When will we find this out? Answer is feasibility study." I talked to Dave DeChristofaro two days ago and nothing was said about what he said about losing jobs. Now tonight he comes in and has a big list of all the things that are going to happen. I really take a lot of anger at that! The second thing that I wanted to say is that I called Newmarket, New Hampshire and one year ago on August 15, they had a town meeting. In Newmarket I talked to an administrator, his name was Steve Fournier and these are the things he told me. They elected not to move forward with Hydra and these are the things he had to say. "Simply too many questions left unanswered." He also mentioned that the engineering firm they had in place felt the same way .The biggest issue they had each time they asked questions they were pushed back on answers going back to the feasibility study.

I will read you some excerpts from the Newmarket newspaper on the August 15 town meeting: "A presentation regarding Hydra Renewable Resources stirred up a little controversy at the Town Council meeting last Wednesday. The building would be entirely funded by the company of Hydra. We believe we can make money working in Newmarket. We can successfully take the problem of wastewater management and turn it into a solution, where every aspect of treatment yields a resulting product that is both financially and environmentally valuable." That sounds great but it doesn't work, that's why they backed out. I am sure the same plan was there. They were going to give these benefits, the money was going to come in, and it was going to create 150 jobs. It was going to create 100 jobs for these to contractors to come in and build this plant. Why would they elect to go out? We heard once this thing got closer more and more lies began to creep in and they pulled the plug like all the other places.

I want to talk about a couple more places on the map; they were shut down in Woodsville, New Jersey. In California they were given a cease and desist order that was from the California Regulation Control. That is equivalent to our EPA. They got kicked out, why because they don't function with our system. They are in 65 other countries but not here in the United States. Where it really matters what the EPA says, what rules and regulations mean they don't operate under those. That is why they have no functioning plants in the United States. Are we getting this here? They don't have any plants in the United States, but they want to come here. Like the golden goose is going to come here just to Niles and lay their golden egg for us. We are getting a lame duck, not a golden goose!

Finally, in closing as a city employee for the last twenty years I find it very disturbing and scary knowing that you don't know after this vote tonight where our jobs are going to be. That is why you filled this room people are concerned. At this time when jobs are so scarce you even want to fight harder for what you have. If we lose our jobs and we lose our pay it definitely will affect everyone in this room. This is a Democratic town with union blood that runs deep and woven into the fabric of our society. Our grandfathers and fathers all worked in steel mills with unions. They all worked at Packard, General Electric and Lordstown all union jobs. That is our foundation with our fathers and I guarantee you that all our fathers were the same way. This issue with job security we are putting back to front. How can we say that jobs are going to be safe when we are going to do a feasibility study and we don't know what they are going to do afterward? The jobs have to be safe first and then you can move on. We are saying let the feasibility study go but after that they can change their tune and we don't know what they are going to say. That is the whole issue in what we are trying to say, it's back to front. You can say call anyone, you are going to get a twenty dollar raise, more benefits, pay into OPERS you can say anything, but when this plane lands what are they going to say to us? That is what scares me and keeps me up at night. That is why I haven't slept and why I am tired now. I don't know where my job is going to be. I think everyone in this room is sharing that same feeling of what if! Where are we going to go if this goes bad for us? I know Ralph (Infante) has the best interest for us. I know you gentlemen do too. But, I ask that this is voted down, I ask that you don't let it return and I ask that we leave here tonight and we never hear about it again. I appreciate you letting me speak and I appreciate what Ralph and Neil do and all you gentlemen as well. I am proud to be a citizen of the City of Niles. Thank you.

Debbie Bindas, 901 North Road Niles: I am speaking as a resident of Niles and first and foremost as a representative of this group of people sitting here that is AFSCME Local 506. I have been with AFSCME for many years and (inaudible). I would like to address council and ask that you be very cautious on any actions that you take this evening. I see that this ordinance is being presented as an emergency measure; I think that you really can't push things through on an emergency measure unless you have all of your questions answered and you don't. I have talked to many of you on the phone and I broached subject matter with you and you couldn't give me an answer. That tells me that you have not thoroughly investigated this situation. I think to rush right into it and pass it in an emergency measure would not be in your best interest or the best interest of the taxpayers of the City of Niles. You need to do your homework, this is contracting out, this is outsourcing and this Valley has been plagued with it. We have lost millions of jobs! We have seen steel mills shut down and Delphi and Packard. At one time we were going to do a few harnesses for Mexico then all of a sudden all the jobs went to Mexico! This contractor, this guy that wants to come in here and sell us this bag of gold is going to walk out with a bigger bag of gold. There is no reason why the City of Niles with all its intelligence and education we have here, that if this is possible to do this to turn our garbage into fuel and sell it for a profit why we are not doing it our self. There are grants out there, there is money and people who will help us do that. That is the road we need to be taking. I believe in taking every opportunity to bring money into the City of Niles.

I served with many of the cities in Trumbull County and Mahoning County and Niles I would say is at the top of the list in being financially responsible. It always has been and I am proud to live here. I am also proud to represent these (inaudible) people here. I am asking you to do your homework, it's not an emergency, and they may say it is, they may say we need to know by whenever but the fact is if they want our business they will allow you to do the research on the project before you move forward. Also I would like to add that in looking at the ordinance, I have been writing contract language for twenty years and I am not criticizing the way that it is written, but I see a big hole in this. I see a big hole in section one of this ordinance that says if you pass this as an emergency measure you have relinquished your power as the elected officials of the City of Niles over to I believe, the service director to enter into a feasibility study with a contract that you have not seen, reviewed or researched it. Before you relinquish your power to anyone else you have to have a whole lot more in writing. We are talking about (inaudible) here tonight (inaudible) union jobs with this plant. There is nothing in writing that says that. There is not any Hydra Plant anywhere in the third world countries that have union people in it. I don't see that written any where here. Maybe the 150 jobs they are bringing might go to our building trade. There is no guarantee that these folks here will be transferred to that plant. I see nothing in writing; I see an email that says that. That email didn't come from Mr. Bishop! I deal in facts, that's what I do for a living I deal with facts and we don't have all the facts here tonight. I am asking council to reject the entire subject of Hydra Renewable Resources.

Mayor Infante: Just a couple comments that is not a contract Debbie. You know me and all these employees know me. This is consent legislation to (inaudible) Terry and I will have the last say on the contract along with Neil Buccino. This isn't the contract. This is consent legislation to allow council to allow us to sign a contract. When we sign a contract it is for nineteen thousand people in Niles. I represent nineteen thousand people and I want to give them the best electric rates, sewer rates, water rates and services that we can provide. That is always in my mind. I have been here for twenty some years and that will always be in my mind. Nobody ever said that there wasn't going to be a union here and nobody said anybody was going to lose their jobs. You know me better than that. If I can lower their electric rates by something like this, if it would happen we got a long way to go. This study is going to take eight months and then it has to go back to council to approve it if they want to go forward or not. This isn't guaranteeing nothing. I have other projects in the City of Niles that I brought here and we had people in the audience that complained about it, council voted it down and it came to reality and we lost out.

I don't want to take that chance of losing out. We are not spending one dime on this study, nothing!

Debbie Bindas: Ralph I understand that and I have the utmost respect for you and I believe that you would never do anything that would harm organized labor in the City of Niles. That is what I believe in my heart, but I want to say you talk about the nineteen thousand people well these people over here represent the nineteen thousand people that are relinquishing any authority over the plant when you lease it. It is out of your jurisdiction, you have no say anymore. You have turned over your power to Hydra.

Mayor Infante: We are not turning any powers over. What powers are we turning over?

Debbie Bindas: That's what privatization is all about. We don't own the plant when you lease the plant out. You have no say....

Mayor Infante: We don't own the plant? Why don't we own the plant? We own the property.

Debbie Bindas: You are leasing the plant and the operations.

Mayor Infante: We don't know what we are going to do until the study is done. That is first! First things first!

Debbie Bindas: That is what I am reading.

Mayor Infante: First things first!

Debbie Bindas: Well make me better understand Ralph.

Mayor Infante: I am going to make you better understand when we get the feasibility study done. If it is viable it has to go back to council and they have to make the decision. If we don't do the study and they go somewhere else and it does work, then what? I (inaudible) nineteen thousand people in the City of Niles giving them better rates, better services, and bringing more money here to the city.

Debbie Bindas: But you are giving up public control, you will have no public control.

Mayor Infante: We will have all the control by our contract.

Debbie Bindas: Maybe we should rent out the police department. Would we have any control over them? No!

Mayor Infante: You are mixing apples and oranges Debbie.

Debbie Bindas: No I am not, privatization.

Councilman Papalas: I have a question. Mayor when I discussed this and mentioned the WEC I mean the Waste to Energy Center you are talking about building. I have this model agreement that I thought was suppose to be considered. It was given to Terry and in this on the second page there are two paragraphs that look like we are going to be obligated once this feasibility study goes through.

Mayor Infante: That is the one they brought down when they first came down three or four months ago.

Councilman Papalas: Well that is the one Terry has, isn't it?

Mayor Infante: No we have another one. Terry, Neil and I (inaudible) the feasibility study all the things we need to do to protect us.

Councilman Papalas: Let me ask my question. Why didn't we get the agreement with this ordinance?

Mr. Terry Dull: The one thing I was concerned about I didn't like the language in the agreement.

Councilman Papalas: Well I didn't either.

Mr. Dull: I did not want to tie this agreement to the ordinance. I put the language in there that says the language in the agreement has to be approved by me which in my mind absolutely

says that we are not bound by anything in this agreement. If we agree on the language and what the agreement is suppose to say and it gets signed then the feasibility study can move forward. I don't like a lot of the language that is in there.

Mr. Robert Woodward, 608 Peffer, Niles: One of the things that Mr. DeChristofaro had mentioned was that twenty five years of lease for the waste water treatment plant and the facilities was in my understanding after that twenty five years is about the life span of a waste water treatment plant. Future people in Niles would be getting, in my opinion it would be just about a revamped, newer plant facility.

Mr. Joe Bruno, 340 N. Cleveland Ave., Niles: I have a question, the documents that you have aren't the same documents (inaudible) the mayor and law director have, right? So they are asking you (council) to make a decision on something that you don't have in front of you that they have. Now who gets snookered here?

Councilman Papalas: I think that they have the documents, but Terry thought it best not to go forward with that model agreement. That is why nobody else has it.

Mr. Bruno: I have lived in this city fifty two years and I was born and raised here. I was here back in the day when things were great around here and now we are broke. I don't have a problem with having jobs in this area, but the fact of the matter is that all of Trumbull County, Mahoning County and Columbiana County have gone on with blinders. At Delphi, we General Motors, nobody wanted to look at anything else. I don't have a problem with that but what I am hearing so far is that this is a bad deal. Look what happened at Delphi, we lost all that. General Motors can pull out at any minute and we lost that too. If we are going to look at bringing jobs into the City of Niles and into the area look at something that is solvent, a company that has things in this country not third world countries. Who cares what they are doing over there? Our responsibility is here.

Carrie Kibby, 139 West State Street, Niles thanked council, safety forces and the mayor for supporting the Avenue and Main Car Show last weekend. It was a huge success. President Marino told Mrs. Kibby what a great job they did with the car show.

COMMITTEE REPORTS

Councilman McCormick informed council of the rate hearing for MVSD on June 17, 2013. If anyone wanted more information on the hearing you can see Councilman McCormick for that.

ORDINANCES AND RESOLUTIONS

RESOLUTION NO. __ (Draft No. 27-13)

A RESOLUTION ADOPTING THE ALTERNATIVE TAX BUDGET FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2014; 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 Papalás, seconded by Wilkerson that this Draft be adopted.

YEAS: 7 NAYS: 0

This Draft No. 27-13 has been adopted on the 5th day of June, 2013.

RESOLUTION NO. __ (Draft No. 28-13)

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

It was moved by Papalás, seconded by Merlo 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. 28-13 has been adopted on the 5th day of June, 2013.

RESOLUTION NO. __ (Draft No. 29-13)

A RESOLUTION AUTHORIZING THE LINE ITEM TRANSFER OF FUNDS FROM THE POLICE AND FIRE ½% HOSPITALIZATION ACCOUNT TO THE POLICE AND FIRE ½% VEHICLE MAINTENANCE ACCOUNT AND, DECLARING AN EMERGENCY

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

Councilman Papalás: This money will be used to fix the tank on one of our fire trucks. We are budgeted for thirty firemen but we have twenty eight. So the money that won't be spent because we are down two firemen is going to be applied to repairing the fire truck. We will not be using unappropriated money from the general fund.

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. 29-13 has been adopted on the 5th day of June, 2013.

RESOLUTION NO. __ (Draft No. 30-13)

A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED LIGHT FUND TO THREE ACCOUNTS IN THE DEPARTMENT; AND, DECLARING AN EMERGENCY

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

Councilman Papalas: This is actually for three different reasons. One is to replace funds that are being expended from contracted labor in the light department. The other is to purchase some transformers for Jim; replace transformers that we have used for businesses and schools and the other is to rewind the transformer that went into the main substation. It is cheaper to do it this way than to buy a brand new one.

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. 30-13 has been adopted on the 5th day of June, 2013.

RESOLUTION NO. __ (Draft No. 31-13)

A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE OHIO DEVELOPMENT SERVICES AGENCY AND ADOPTING A PROPOSED BUDGET FOR THE FY 2013 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM INCLUDING THE CDGB ALLOCATION PROGRAM AND ALLOTING THE FUNDS FOR THE FISCAL YEAR 2013 COMMUNITY DEVELOPMENT ALLOCATIONS PROGRAM; AND DECLARING IT AN EMERGENCY

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

YEAS: 7 NAYS: 0

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

YEAS: 7 NAYS: 0

This Draft No. 31-13 has been adopted on the 5th day of June, 2013.

ORDINANCE NO. __ (Draft No. 32-13)

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR THE EAST FEDERAL STREET MILL AND FILL PROJECT; 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. 32-13 has been adopted on the 5th day of June, 2013.

ORDINANCE NO. __ (Draft NO. 33-13)

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR THE 2013 STREET RESURFACING PROGRAM; AND, DECLARING AN EMERGENCY

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

YEAS: 7 NAYS: 0

Rules are suspended.

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

YEAS: 7 NAYS: 0

This Draft No. 33-13 has been adopted on the 5th day of June, 2013.

ORDINANCE NO. __ (Draft No. 35-13)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE FOR THE CITY OF NILES TO ENTER INTO AN AGREEMENT WITH HYDRA RENEWABLE RESOURCES, INC., FOR THE PURPOSE OF PREPARING A FINANCIAL FEASIBILITY STUDY IN CONJUNCTION WITH THE CITY OF WARREN TO MORE FULLY INVESTIGATE THE POSSIBILITY OF DEVELOPING A WASTE TO ENERGY CENTER; AND, DECLARING AN EMERGENCY

It was moved by Lastic, seconded by Papalas to table Draft No. 35-13.

YEAS: 5 NAYS: 2 (Giancola, McCormick)

Draft No. 35-13 is tabled.

MISCELLANEOUS REMARKS

Councilman Giancola: Back in the 90's I think we fumbled the ball on the cable project we wanted to do in this town. I am a big union man and I am for our city workers, but I didn't see a problem with just getting the study done. I would like to see what this study comes out to, and punch holes in it to see if it is even worth looking at! That is what I would like to do, to see the study. It is not costing us anything; we can drop it in a bucket. That is my opinion.

Councilman McCormick: I had some interest with a group from the south side that want to renovate the Iowa Street playground. They have a few ideas for some things and I have been down to see Carmen. I know we don't have any money in the budget, but I hope we can do something over there with them. I have a question for Neil. Is this improper for us to have a work

day and have the community help do things in the playground? Does that violate union contracts?

Service Director Buccino: They clean up Mosquito Creek every year. I don't know about the liability with the playground.

Councilman McCormick: I am a union guy too and I don't want to step on anyone's toes. It is something that has to be looked into but I am trying to work with them a little bit. I can check with Terry and I can check with you as we go along. Thank you.

It was moved by Stredney, seconded by Papalas to adjourn the meeting.

Linda A. Yuhasz, Clerk of Council

Robert Marino Jr., President of Council

