

MINUTES

Niles City Council held its regular meeting of September 4, 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 August 21, 2013 and place them on file. Motion carried.

REPORTS AND COMMUNICATIONS

FROM The Auditors Office

The Estimated Versus Actual Revenue thru August, 2013

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

Motion carried.

President Marino: Chuck, I do like the chart that you are now including in the report. The number of concern is the \$138, 725.00 less the 2012 General Fund revenue. That is something that we are going to have to pay attention to. If I am reading this correct that is due to the cut from the state government and local government fund and inheritance tax?

Auditor Chuck Nader: The biggest portion, correct.

President Marino: I appreciate this report and it is also refreshing to see the Water, Light and Sewage Departments much healthier.

FROM The City Income Tax Office

The Monthly Receipt Totals thru August, 2013

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

Motion carried.

FROM Police Chief Hinton

A letter in regards to the Nuisance Abatement Board and Royal Mall

Safety Director Guarino told council that the appeal hearing for the Royal Mall case is September 18, 2013 at 1:30 and Royal Mall wants to post pone the hearing. Mr. Guarino did not know if their postponement will be granted.

President Marino commended the police chief and his department for the job they are doing with the Nuisance Abatement Ordinance.

Councilman Papalas also commended the police department and the person working on the Nuisance Abatement Ordinance for the job they are doing. He encouraged the other councilmen to stop in the police department to see what a good job she is doing.

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

FROM The Building Inspector, Housing Inspector and the Health Inspector
Letters to Mr. Charles Pruski concerning the inspections done at his 206 Sheridan Avenue house

It was moved by Stredney, seconded by Wilkerson to accept the reports and place them on file.
Motion carried.

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL

Jean Waris of 925 Youngstown Warren Road, Niles: Informed council of the invitations they will be receiving soon from the Mahoning Valley Organizing Collaborative (MVOC) to Trumbull Stands Together. It will be held on October 17, 2013 from 6:30 to 8:30 p.m. at the Emmanuel Lutheran Church. The MVOC wants to recognize council for the assistance given in writing legislation on massage parlors and following through with it. She also thanked the mayor and police chief for their assistance. She hopes everyone will attend.

COMMITTEE REPORTS

Councilman Stredney scheduled a Safety Committee Meeting for September 11, 2013 at 3:00 in Conference Room 1 at city hall. Mr. Vigorito has several ordinances concerning zoning to discuss and also pot bellied pigs and water fowl will be discussed.

President Marino reminded the committee chairmen to keep the minutes and notes of the meetings and submit them to the clerk of council.

ORDIANCES AND RESOLUTIONS

ORDINANCE NO. ____ (Draft No. 55-13)

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE MAHONING VALLEY SANITARY DISTRICT FOR THE PURCHASE AND SALE OF WATER; AND, DECLARING AN EMERGENCY

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

Councilman McCormick: This is what we looked at in the spring and it was approved by them. This is finalizing what we agreed to previously.

President Marino: I am pleased to see that they are going to have a rolling five year financial plan and we will be updated by May of each year. If there is any increase we will know by July of that year.

Councilman McCormick: They have been very cooperative and have tried to take care of our concerns and answer any questions. If you have any further questions you can contact Mr. Holloway or Mr. Tatalovich from the district.

YEAS: 7 NAYS: 0

Rules are suspended.

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

YEAS: 7 NAYS: 0

This Draft No. 55-13 has been adopted on the 4th day of September, 2013.

RESOLUTION NO.____(Draft No. 56-13)

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

Councilman Papalas: Mr. Chairman this deals with two insurance checks, one for \$17,410.86 and the other for \$12,107.55 that the city received because of two house fires. That money was placed in an unappropriated account in the General Fund. We are now transferring it from that fund to the parties involved.

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 Papalas, seconded by Lastic that this Draft be adopted.

YEAS: 7 NAYS: 0

This Draft No. 56-13 has been adopted on the 4th day of September, 2013.

RESOLUTION NO.____ (Draft No. 57-13)

A RESOLUTION APPROPRIATING FUNDS FROM THE UNAPPROPRIATED PARK FUND TO THE ATHLETIC FUND ACCOUNT; AND, DECLARING AN EMERGENCY

Mr. Carmen Vivolo: The transfer and the appropriation are both from the athletic fund which are used to fund various leagues that we run. Currently the only league that we were running was the Senior Softball League which is a wash as we collected over \$4,600.00 for that league. Last year they had over \$800.00 left which they contributed to the Park Department. The Athletic Fund is used to run the league and buy supplies for the ball field specifically. This year we had a rather wet spring and early summer and every time we ordered field dry it cost about \$430.00 and we had to order a lot of it. This field dry was not just for the Senior League but also for the Youth Leagues and high school games. For the first time in eighteen year we are going to have a men's fall ball league and I have already collected the money, this ordinance is appropriating it into the account. It is no cost to the city for the leagues.

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 Wilkerson, seconded by Stredney that this Draft be adopted.

YEAS: 7 NAYS: 0

This Draft No. 57-13 has been adopted on the 4th day of September, 2013.

RESOLUTION NO.____ (Draft No. 58-13)

A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE SWIMMING POOL ACCOUNT TO THE ATHLETIC FUND ACCOUNT; AND, DECLARING AN EMERGENCY

It was moved by Papalas, seconded by Stredney 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. 58-13 has been adopted on the 4th day of September, 2013.

MISCELLANEOUS REMARKS

President Marino: There is something that has been troubling me since the last council meeting concerning residents and the way in which we handle complaints. I know that Mr. Yovich only accepts complaints and if he drives down the street and sees it he doesn't take care of it. I believe Mike you share the same thing you only address complaints which you receive. Tony you will go out, like the awning situation in which you drove around the city and found these sites and you issued citations. What troubles me is non consistent enforcement of our ordinances. Here is what precipitated this even further.

Over the weekend I was addressed by a number of residents concerning Federal Street and the home at the corner of Federal and John Street. This has been an ongoing thing with the condition of the home. I have also been addressed about the house on the corner of Pratt and Grant Street. SAVAGES have been painted on it for who knows how long and we all drive by there! I don't know who issues these policies, I don't know if you answer to the Board of Health, Mike. I would like to see us consider if you see something wrong, address it. I shouldn't have to call in about Federal Street because we all drive by there. I shouldn't have to call in about Grant Street and Pratt when you see SAVAGES painted all over (inaudible). I shouldn't have to call in when there were trees seven foot high on Robbins Avenue between Dr. Ciletti's Office and the pizza parlor. Those are things that are just common sense to me. If you see something wrong, address it. I would like Steve Yovich to do the same. We got new schools, bike trail, and we have some businesses coming downtown. We have an Avenue and Main group that is pretty aggressive and there are a lot of good things going on in this town and if everyone does their fair share things could only get better.

I don't want to lecture you, but it really agitated me to listen to these things. I shouldn't have to listen to this over and over again when we all drive by and see the same thing. Ralph, I don't know if you issue that policy. I don't know where it comes from, but I would appreciate

reconsideration or a reevaluation of that policy and enforcing things when you see it and clean it up.

Mr. Guarino: I second what you just said.

Mr. Vigorito: The letters that the clerk read were three separate reports from the building, housing and health departments. We met with the prosecutor for an hour and a half and hopefully we can get him to do something.

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

Linda A. Yuhasz, Clerk of Council

Robert Marino Jr., President of Council