

SPECIAL COUNCIL MEETING MINUTES
November 23, 2015

Niles City Council held a special meeting on November 23, 2015 at 4:00 p.m. in Niles City Hall in Niles, Ohio to pass a resolution proposing a one mill levy for the city parks to be placed on the March 15, 2016 ballot.

The meeting was called to order by President Robert Marino, and the Clerk, Lori Kuzmaul, called the roll:

Lastic-P, Papalas-P, Giancola-P, McCormick-A, Stredney-A, Mientkiewicz-P, Pezzano-P, Marino-P

It was moved by Giancola, seconded by Lastic to excuse Councilman McCormick and Stredney for the meeting.

Motion carried.

President Marino: Mr. Vivolo, you have the floor.

Mr. Papalas: There is a question as to why there is a replacement levy as opposed to a renewal.

Mr. Vivolo: (Inaudible because of mechanical problem with the tape player. The clerk typed from her notes). In 1976 the levy was passed at .5. In 1981 an additional .5 for a total of 1 mill.

Mr. Giancola: What's the difference between a replacement and a renewal?

Mr. Vivolo: As I was told, and I'm going to try to condense this to the Reader's Digest version. the .5 and .5 has been collected on the old evaluations. This is all on residential property. The valuation of your home. And that brought in \$117,000.00. If you change it from a renewal levies, that would be plural, .5 and .5 because they weren't combined into one, and I really did not know that, they were on the books as a .5 and .5, that would then – we were collecting at a .44% on the old evaluations. Keep in mind, we are going back to 1981, which is 34 years that we have been doing it like this. John and I crunched some numbers, which wasn't hard to do, that if you are now going to collect that 1.0, same millage, you might get close to doubling \$117,000.00 for the Park Department exclusively. You will have to take into consideration, it might not still be 1.0 because of obviously we've had a decline in the evaluations of our properties.

Mr. Giancola: That would have to be a lot more than they were in 1979.

Mr. Vivolo: Well, it was '76 and '81. I honestly can't tell you how far back they were going.

Mr. Giancola: So what's that going to increase from then until now? You said it's going to double in money.

Mr. Vivolo: Well, that's an approximation.

Mr. Giancola: Approximation. It's got to go up. That means your property taxes go up.

Mr. Vivolo: Yes. If you're collecting at .44 and you're going to get closer to what the true evaluations are now, even if they are down, they are certainly going to be higher than what they were in 1976 and 1981.

Mr. Giancola: What's that going to cost on the homeowner from the difference? I mean, I don't know, what's –

Mr. Vivolo: I can't answer that.

President Marino: You take the evaluation of your home now.

Mr. Giancola: I understand that, but I mean –

President Marino: You have to figure out what your house is worth.

Mr. Giancola: Well, if you're looking at 30 years ago or 35 years ago, what were you paying on your property then and what's it going to be now? I mean it's going to be double. My question is what's it going to cost a person now?

Mr. Vivolo: Reggie, we had figured in the past and this is the way I used to sell it because we've been on a pretty extensive campaign. I let my baseball people know, my soccer people, my softball people know, all my football people know that if you want to continue the service that you are getting, you have to vote for this. We have been using – and I have flyers because we update them all the time – if you have a \$100,000.00 house some time ago, it would cost you \$15.00 per year. What it is now, I can't tell you because I don't know what the current evaluations are.

Mr. Giancola: Well, if you have a \$100,000.00 house now, would it still be about the same?

Mr. Vivolo: I assume it would be about \$15.00 per year. Don't be confused with the money. \$15.00 per year and I can tell you this, I've been here 42 years and this will be the ninth one, I believe if my math is right, we have never had a problem passing the levy.

Mr. Giancola: I have always supported the levy. I was just looking at replacement and renewals. I'm just wondering what the people are going to think of when they look at that.

Mr. Pezzano: Carmen, this has not come up because when I met with you last week you never even mentioned this.

Mr. Vivolo: I didn't mention what? The levies or the replacement versus the renewal?

Mr. Pezzano: No. The whole ordinance right here.

Mr. Vivolo: Well, I've known for a long time that our levy was up after 2015. I've known that Frank, but I was informed by Sherry Rose in Terry Dull's office that we have until the 14th of December to get something on the ballot. Is that correct, Terry? I didn't know that. Obviously, I don't keep track of that. The Law Director does a very able job and Sherry about letting me know the timing of it and that's what Steve and I as Finance Director started to talk about it and thought it would be a good idea to run it by you guys.

Mr. Papalas: We talked about it on Friday. Thursday or Friday.

Mr. Giancola: So basically, I mean, back in '80, say your house was only worth \$70,000.00 in 1980 and now it's worth \$120,000.00, it might double, so it might go up to \$23.00 or \$25.00 instead of \$15.00. I mean, I'm just trying to get a rough estimate.

Mr. Vivolo: Yes. I'm sure we can get an accurate number from Adrian. I'm sure John could even call up there and get it figured out.

Mr. Giancola: That's what I was trying to figure out. Because your house was less than than it would be appraised at now according to the county.

Mr. Vivolo: Ten years ago my house was worth a lot more than it is now.

Mr. Giancola: Yes, but how was it back in 1980? You know what I'm saying?

Mr. Lastic: Why can't we do this at the regular council meeting?

Mr. Papalas: We don't have the guys –

Mr. Dull: Two resolutions we're going to have to pass and this first one, if it gets passed, then it goes up to county auditor and they give us a certificate that says here's what your evaluations are and all that. After we get that back we then do another one where it directs it to be placed on the ballot.

Mr. Papalas: What's the turnaround for this one before we get the other one?

Mr. Dull: If this would have been able to pass tonight, by the end of tomorrow we would have had the certification back from the county auditor. I don't think it will take very long.

Mr. Papalas: So if we don't have this thing ready by –

President Marino: Let's have the clerk present this legislation and then we'll have a discussion about scheduling another meeting. Any other discussion regarding the ordinance? Would the clerk please present the legislation by caption.

RESOLUTION NO. ____ (Draft No. 98-15)

A RESOLUTION PROPOSING THE REPLACEMENT OF A ONE MILL LEVY FOR THE CITY PARKS BE PLACED ON THE MARCH 15, 2016 BALLOT; AND, DECLARING AN EMERGENCY

It was moved by Papalás, seconded by Giancola to give this Draft a first reading.

Mr. Vivolo: Should this say replacement of .5 and .5 to 1?

Mr. Dull: When I looked at the 1981 ordinance what they did in that was add it on to the previously existing and expiring tax levy, and every time that we've passed this renewal since then we have always done it in terms of one levy. I think we can wrap it all in one.

Mr. Vivolo: I'm surprised that she told me that that's the way it was, Terry. I never realized that .5, .5. She gave me the dates and everything. I always thought it was 1 mill because that's the max. Just so that everyone is aware and I'm trying to be compliant in giving you all the information that you have and I'm sure you already do, but I want it on the record that I said it. This is going to be apparently if we put it on in March it will be at the same time as the other levy. Just so you know, you have an option. You don't have to put it on in March you can put it on in November, but my feeling is I'd like to put it on in March because first of all we have always sold it. The people in Niles you tell them what the product is, what you're going to sell it for, they have always for 40 years have passed this. Second of all, I really believe that if you take a shot at something twice it's better than taking a shot at something once.

Mr. Pezzano: Carmen, you said double, you know the question is going to come up about the pool again. That will definitely come up. Are we going to open the pool if we pass this levy? You know we're going to get hit with that one.

Mr. Vivolo: You're probably right, Frank. I have no problem reopening the pool. You need some money.

Mr. Pezzano: We've had discussions about the pool, but what I'm saying is what everybody here is going to get hit with is that if we're going to pass this park levy are we going to reopen that pool?

President Marino: That decision needs to be made by the new mayor and his administration. We legislate, he administrates, so I will anxiously be awaiting the new mayor's plans on a whole host of things. We'll let Tom get seated and he will work and Carmen will be under his administration and it will be up to Tom to figure these things out.

Mr. Vivolo: That's a fair question, Frank. I would love to reopen the pool and I said it in the meeting that Steve had a couple of weeks ago, I have no problem opening the pool and having a policeman watching.

Mr. Papalas: He is saying if this levy passes, we will have additional money coming in because it's a replacement levy. To look at this pool and do something with it. If it passes, we are not going to see a revenue of \$117,000.00, it will be more.

Mr. Merlo: In my opinion today, you would not have enough revenue to still sustain the park department.

Mr. Vivolo: And John, if I may, you and I are still looking at ways to decrease the amount of money that we take out of the general fund to run the park department. We have talked about some things. To address the pool from my end, you know my feelings about fixing the pool. We can open that pool tomorrow with spending -- I'm going to throw out a round number -- \$10,000.00. Taking the roof out which is \$30,000.00. I don't need a roof. I looked at every little detail because I was asked what it would take to reopen that pool. The second thing is you cannot operate a pool without certified life guards. That's the critical thing. I'll open that pool tomorrow, the roof leaking, we'll fix this and that and the other thing, but it's hard to get life guards and you have to pay them and it is extremely difficult to get them back because we haven't been open for two years and you pay them minimum wage and we've been paying minimum wage forever. It's difficult to get kids who want to work and to save lives at minimum wage.

Mr. Lastic: And to break up fights.

Mr. Vivolo: Well, that's what I pay a manager for. My life guards don't break up fights. My guards have eyes in the water. My manager or assistant manager breaks up the fights of which we don't have many because we have a family style pool. Our pool is geared to have families come, but you must be able to pay personnel and Youngstown has closed down a lot of pools and they were paying \$10.00. These kids are going to have to get certified and that can cost you anywhere from \$150.00 to \$350.00 to get certified and get a job to make a couple dollars if God doesn't make it rain.

Mr. Papalas: Okay, I have another question to ask and this is very important and I think it needs to be said for the minutes, what happens if this fails and expires?

Mr. Vivolo: In March? Well, John has indicated we are going to be collecting 2015 tax dollars in 2016, right John?

Mr. Merlo: Correct.

Mr. Vivolo: But come December 31, 2016 you have no money coming in the for parks so if you want a park department, if you want to provide the services, you are going to have to come up with the money somehow from somewhere and I think we all know that the general fund is not going to be able to fund a park department at 100%. I don't think that's a possibility.

President Marino: If it fails in March, it will go right back on in November?

Mr. Vivolo: Yes, sir.

Mr. Papalas: What do you see without it.

Mr. Giancola: Well, if you recall what Girard did they shut the park department down. That's what Girard did. I talked to Buddy Bordimus who was the boss there at that time. They actually shut the park down and they subbed out the grass cutting to –

Mr. Merlo: Actually, they had volunteers who cut the grass, take care of the fields and lined the fields.

Mr. Vivolo: The organizations did it.

Mr. Giancola: That's what I was told.

Mr. Merlo: To answer your question, Steve, you would have very little money to operate the parks. There would not be incoming revenue for the park department so it would all be subsidized by the general fund. We do not collect any revenue for the parks other than the levy.

Mr. Papalas: Well, we don't have money in the general fund so that means the collapse of the parks which we have had as a gem in this community forever.

President Marino: Call the roll please for a first reading.

YEAS: 5 NAYS: 0

Draft No. 98-15 has received its first reading.

President Marino: Next council meeting, Wednesday at noon? (A discussion was held as to a follow-up meeting)


Mr. Giancola: What about Friday morning?

Mr. Papalas: Is Friday morning good? What time is good? (A discussion was held as to Friday morning)


President Marino: By order of Niles City Council there will be a special council meeting on Friday, November 27, 2015 at 10:00 a.m. in Council Chambers.

ADJOURN

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



LORI KUSZMAUL, Clerk of Council



ROBERT MARINO, JR., President of Council