

MINUTES
APRIL 2, 2014

Niles City Council held its regular meeting on April 2, 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 Merlo to accept the Minutes of the regular meeting of March 19, 2014 and place them on file.

Motion carried.

REPORTS AND COMMUNICATIONS

FROM The Auditor's Office

The Estimated vs. Actual Revenues thru March 2014.

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

Motion carried.

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL

Jean Waris, 925 Youngstown Warren Road, Niles, Ohio. I'm not really sure who was in charge of the Wine Tasting Saturday. I kind of think it was maybe - whoever it was, they did a wonderful job for the Harry Stevens Day Fundraiser. I want to thank them.

COUNCIL COMMITTEE REPORTS

None

ORDINANCES AND RESOLUTIONS

ORDINANCE NO. ____ (Draft No. 21-14)

AN ORDINANCE APPROVING THE RECODIFICATION, EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF NILES, OHIO, AND THE DECLARING OF AN EMERGENCY.

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

Mr. Papalas: This is a routine ordinance that we bring out sometimes annually and sometimes once every two years to update the ordinance.

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Papalas, seconded by Giancola to adopt Draft No. 21-14.

YEAS: 7 NAYS: 0

Draft No. 21-14 has been adopted on the 2nd day of April 2014.

ORDINANCE NO. ____ (Draft No. 22-14)

A RESOLUTION AUTHORIZING THE FIRST QUARTER CASH TRANSFERS; AND, DECLARING AN EMERGENCY

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

Mr. Papalas: These are transfers, quarterly transfers. You'll see ordinances like this again. Maybe a couple more times.

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Papalas, seconded by Giancola to adopt Draft No. 22-14

YEAS: 7 NAYS: 0

Draft No. 22-14 has been adopted on this 2nd day of April 2014.

ORDINANCE NO. ____ (Draft No. 23-14)

A RESOLUTION AUTHORIZING THE MAYOR TO FILE AN APPLICATION AND TO EXECUTE CONTRACTS IN CONNECTION WITH THE CONGESTION MITIGATION/AIR QUALITY PROGRAM, FOR FUNDING THE STATE ROUTE 46 AND NILES-VIENNA RD. INTERSECTION IMPROVEMENT; AND DECLARING AN EMERGENCY

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

Mark Hess: Yes, Mr. Chairman, the city is applying for a congestion mitigation/air quality from Eastgate for the improvement of Niles Vienna Road and State Route #46. We included a map with the ordinance so that you can see what we are doing. The project is going to add a right turn lane for the northbound traffic on #46 to turn onto Niles Vienna Road and the project is going to add a right turn lane coming off of Niles Vienna Road onto Route #46. This project was

identified a few years ago and a study that was done by Eastgate with regard to #422 was called the 422 Corridor and a study also looked at the 46 Corridor, the North Road Corridor and the East Market Street Corridor in Warren. This study identified hundreds of millions of dollars' worth of projects. This project was one of them. The study actually looked at 25 traffic and basically looked at intersections and also #46 and #422 intersection. Now, if the city does no improvements to those intersections between now and then, this is the first project we are proposing to do off of this study and we think it is going to solve a problem that we have there now during peak hours back to Washington Avenue. The next project would be the #46 intersection, which is going to be a lot more difficult, but for that intersection, they are actually calling for -- in the north south directions -- they are calling for duel streets and a single right hand turn lane in each direction for that intersection. So that is going to be a lot more difficult.

Mr. Merlo: Where is that at, Mark?

Mark Hess: 422. Right now you have a single left lane. As a matter of fact, in the north and southbound you only have one straight and you have a right. This would be considered a widening.

Mr. McCormick: Mark, this looks like they are widening. How much wider is the road going to be?

Mark Hess: We think we are going to be -- right now you have a 30 foot pavement there, which is more than we need for one lane in each direction of traffic. So it helps that we have wide pavement, so we think that we can add the turning lane into existing devil strip and we may have to move the sidewalk a little bit. The biggest issue is probably going to --

Mr. McCormick: I was going to say, it looks like it's getting pretty close to the sidewalk.

Mark Hess: We are probably talking no more than 5 feet if we have to acquire property. If we have to move the sidewalk or the telephone pole. So that's also an issue there, but again this is just an application. This is a long process. We are talking about, if we get approved, that it will be 2015 for preliminary engineering and design, 2016 we'll be doing the environmental right-of-way and we'll be in construction in 2017. So, there's a lot to this. This is just submitting the application.

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Papalas, seconded by Lastic to adopt Draft No. 23-14

Chief Hinton: Can you be able to widen the right berm lane on #422 that is very narrow. Would you be able to write that in to widen that?

Mark Hess: For this project?

Mr. McCormick: The 422 project.

Mark Hess: The 422 and 46?

Chief Hinton: I'm sorry. Coming eastbound away from the mall towards Girard, a right turn onto #46 from the southbound. That right lane is narrower than a normal lane.

Mark Hess: Sure. That is a few years away.

Chief Hinton: Okay. I didn't know if you could get it written in the specs.

Mr. McCormick: This project is just for the intersection at Vienna Road and #46.

YEAS: 7 NAYS: 0

Draft No. 23-14 has been adopted on the 2nd day of April 2014

ORDINANCE NO. ____ (Draft No. 24-14)

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ISSUE A REQUEST FOR QUALIFICATIONS TO PROVIDE TECHNICAL AND ADMINISTRATIVE SERVICES PURSUANT TO THE CLEAN OHIO ASSISTANCE FUND GRANT; AND DECLARING AN EMERGENCY

It was moved by Stredney, seconded by Merlo for suspension.

Mr. Stredney: This is one more step on the grant process for BRT. Mark, do you want to elaborate?

Mark Hess: Yes. This is just part of the guarantee grant. The city has to hire the professional services firm to actually design the plans and specifications for the cleanup of the property. Most of the cleanup is contaminated soil. That's our responsibility to do that. The actual hiring of the contractors per the agreement is done by BRT.

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Stredney, seconded by Pezzano to adopt Draft 24-14

YEAS: 7 NAYS: 0

Draft No. 24-14 has been adopted on this 2nd day of April 2014.

MISCELLANEOUS REMARKS

Mr. Marino: Mayor, have we started moving on making repairs to the mausoleum? During the budget hearings we had discussions on that.

Mayor Infante: Yes, we are waiting for a proposal.

Mr. Marino: Okay. Will it be done before Memorial Day?

Mayor Infante: We can try.

Mr. Marino: Okay. Also, have we heard from anybody from GE as to what they are planning on doing with that place?

Neil Buccino: We haven't heard anything.

Mr. Marino: Maybe we can send them a letter and reach out to them. Maybe we can see what they are going to do with that.

Mr. McCormick: Mike, do you know if any of that is considered hazardous? Will they have trouble getting rid of it or anything?

Mike Burke: I have no idea.

Mr. McCormick: Do you know if any of that might be considered hazardous?

Anthony Vigorito: They pulled the permit for about \$230,000.00 for asbestos abatement before all of that was torn down.

Mr. McCormick: The material itself was just old bricks or is it full of hazardous materials or anything like that?

Anthony Vigorito: They removed everything as far as the EPA and air quality. Anything they had concerns with was all removed before the demo.

Mr. Marino: That would be the building not the grounds, right?

Anthony Vigorito: Right. The plans, as far as I know, yes. As far as the rest of the building, the question you are asking I was told by the demolition contractor that once they finished up with this project, more than likely they would be taking down the rest of the building. That was his thoughts.

Mr. Marino: Maybe we can reach out to them see if there is something we can do.

Robert Swauger: I know they have reached out to the school board.

Mr. Marino: They have reached out to the school board?

Robert Swauger: Yes.

Anthony Vigorito: Just an update on the Pruski trial. They were found guilty on all five counts and the sentencing hearing is April 14th at 9:00 a.m.

Mr. Giancola: I would like to set up a roundtable at 5:30 before the next council meeting to discuss parking on the streets from 2:00 a.m. to 6:00 a.m. Lori, can you remind everyone about the meeting. Also, Mr. Guarino and Acting Chief Danielson and Chief, could I have your input on this since it will affect all of you.

Mr. Marino: Reggie, this will take place in Council Chambers?

Mr. Giancola: Yes.

Mr. Marino: We have a pre-audit meeting with the auditors at 4:30. That's not the performance audit, this is the financial audit. We have not heard, by the way, anything from the performance auditors. If I did, I would make sure all of you knew. I don't know where they're at. It was our assumption a few months ago that April we could expect to hear something. If I don't hear anything by the middle of next week, I'll follow up with Mr. Pyers and see where they are at and give you an update. I can't imagine it being too much longer.

Mr. Merlo: I wanted to thank Barry for his efforts. We finally set up a Second Ward block watch at the Niles First Community Church of Nazarene on Niles Vienna Road and the first one is going to be May 13th at 6:30. Barry, thank you for your efforts in doing this.


Mr. Pezzano: Also, I want to thank Barry and Carrie. The First Ward had our first meeting last night and we had an excellent turn out and thank them for all their help. Also, Lieutenant Villeco from the Police Department did a fantastic job, so thanks Chief.

ADJOURN

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



LORI KUSZMAUL, Clerk of Council



ROBERT MARINO, JR., President of Council