

MINUTES
FEBRUARY 5, 2014

Niles City Council held its regular meeting on February 5, 2014 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, Lori Kuszmaul, called the roll:

Lastic-P, Papalas-P, Giancola-P, McCormick-P, Stredney-P, Merlo-P, Pezzano, P, Marino-P

It was moved by Stredney, seconded by Lastic to accept the Minutes of the regular meeting of January 22, 2014 and place them on file.

Motion carried.

REPORTS AND COMMUNICATIONS

None.

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL

President Marino: Members of the audience, would anybody like to address Niles City Council this evening?

Robin Morris, 203 Sheridan, Niles, Ohio. Questioned council as to why the Trumbull County Sheriff was called to her neighbor's house, went onto the front porch and tried to serve papers. (inaudible) What is going on?

President Marino: Mike Burke is usually the one to comment on this.

A conversation was had between Tony Vigorito and Ms. Morris. Ms. Morris was concerned as to what is going on with the neighbor's house. Mr. Vigorito said the Health Department was to go there on February 12th.

COUNCIL COMMITTEE REPORTS

President Marino: Are there any committee reports? Mr. McCormick

Mr. McCormick: As a member of the Utilities Committee, I attended a seminar at the County Commissioner's Office last Thursday with Mr. Pezzano and Mr. Hess, and it was a meeting about energy efficiency and guaranteed savings and whatever. Anything else you might add to that Mr. Hess?

Mr. Hess: It was a proposal by a private company to come in to make it official and hopefully they guarantee savings. So we are still looking into that. If anybody is interested, I have some handouts that I can give you. Thank you Mr. Chairman.

President Marino: Any other committee reports? There being none, would the Clerk please present tonight's legislation

ORDINANCES AND RESOLUTIONS

ORDINANCE NO. ____ (Draft No. 03-14-A)

AN ORDINANCE AMENDING CODIFIED ORDINANCE NO. 925.03(A), INCREASING THE RATES CHARGED FOR THE USE OF THE SANITARY SEWAGE SYSTEM; AND DECLARING AN EMERGENCY

It was moved by McCormick, seconded by Stredney for Suspension.

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by McCormick, seconded by Stredney to adopt Draft No. 03-14-A

YEAS: 7 NAYS: 0

Draft No. 03-14-A has been adopted on the 5th day of February 2014.

ORDINANCE NO. ____ (Draft No. 08-14-A)

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO A CONTRACT OR CONTRACT AMENDMENT WITH MWH AMERICAS, INC. FOR DESIGN OF IMPROVEMENTS TO THE CITY'S WASTEWATER TREATMENT PLANT; AND DECLARING AN EMERGENCY

It was moved by McCormick, seconded by Pezzano for suspension.

YEAS: 7 NAYS: 0

Rules are suspended.

Mr. Papalas: One question. Who is the lead or chief engineer on this? Who is our contractor?

Mr. McCormick: Tom Unger from Montgomery Watson is here in the audience tonight if you would like to address any questions to him. He's our representative and he's been to a few meetings already and can explain things to us and give us handouts.

Mr. Papalas: Okay. That's good.

President Marino: The booklet power point that you had, are you able to e-mail that to Neil in the morning?

Tom Unger: Yes. Sure.

President Marino: Neil, can you then forward it to me. I want a copy of that electronically.

Neil: Okay.

Mr. Papalas: I don't have any other questions.

It was moved by McCormick, seconded by Stredney to adopt this Draft 08-14-A.

YEAS: 7 NAYS: 0

Draft No. 08-14-A has been adopted on the 5th day of February 2014.

ORDINANCE NO. ____ (Draft No. 09-14)

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR THE TRU 46-3.28 DOWNTOWN LIGHTING PROJECT; AND DECLARING AN EMERGENCY

It was moved by Papalas, seconded by Giancola for suspension.

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Giancola, seconded by Lastic to adopt Draft No. 09-14.

YEAS: 7 NAYS: 0

Draft No. 09-14 has been adopted on the 5th day of February 2014.

ORDINANCE NO. ____ (Draft No. 10-14)

A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED GENERAL FUND TO THE LAW DEPARTMENT'S INDIGENT ACCOUNT; AND DECLARING AN EMERGENCY

It was moved by Papalas, seconded by Lastic for suspension.

YEAS: 7 NAYS: 0

Rules are suspended.

Mr. Papalas: Mr. Chairman, I just want to state that we passed this same Ordinance a year ago and the problem is, the money was put into the budget, but the county never billed us for it, so we transferred the money for other things, correct?

Mr. Dull: I think it was put back at the end of the year.

Mr. Papalas: Okay. It was put into unencumbered, so here we are, we put the money back. I have no other comments.

Mr. McCormick: Steve, will we still get billed for that by the county?

Mr. Papalas: We did. That's why we have to put the money back.

It was moved by Papalas, seconded by Lastic to adopt Draft No. 10-14.

YEAS: 7 NAYS: 0

Draft No. 10-14 has been adopted on the 5th day of February 2014.

ORDINANCE NO. _____ (Draft No. 011-14)

A RESOLUTION RETURNING ADDITIONAL APPROPRIATIONS PROVIDED FOR IN THE BUDGET FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2014 TO VARIOUS UNAPPROPRIATED FUNDS; AND DECLARING AN EMERGENCY

It was moved by Papalas, seconded by McCormick for suspension.

Mr. Papalas: This is based on our budget hearings that we've held for a couple of weeks concerning various departments and their budgets.

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Papalas, seconded by Giancola to adopt Draft No. 11-14.

YEAS: 7 NAYS: 0

Draft No. 11-14 has been adopted on the 5th day of February 2014.

Mr. Papalas: Mayor, do you have a total of the amount that we have cut?

Mayor Infante: No.

Mr. Nader: Steve, I didn't do that either. I didn't think to do that.

Mr. Papalas: Why? That was important to this because with all the numbers I wanted to drive home to the public what we've saved, and you take that opportunity away from us.

Mr. Nader: Sorry.

Mr. Papalas: Hopefully, we will have that at next council meeting?

Mr. Nader: Yes, sir.

Mr. Papalas: Thank you.

ORDINANCE NO. _____ (Draft No. 12-14)

A RESOLUTION AUTHORIZING THE VARIOUS APPROPRIATIONS OF AMOUNTS FROM SEVERAL UNAPPROPRIATED FUNDS; AND DECLARING AN EMERGENCY

It was moved by Papalas, seconded by Lastic for suspension.

Yeas: 7 NAYS: 0

Rules are suspended.

It was moved by Giancola, seconded by Papalas for adopt Draft No. 12-14.

YEAS: 7 NAYS: 0

Draft No. 12-14 has been adopted on the 5th day of February 2014.

ORDINANCE NO. _____ (Draft No. 13-14)

AN ORDINANCE CHANGING THE POSITION OF THE SUPERINTENDENT OF WATER AND SEWAGE TO THE SUPERINTENDENT OF SEWAGE; CREATING THE POSITION OF SUPERINTENDENT OF WATER; AMENDING THE AUTHORIZED WORK FORCE ORDINANCE TO REFLECT THESE NEWLY DESIGNATED POSITIONS; AND DECLARING AN EMERGENCY

It was moved by Papalas, seconded by Lastic for suspension.

YEAS: 7 NAYS: 0

Rules are suspended.

Mr. Papalas: This Ordinance is result of a couple of conversations that I have had with Mayor Infante who has worked very hard in recent weeks to find a solution to the issue of obtaining certified personnel for the plant. I am very satisfied that he has done some fine work here and the ordinance is before you.

Mayor Infante: Thank you.

Mr. McCormick: Mayor, correct me if I am wrong, but the reason we broke this job into two is because previous superintendents had both a water and sewer license and presently the new man we are hiring for the wastewater plant has a wastewater license and no water, right?

Mayor Infante: Yes.

Mr. McCormick: Will we encourage him to get a water license within the next couple of years maybe so he can assume the full duties?

Mayor Infante: Yes. That is what we are going to try to do. He is starting in at a lower wage in sewer because he only has a 3, working on his 4. So once he gets his 4, he goes to the second step. The water guy has a 4 license and we only need a 2, but he's willing to do it.

Mr. McCormick: You did a good job finding this guy, especially at that price too.

Mr. Papalas: It is very difficult to find qualified people.

Mayor Infante: In the meantime, Randy Fabrizio is going to do our pre-treatment and reports. That is very important. We are lagging behind on that.

Mr. Nader: In regard to this too, Steve, we need to have another finance meeting before the next council meeting so can make some adjustments in the sewer for additional appropriations. We do need to do that in the next week.

Mr. McCormick: Would that be finance committee you are talking about?

Mr. Nader: Yes.

Mr. Papalas: Well, I had a little list of what I need too from a couple of the department heads, but I'm going to shut my mouth tonight until I cool off. At the next meeting I will discuss some more things with you.

It was moved by Papalas, seconded by Merlo to adopt Draft 13-14.

YEAS: 7 NAYS: 0

Draft No. 13-14 has been adopted on the 5th day of February 2014.

MISCELLANEOUS REMARKS

President Marino: Chuck, in addition to Mr. Papalas' request on the budgetary reductions that council has made, can you also include on there, because I assume the books aren't closed for '13 yet ?

Mr. Nader: Right.

President Marino: Can we also have all the unencumbered fund balances as of the end of the year?

Mr. Nader: I will try.

President Marino: I would appreciate that.

Mr. McCormick: Are those the same as the balances that are to be put back into the budget?

President Marino: Well, when we met earlier, Ed, John's spreadsheet had assumptions that we were ending the year on. I feel moving forward it would behoove all of us to know what the actual numbers are at the close of '13, so we know where we are starting. Here's where we are at on all of our funds now. Additionally, there was a power point in that booklet. Can you e-mail both of those to me? There was a booklet when we left the first time, those two documents?

Tom Unger: Yes

President Marino: Thank you very much.

Mr. Papalas: I had an e-mail from one of the auditors that reflected the fact that they were here, but a couple of our department heads were not here to ask the questions that needed to be asked and answer the questions that were going to be put forth. One of the department heads stated in the e-mail that he had a reason for not being there. I think maybe out of courtesy that person could have contacted the auditors ahead of time. The other person didn't respond at all, and I think it is embarrassing. I think it is going to be extensive if we keep having meetings with the auditors and the appropriate people from the city don't show up and I think it's unprofessional. That has to stop and when City Council needs work provided by department heads so that we can show our results and we don't get that, that's embarrassing and unprofessional, and I really don't appreciate it and I don't think any of you guys on this Council are served well by that either and you shouldn't stand for it. That's all I have to say.

President Marino: Thank you, Mr. Papalas.

Mr. McCormick: Thanks to Councilman Merlo and Auditor Nader for the work they did putting those figures together today to get us more familiar with what we needed to do with those wastewater increases. Thank you.

President Marino: Mr. Pezzano.

Mr. Pezzano: I just wanted to thank the street department for doing a great job on the roads a couple weeks ago with the snow and also today. I know they are out there and also at the last council meeting, I didn't make a comment about Mark Hess. I attended a lot of board meetings for transportation and he did a fantastic job and I want to thank him for that.


Mr. Hess: Thank you Mr. Pezzano.

ADJOURN

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



LORI KUSZMAUL, Clerk of Council



ROBERT MARINO, JR., President of Council