

## COUNCIL MEETING MINUTES

November 16, 2016

Niles City Council held its regular meeting on November 16, 2016 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, McNaughton-A, Steffey-P, Marchese-P, Mientkiewicz-P, Pezzano-P, Marino-P

It was moved by Steffey, seconded by Pezzano to excuse Councilman McNaughton from the meeting.

It was moved by Papalas, seconded by Marchese to accept the Minutes from the November 2, 2016 meeting and place them on file.

Motion carried.

President Marino: Before we get to Reports and Communications I received a letter from our Clerk of Council. It is with deep regret that we accept this because there is no finer human being that I have had the pleasure to work with in these very very difficult times than Lori Kuszmaul. She's kept everything straight. She's worked with investigators, auditors, prosecutors, and all the while maintained our Minutes, which are exhaustive, and has assured that I keep on the straight and narrow relative to my duties and responsibilities as President of Council. It is very sad to see this, but I know where your heart is at with your family because you are a good soul. I would ask that this time that City Council make a motion to accept her resignation effective December 31<sup>st</sup>, 2016. It was moved by Papalas, seconded Lastic.

Motion carried.

President Marino: At this time I would ask that Council consider appointing Nicole Bacak our Clerk of Council effective January 1, 2017. It was moved by Papalas, seconded by Steffey to appoint Nicole Bacak. Nicole will spend some time with Lori up here over the next several meetings getting acclimated to the Clerk's position and there is no doubt Nicole possesses the capacities and ability to so this job and also to keep me on the straight and narrow.

Motion carried.

## REPORTS AND COMMUNICATIONS

**FROM** The Niles Auditor's Office

Check Report by Check Number 10/01/16 to 10/31/16

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

Motion carried

**FROM** The Niles Auditor's Office

Statement of Cash from Revenue and Expenses 01/01/16 to 10/31/16

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

Motion carried

President Marino: Next order of business is public remarks. Would anyone wish to address Niles City Council?

**MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL**

George Kuriatnyk, 1205 Mason Street, Niles. First off, I never got my contract for the soccer. Remember last council meeting, you said to go in. I went down there three or four times because you guys both said to go in. Last time I was supposed to go get a check I went to court and City Hall got locked up so I never received the contracts for the soccer.

President Marino: Who has the contracts?

Auditor Merlo: They're in my office.

George Kuriatnyk: How'd they get there?

Auditor Merlo: I sent you an email, George, to your response and I told you I had it.

George Kuriatnyk: All Right. When was it?

Auditor Merlo: I'll check.

George Kuriatnyk: City vehicles. Last council meeting Andy said part of water rates are going to go for other things, but the vehicles can't get from point A to point B because they have no trucks. Is that correct, Andy?

Mr. Catanzarite: I said the trucks are in horrible condition, yes.

George Kuriatnyk: Right.

Mr. Catanzarite: That I said.

George Kuriatnyk: Did you ever ask the Mayor why you can't have the park trucks when the parks are closed?

Mr. Catanzarite: They're in worse shape than the water department's trucks.

George Kuriatnyk: I see them drive back and forth all day and they look pretty good to me. The water city vehicles are still being used from the parks and the parks are closed. Mayor, why is it?

Mayor Scarnecchia: It's always been a –

George Kuriatnyk: Oh come on –

President Marino: George, let the Mayor finish.

Mayor Scarnecchia: George, for all the years that I was on council, they were used all year long, okay. That's why (inaudible)

George Kuriatnyk: Did you not tell me when I met with you a few times you were going to change all of this?

Mayor Scarnecchia: That I was going to change all of this?

George Kuriatnyk: You said with the City moving forward you (inaudible) department heads. In the 11 ½ months this administration has done nothing to move us forward. Nothing. We are going backwards. I don't care you want us to think we are going forward, but we're not. You're going to cut \$500,000.00. Are you now going to say none of the safety forces are going to be laid off to save that \$500,000.00?

Mayor Scarnecchia: I never said that.

George Kuriatnyk: I'm saying it. Are you going save the money?

Mayor Scarnecchia: Absolutely not.

George Kuriatnyk: You also said that about the taxes.

Mayor Scarnecchia: The number one thing, George, I'm not God.

George Kuriatnyk: You don't have to be God to fix it. You have no five-year plan to move this city forward.

President Marino: George, he has to put the plan together. You heard the Fiscal Commission. You were at the Fiscal Commission meeting. You understand the expectations that were established regarding the expectations of providing the plan and the three provisions. You also heard where this Fiscal Commission member expects to go if that is not the end result and you also heard Mr. Potter remarking on 128 and other provisions in the statute relative to if the plan does not meet the legal requirements. At this point in time, the ball is in the Mayor's court, but in the same vein, he has to put the plan together and until that point and time we have to wait and be patient until December whatever that date is. So you just have to be patient.

George Kuriatnyk: Mr. Mayor, where are you going to cut the \$500,000.00?

President Marino: George, he has to put the plan together.

George Kuriatnyk: I've already got it figured out.

President Marino: Okay. Well --

George Kuriatnyk: As soon as I heard about it, I figured it out.

Mayor Scarnecchia: I am not laying off.

George Kuriatnyk: We're going to see.

Mayor Scarnecchia: Okay.

President Marino: Anything else, George?

George Kuriatnyk: I looked on Rules for Council. Am I allowed to use my five minutes to show some videos?

President Marino: No.

George Kuriatnyk: Remember Mr. Mayor I showed you this.

President Marino: No. Those are matters you need to address with the Mayor and the Safety Service Director in their office. You can invite your council member or the particular member of council for that committee to join you if you so wish.

George Kuriatnyk: All Right.

President Marino: Anyone else wish to address Niles City Council?

Ralph Cortino, 26 Belmont Avenue, Niles, Ohio. I have an issue on Belmont Avenue with speeding. If I may, I'm not going to read everything I wrote because it's a lot about my Third Ward Councilwoman and what I have here, I do my homework. I have here a police report and I have a Ohio Manual of Uniform Traffic Control Devises. When I do my homework I search stuff. I just don't speak. This say, Niles Police Department, Mr. Holland, is he here?

President Marino: Chief Holland.

Ralph Cortino: Okay. Thank you. Let me read it. I am writing today to express my concern about the installation of traffic control devises, particularly the newly installed signs at Third and Nash, Belmont and Henry, Thomas and Scott. Many years ago the City of Niles removed numerous stop signs and four ways, but they did not conform to the Ohio Manual of Uniform Traffic Control Devises. The OMUTC has strict guidelines and recommendations for the proper placement of stop signs. One of those recommendations is the decision to use a particular devise and a particular location should be made on the basis on either engineering studies or the application of engineering judgment. As far as I'm aware, the stop signs that are referred to above were placed without a study. I believe these stop signs were placed in attempts to control

speed on the roadways for which they were installed. I applaud the efforts of those who are concerned about speeding cars on the respective streets; however, the installation of stop signs reduces speed only immediately adjacent to the sign. In most cases, drivers accelerate as soon as possible to a speed faster than they drove before stop signs were installed. They do this apparently to make up for lost time at the stop sign. Stop signs are not effective for speed controls. All drivers tend to ignore unwanted traffic obstacles in their view are unnecessary. If they are frequently required to stop for stop signs (inaudible) on the opposing street, they become impatient and tend to discard stop signs that have no obvious need. This gives a false sense of security to the occasional (inaudible) pedestrian. In conclusion, I think we should reconsider the placement of these stop signs and conduct an engineering study prior to the installation of additional. Okay? Now, we're going to do an additional study. We can put these in without an engineering study, but now we're not going to put any more in anywhere because now we're going to do a study.

President Marino: One more minute.

Ralph Cortino: One minute. Okay. I'll read this one then. This one tells you about how many cars go down your street. Six thousand cars an hour, so if stop signs are put in for 6,000 cars an hour going past my house and the Daycare Center. Ms. Marchese asked school bus driver and I don't know when a school bus driver became an engineer. I was 11 years a school bus driver. We blocked the street if it was hazardous. Because it's so dangerous an intersection. If a child was hit I could never forgive myself as a ward person. So any other child that gets hit in Niles she could forgive herself so we should put stop signs at every intersection (inaudible) four-way stops. I wish I had more time, but in this here, Bob, they should read this about stop signs where it takes so many cars and what happens is they pull in on Henry or Fenton and –

President Marino: I believe they had a meeting with Officers Crank.

Ralph Cortino: Officer Crank came to my house and we talked. Okay. You know, Bob, since Jefferson School went down I've been trying to get stop signs on South Street to slow the traffic, but all the sudden –

President Marino: I know.

Ralph Cortino: A councilman gets in and six months, eight months later she gets stop signs on Henry. What in the world. Thomas and Scott Street. Four way stop on Thomas and Scott Street? Come on. You know that street goes to a dead end. Thank you.

President Marino: Your name and address for the record.

Patricia A. Border Wyant, 503 Belmont Avenue. I live right there on the corner of where he is talking about a stop sign and we definitely need it because it's like living on 422. They can go on through it without stopping, speeding and one day about a child getting on the bus is going to get killed. I did ask the police, they did come and sit, but they're sitting so people can see them. I told him to sit on my devil strip on Henry Street and give them tickets, but we do need that stop

sign there. It's terrible. I've been living there since 1999 and I used to park my truck in the road to help slow traffic down, but then they were throwing beer bottles at it and stuff.

President Marino: Thank you. Wanda, your name and address for the record.

Wanda Burns, 562 Wyoming. In the Fiscal Commission meeting, Mr. Potter basically said that if we do not meet the date to have a doable recovery plan, not a recovery plan but a doable recovery plan, it's possible our funding will be cut by 15%.

President Marino: I'm the one that asked that.

Wanda Burns: That 15% will be cut from what fund?

President Marino: All of them.

Wanda Burns: General fund?

President Marino: All of them. John?

Auditor Merlo: All of them.

President Marino: All of them and the reason I asked was because of the seriousness and the impatience regarding myself as a Fiscal Commission member and also ensuring that the Mayor understands the seriousness of this and presents a comprehensive plan that begins to put us on the road to recovery.

Wanda Burns: So do you have any expectations or estimates on that 15% what portion of it would come if we could not fund general fund –

President Marino: Wanda, can I interrupt you for a second because Mr. Potter was correct when he said that is one of the tools in the arsenal and he was trying to throttle back a little bit. You heard what he was saying, why he was saying it and I respect him as the Fiscal Chair because he is a Fiscal Chair and that body has that responsibility and I would be very uncomfortable doing that to the Auditor without having the opportunity to work with our supervisors in the State Auditor's Office because that is a big hammer; his words. I respect our Auditor too much to put him in that position.

Wanda Burns: How much funding of the 100% funding that we receive from the state what is that amount in dollars?

Auditor Merlo: 100% funding for which?

Mr. Papalas: For which fund? General fund, light department fund?

Auditor Merlo: All the funds?

Wanda Burns: All the funds.

President Marino: What's our operating budget?

Auditor Merlo: Our operating budget for the entire city?

President Marino: Yes.

Auditor Merlo: \$70,000,000.00.

Wanda Burns: All right.

President Marino: Would anyone else wish to address Niles City Council?

Paul Davis, 44 Hartzell, Niles. I can see that I won't get the answer on the water reduction request from MVSD because Ryan is not here. In regard to what Wanda was talking about, you know we're getting the same rhetoric from Mr. Potter and I do respect his professionalism, but we get the same thing. Meeting after meeting after meeting after meeting and we're no better off right now – in fact, we're probably worse off than we were when we first assumed this position so I guess that's just something I feel. The other thing is I was hoping Mr. Dibble would be here. I don't get my water bill on line and we're being encouraged to look at our water and light bill online I guess. Are we being encouraged to do it that way? Would somebody – no, yes, in between.

Ms. Ford: The only way that you can look at your bill online is if you register.

Paul Davis: I did. Okay.

Ms. Ford: Then every month your bill will show up.

Paul Davis: Okay. So I've been paying my bill online for months, but there's a spot there where it says I can look at (inaudible)

Ms. Ford: (inaudible) service.

Paul Davis: Yes. Why can't I do that on my computer? Is there something wrong with my computer or something wrong with the program?

Ms. Ford: I will have to ask Mike about that. I'm not sure. I've had a couple other people mention that.

Paul Davis: Okay. The other thing is we've installed a new phone system; is that correct in the city? Does anyone know where we're at?

Mr. DePasquale: Yes. That's correct.

Paul Davis: That is correct?

Mr. DePasquale: Yes.

Paul Davis: And when I dial 544-9000 is that still the same number I should be dialing?

Mr. DePasquale: Yes, it is.

Paul Davis: And I push the appropriate number I don't get who I want or it rings and rings and rings. Nobody answers any phone. I can't recall who I was trying to get. Now, I did get the water and light billing office. I did get that.

President Marino: Is there a problem with the auto intendant?

Auditor Merlo: It just went live today.

Mr. DePasquale: We just went live today so we have to work the kinks out, Paul.

Paul Davis: This has been happening for about a month and a half.

Mr. DePasquale: That was the old system. The new system went live today so were still calling the old system.

Paul Davis: So I can get in now and call somebody and ask them why I can't see my water bill; is that correct?

Mr. DePasquale: Yes.

Paul Davis: Okay. Thank you very much.

President Marino: Would anyone else wish to address Niles City Council?

Kelly Hall, 548 Stanton Avenue. I got to read the audit report that was released (inaudible) four of the items from 2014 were corrected (inaudible). It talks about internal controls and findings. I wonder who reviews the bank statements? Who matches them up other than the person who does the bank statement? Who reviews them and do we have like a profit and loss statement every month (inaudible) do we have that kind of data or are you looking into that?

Auditor Merlo: The banking goes through the Treasurer's Office. We balance the books to our books fund balance to cash now is combined.

Kelly Hall: Does that agree?

Auditor Merlo: It does.

Kelly Hall: Okay because I think there was a time when it didn't really agree.



President Marino: No, we had an issue with reconciliation.

Auditor Merlo: That has been rectified.

Kelly Hall: I can see (inaudible). And then the finding talks about just having the money in the bank in three days and it talks about income tax, building and zoning, and auditor. We don't have one person that runs to the bank for each department to make deposits.

President Marino: No.

Ms. Jones: (inaudible)

Kelly Hall: Oh, so the Treasurer takes that? (inaudible)

Ms. Jones: (inaudible)

Kelly Hall: Oh, okay. Good.

Ms. Jones: Every day we do. Well, at least (inaudible)

Kelly Hall: Oh. Good. That's super. I want to take a minute to thank two men in the room. I believe President Marino and Mr. Papalas in 2014 invited auditors to come in; is that correct?

President Marino: It was sooner than 2014.

Kelly Hall: It was earlier?

President Marino: It was '11 or '12, right?

Mr. Papalas: 2011.

President Marino: It was '11 and '12 that we asked the auditors –

Kelly Hall: To look at the discrepancy. Well, it just takes a special person to ask for outside help and I just did that for myself and it's hard to do, I wanted to tell you this is an improvement in the management of our city. We do not like that we're under fiscal emergency, but at least we have the real picture of where we stand. We have been guided to put in better checks and balances, we have more reliable computer data than we used to. It's painful to admit that we used to be a mess, but because you two men sought outside help we now have a real picture of where we are today and what needs to be done in the future and very much appreciate that you identified this need and addressed it for the betterment of Niles. Thank you for doing that.

Mr. Papalas: Thank you.

President Marino: Thank you. We appreciate that and what I can tell you is that we have a long way to go.

Kelly Hall: At least we know where we are.

President Marino: We certainly do and we are at the bottom of the barrel and we have to be honest with ourselves and we have to be able to see the trees and the forest in order to get through it and we all know where we are at. We will get through this. We will get through this, but I certainly appreciate our remarks and to be honest, it was very easy to pick up the phone and call Mr. Armeni in the State Auditor's Office when we saw certain things. There was not one bit of hesitation. We were in a meeting and things -- it didn't make sense to me. Steve and I looked at one another and said we are calling the State Auditors. That was a very easy thing to do. Thank you for your kind words. Would anyone else wish to address Council?

Marty Tasic, 982 Warren Avenue. What ever happened to the cell phone project, tower project at the cemetery?

Mr. DePasquale: It's ongoing.

Mary Tasic: We got approval?

Mr. DePasquale: Yes, we have it.

Marty Tasic: Did we get it?

Mr. DePasquale: Yes. Absolutely. The contract is signed and we'll be breaking ground -- the EPA approval is going through right now. They're doing a survey, but in the first of the year or a little after, we'll put a shovel in the ground and we'll see the \$170,000.00.

Marty Tasic: Okay.

President Marino: Would anyone else wish to address Niles City Council? In the opinion of the Chair, there being none, next order of business is Committee Reports?

### **COUNCIL COMMITTEE REPORTS**

**None.**

Mr. Steffey: I would like to make a motion that council adjourn into executive session under Ohio Revised Code 121.22(G) for the appointment and compensation of a public employee.

Mr. Papalas: I'll second that.

President Marino: It was moved by Steffey, seconded by Papalas to go into executive session. Call the roll, please.

**YEAS: 6 NAYS: 0**

President Marino: Let the record show that council adjourned into executive session at 6:26 p.m.

President Marino: Let the record reflect that council has reconvened at 6:50 p.m. It was moved by Papalas, seconded by Steffey. Would the clerk please call the roll?

**YEAS: 6 NAYS: 0**

President Marino: Would the clerk please present tonight's legislation?

**ORDINANCES AND RESOLUTIONS**

**ORDINANCE NO. \_\_\_\_\_ (Draft No. 148-16)**

**AN ORDINANCE AUTHORIZING THE SAFETY SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR THE SUMMERBERRY WATERLINE REPLACEMENT PROJECT; AND, DECLARING AN EMERGENCY**

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

Mr. Pezzano: Mr. President for the public information, Summerberry in the First Ward they have had over 20 some breaks and with the help of Kevin, Andy and Jimmy and the administration and the Mayor and Tom Holloway and everybody and Randy Smith, we were able to get hold of a grant to help out replacing this water line and Jim or Andy if you would like to elaborate on it.

Mr. DePasquale: We received the grant. We went to, Kevin and I went to Randy Smith and asked him if he was interested in doing the engineering on it and he said his staff was too busy right now so I went out to Thomas Folk, directly hired them and I have as of today a set of drawings and a spec book and they're ready and that's why I asked for suspension of rules today. We're ready to advertise on Saturday and we'll advertise for the next two weeks on this. We'll go out to bid and we'll get this project moving. It's an emergency funding and we needed to show some urgency on this with the grant so we're ready to go and that's why I asked for that. It's an area where we're going to transfer the water line to the opposite side of the road, going to do the devil strip and then we'll put our services through and we'll abandon the old water line when it's hooked up. I'm hoping to get on our way with this by last December or first of the year.

Mr. Pezzano: Thank you, sir.

**YEAS: 6 NAYS: 0**

Rules are suspended.

It was moved by Papalas, seconded by Pezzano to adopt this Draft No. 148-16.

**YEAS: 6    NAYS: 0**

This Draft No. 148-16 has been adopted on the 16th day of November 2016.

**RESOLUTION NO. \_\_\_\_\_(Draft No. 149-16)**

**A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED WASTEWATER TREATMENT PLANT DESIGN AND IMPROVEMENT FUND TO THE WASTEWATER TREATMENT PLANT'S DESIGN AND IMPROVEMENT FUND'S CONTRACTED LABOR ACCOUNT; AND, DECLARING AN EMERGENCY**

Mr. Steffey: Andy is going to give us a little detail concerning this resolution.

Mr. Catanzarite: Very quickly. The project is roughly \$35,000,000.00 and also \$30,000,000.00 in construction. When we set up the payment procedures, the Auditor said \$10,000,000.00 a year to go to the contractor. They are ahead somewhat in the schedule at least for all the material coming in so instead going through \$10,000,000.00 the first year it will be about \$13,000,000.00. That's why we're asking for money from the liquidity account. It does not change the overall scope or cost of the project. It's just that when the equipment comes in early they're allowed to be paid on that up front.

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

**YEAS: 6    NAYS: 0**

Rules are suspended.

It was moved by Papalas, seconded by Lastic to adopt this Draft No. 149-16.

**YEAS: 6    NAYS: 0**

This Draft No. 149-16 has been adopted on the 16<sup>th</sup> day of November 2016.

**RESOLUTION NO. \_\_\_\_\_(Draft No. 150-16)**

**A RESOLUTION APPROPRIATING FUNDS FROM THE UNAPPROPRIATED IMPOUND/TOWING FEE FUND TO THE IMPOUND/TOWING FEE CONTRACTED LABOR ACCOUNT; AND, DECLARING AN EMERGENCY**

It was moved by Steffey, Seconded by Papalas to suspend the rule requiring three readings.

Mr. Mientkiewicz: What's the cash balance in this account?

Auditor Merlo: Through October we were at \$19,000.00.

Mr. Mientkiewicz: Make it work?

Chief Holland: They're actually at \$25,000.00 right now with an auction.

Mr. Mientkiewicz: Good.

**YEAS: 6 NAYS: 0**

Rules are suspended.

It was moved by Papalas seconded by Steffey to adopt this Draft No. 150-16.

**YEAS: 6 NAYS: 0**

This Draft No. 150-16 has been adopted on the 16<sup>th</sup> day of November 2016.

**RESOLUTION NO. \_\_\_\_\_(Draft No. 151-16)**

**A RESOLUTION AUTHORIZING NOVEMBER MONTHLY CASH TRANSFERS FROM THE MISCELLANEOUS GENERAL ACCOUNT; AND, DECLARING AN EMERGENCY**

Mr. Steffey: These are just routine transfers that are done monthly.

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

**YEAS: 6 NAYS: 0**

Rules are suspended.

It was moved by Papalas, seconded by Lastic to adopt this Draft No. 151-16.

**YEAS: 6 NAYS: 0**

This Draft No. 151-16 has been adopted on the 16<sup>th</sup> day of November 2016.

**RESOLUTION NO. \_\_\_\_\_(Draft No. 152-16)**

**A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED WATER FUND TO THE WATER FUND'S WATER AND CONSULTANT FEES ACCOUNTS; AND, DECLARING AN EMERGENCY**

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

Mr. Steffey: This is a payment to Meander Water and some consulting fees.

**YEAS: 6    NAYS: 0**

Rules are suspended.

It was moved by Papalas, seconded by Lastic to adopt this Draft No. 152-16.

**YEAS: 6    NAYS: 0**

This Draft No. 152-16 has been adopted on the 16<sup>th</sup> day of November 2016.

**ORDINANCE NO. \_\_\_\_ (Draft No. 153-16)**

**AN ORDINANCE REPEALING EXISTING CODIFIED ORDINANCE NO. 163.05, "HOSPITALIZATION", AND ENACTING NEW CODIFIED ORDINANCE NO. 163.05, ENTITLED "HEALTH INSURANCE COVERAGE PLAN"; AND DECLARING AN EMERGENCY**

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

**YEAS: 6    NAYS: 0**

Rules are suspended.

It was moved by Papalas, seconded by Lastic to adopt this Draft No. 153-16.

**YEAS: 6    NAYS: 0**

This Draft No. 153-16 has been adopted on the 16<sup>th</sup> day of November 2016.

Mr. Papalas: Mr. Chairman, I would like to make a motion that we add to the Agenda this evening Draft No. 154-16 and Draft No. 155-16.

President Marino: It was moved by Papalas, seconded by Steffey to add Draft No. 154-16 and Draft No. 155-16 to tonight's Agenda.

Motion carried.

President Marino: Would the Clerk please present Draft No. 154-16 by caption?

**RESOLUTION NO. \_\_\_\_\_(Draft No. 154-16)**

**A RESOLUTION HONORING DIANA MARCHESE ON HER RETIREMENT AS TRUMBULL COUNTY RECORDER**

It was moved by Papalas, seconded by Pezzano to adopt this Draft No. 154-16.

**YEAS: 6    NAYS: 0**

This Draft No. 154-16 has been adopted on the 16<sup>th</sup> day of November 2016.

President Marino: Lori, can you see to it that a copy of this is mailed to Diana Marchese?

Clerk: Yes.

President Marino: Would the Clerk please present Draft No. 155-16 by caption?

**ORDINANCE NO. \_\_\_\_\_(Draft No. 155-16)**

**AN ORDINANCE ABOLISHING THE WELLNESS CENTER ADVISORY BOARD ESTABLISHED IN ORDINANCE NO. 10-07; AND, DECLARING AN EMERGENCY**

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

**YEAS: 6    NAYS: 0**

Rules are suspended.

It was moved by Papalas, seconded by Steffey to adopt this Draft No. 155-16.

**YEAS: 6    NAYS: 0**

This Draft No. 155-16 has been adopted on the 16<sup>th</sup> day of November 2016.

President Marino: That concludes tonight's legislation. Next order of business is Miscellaneous Remarks.

**MISCELLANEOUS REMARKS**

President Marino: I would like to wish everyone a Happy Thanksgiving next week. Although it seems like doom and gloom, we do have much to be thankful for. Enjoy your well-deserved Thanksgiving break.

Mayor Scarnecchia: Happy Thanksgiving.

Chief Holland: I would just like Council to know tonight we have some very worried police officers in our department. I thought we were out of the woods when our guys –

Mr. Papalas: Chief, speak up. This is important.

Chief Holland: We thought we were out of the woods when our men and Chief Danielson's men went out and passed the half percent income tax. Now, with just six weeks to go until the end of the year, we're being told by our tax office, oops we miscalculated and we're going to be down \$127,000.00. Then after all the budget hearings that many of you attended crafting the budget for next year and now we're going to be down next year's over the projections. The Fiscal Commission meeting it was said we need \$400,000.00 worth of cuts next year in the general fund, which police and fire are the biggest draw in the general fund. Well, Chief Danielson has a SAFER Grant next year so he's hiring firefighters. You won't be able to lay off firefighters because of this so you're probably going to be coming towards the police department because there's no other place to go. We need \$400,000.00 worth of cuts of what we've budgeted already. So my question is can we ask our advisors from the state to maybe look at the methodology that our tax department is using for these projections because obviously something is flawed. If they can examine how they are coming up with these projections so we know where we're at. We can't know where we're going if we don't know our numbers. We can't plan for a budget next year if we don't know where our numbers are going to be, if they're going to fluctuate, if they're going to be one thing and then toward the end of the year they get adjusted. I'd like the state's expertise to tell us what methodology we should use to project our income.

Ms. Jones: May I speak to that?

Chief Holland: I'm done.

President Marino: Thanks, Chief. Janet.

Ms. Jones: I will speak to that. I (inaudible) when I had my provisional appointment with the Mayor and those were the figures that were provided by the state and the adjustments that I made were those reducing my previously projections from the past treasurer. Those were the figures that we came up with at that time, but those figures that I was provided from Tim and Nita from the state as well as what I (inaudible) and we did sit down and did review those again just today and those are the figures that we came up with. So it wouldn't be something that we need to go back to them for. That is what we came up with from them, with them.

Chief Holland: They were shaking their heads (inaudible)

Ms. Jones: They were the ones who brought (inaudible)

Chief Holland: I don't understand how we had budget hearings based upon projections and here we are and have to cut \$400,000.00 out of that.

Mr. Jones: That \$400,000.00 (inaudible)



Chief Holland: \$196,000.00 is going to be lower than what we projected. Why would you have department heads craft a budget based upon a false projection? I think we need to examine our methodology on how we come up with those projections. That's all I'm asking. When we have six weeks left in the year, we're saying (inaudible) short. That affects people's lives and the officers who were out there working to get that tax passed, they don't understand how like Mr. Davis said, how we passed a half percent tax and saved almost \$2,000,000.00 in healthcare and we are in the same exact pot we were a year ago. To cut the \$400,000.00 we can't touch the fire department, not that I want to, but because of the SAFER Grant we can't cut anyone. I just want Council to be aware of that. I'm not trying to be the bad guy, but the officers are worried. They feel that we're right back where we were last year.

Mr. Papalas: Chief, we talked to the Mayor about this yesterday evening before the Civil Service Commission met and Mayor, do you want to relate to them what you explained to us as far as your plan is concerned?

Mayor Scarnecchia: As far as what we will do to save money? First of all, I would not lay off police or fire for anything. We have different programs that we may get into which if necessary, there are different ways this time we can save money or raise money and not layoff, okay. So all I can do at this point is to assure you that we are going to work hard to make the numbers jive. Okay?

Chief Holland: I'm not doing my job if I don't express how the officers are feeling.

Mayor Scarnecchia: You always express how you feel.

Chief Holland: You don't have to worry about that.

President Marino: That is one of your stronger suits that he is very principled and a person of conviction. That is to be respected.

Chief Danielson: I wanted to update Council a couple weeks ago (inaudible) land banks wanted to demolish five houses in the city. I made a phone call to Shawn and he gave us permission to enter these houses to train. For the past three weeks or so we've been out (inaudible) practicing, ventilation, ladder training and everything else and we are going to try to use these houses as much as we can until the budget holds out and/or (inaudible). The other thing is last night the Civil Service did certify my (inaudible) so we'll start the process of bringing the guys in to interview (inaudible) Hopefully, we try to get started next week (inaudible).

President Marino: I do apologize I do have a question. It deals with the fine establishment over here across from the Stone Yard with trees growing on the roof.

Chief Danielson: Yes.

President Marino: Have we been able to get our fire inspector in there and are we able to get the building and zoning inspector in there to begin to tackle that?

Chief Danielson: We had a meeting with the administration and actually met Monday with (inaudible) and the Mayor and started the process to get into those buildings.

President Marino: Great. Certainly be aggressive.

Chief Danielson: Right. We want to make sure so certain (audible) are covered on both sides. You have to understand we could catch a lot of flack and we're all on the same page.

President Marino: It's public safety. I'm not worried about anyone catching flack. 652-5760. They can gladly call me. I will gladly field those calls from whoever is defending that on Main Street. Gladly.

Chief Danielson: Well, last time we couldn't gain access so now we're taking a step further and it's just a process that we have to go through.

President Marino: If you pick up the Youngstown Vindicator and gladly see what the City of Youngstown is doing with their downtown and the approach they are taking with deplorable dilapidated commercial buildings. We ought not to expect anything less in this community when I leave the city building and I see trees growing off the top of it and the facade chipping and falling and God knows what's inside that thing. I appreciate your efforts, Chief. Thank you.

Mayor Scarnecchia: Believe it or not it's one order the Mayor has made. Let's get in that building, so we're working on it. Not only that, there's others, too, that they have to get in.

President Marino: I appreciate your doing that, Tom. Thank you.

Mr. Lastic: Chief Holland. Point well taken.

Chief Holland: Thank you, sir.

Mr. Papalas: Lori, thank you for everything you have done for us. It meant a lot and you did great work. I never had a complaint. Thank you. Nicole, we welcome you and anyway we can help, we will. I'd like to make a motion that we have an ordinance prepared for the next meeting, Terry, to have outside legal counsel assist you in drawing up any possible agreement that may be necessary in relation to the Wellness Center and the approach we may take to solve the financial problem. I'll talk to you more about it so we have it down pat, but this is very important and I know you're in agreement. I think everybody in here will.

President Marino: All in favor, signify by Aye.  
Motion carried

President Marino: Terry, it will be sponsored Council as a Whole.

Mr. Steffy: I would like to echo my colleagues for the great work that Lori has done especially because it is my first year on Council and she has been diligent to bring us along and bring

myself along many reports, more than one reminder, but I really appreciate you taking the time you took to make us feel comfortable and help us to do the things that we need to do and I also want to wish Nicole the very best in this position. I'd like to wish all of you a Happy Thanksgiving.

Ms. Marchese: I'd like to say the same thing. Thank you, Lori. I know I come up there and you have everything right there for me. I am really going to miss you and Nicole I wish you the best of luck. You're doing a great job in the Auditor's Office. I wish you good luck with your family as well.

Mr. Mientkiewicz: Despite everything that's happening in the last 48 hours and the curve balls that we have received, I just want everyone to know that it's still Council's expectations that we finish the year in a positive manner and also moving into next year we also finish in the black. So moving forward, when the Auditors mention a \$400,000.00 cut part of that is because Council has expectations to move us forward and balance our budget and that's something I truly believe in. It may not be an easy thing to do, I think that we're doing our part by setting that standard and now it's going to be up to the administration to achieve that goal. So I hope that we're taking this very seriously and not thinking that just because there's a number thrown out there for carryover that we don't have to achieve that number. I think that is why all of us are up here because we want to see ourselves in the positive again. We want to see ourselves out of financial emergency as soon as possible and move out of emergency in the most efficient way possible. Again, moving forward I still have expectations despite everything that's happened in the last couple days that we're going to be okay. It's going to be hard. It's going to be tough, but that's -- me speaking for myself, that's my expectation that we do have carryover in that general fund so issues like this, again, we're not talking about this issue next year at this time. So again, Mayor, I hope we're thinking and acting very carefully with not only the rest of this year's budget, but next year because expectations that I would like to see achieved moving forward.

Mayor Scarnecchia: I agree, but we also need good fresh ideas and you all have them so please continue that to help us with the financial situation.

Mr. Papalas: Mayor, we keep trying to help you, but you turn us down.

Mayor Scarnecchia: I don't turn you down. May I say something else?

President Marino: Sure Mayor.

Mayor Scarnecchia: Considering the events of yesterday for the City of Niles, we sure don't need any more bad publicity. One thing we can do now is rally around Niles and that's the way we can show what a good town great town the people are and the whole town.

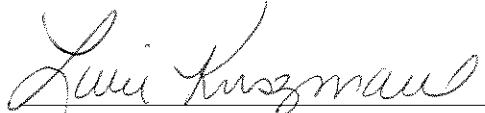
Mr. Mientkiewicz: Just to finish up, thank you Lori for your service and Happy Thanksgiving.


Mr. Pezzano: Thanks Lori. Welcome Nicole. I want to say thanks to the Chief and his team they had a big bust last week and thanks for that. We appreciate that. A job well done.

President Marino: That was wonderful.

**ADJOURN**

It was moved by Papalás, seconded by Lastic to adjourn the meeting.

  
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LORI KUSZMAUL, Clerk of Council

  
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ROBERT MARINO, JR., President of Council