

COUNCIL MEETING MINUTES
December 21, 2016

Niles City Council held its regular meeting on December 21, 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-P, Steffey-P, Marchese-P, Mientkiewicz-P, Pezzano-P, Marino-P

REPORTS AND COMMUNICATIONS

FROM The Office of Building Inspector
Niles Planning Commission approval of Ordinance Draft No. 35-16
It was moved by Papalas, seconded by Lastic to accept the report and place it on file.
Motion carried

FROM The Trumbull County Engineer, Gary W. Shaffer, P.E.
Letter advising Council of collaborations with the City of Niles
It was moved by Pezzano, seconded by Lastic to accept the report and place it on file.
Motion carried

FROM The Auditor's Office
Statement of Cash from Revenue and Expense through 11/30/16
It was moved by Steffey, seconded by McNaughton to accept the report and place it on file.
Motion carried

FROM The Ohio Collaborative Law Enforcement Agency Certification
Provisional Certification present to Niles Police Department for Best Practices
It was moved by Marchese, seconded by Lastic to accept the report and place it on file.
Motion carried

(Due to technical difficulties with the tape recorder, the Clerk typed the following from her notes)

Mr. Dull: Introduced Attorney Douglas J. Neuman to update Council on his research and legal opinion as to the legalities of leasing out the Wellness Center to a third party.

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

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL

Mary Ann Miller, 209 Cherry Avenue, Niles. Asked about the water meters being stored in the Waddell Pool. A discussion was held with Mr. DePasquale, President Marino, Andy Catanzarite and Mr. Dull.

Al Cantola, 208 Vienna Avenue, Niles. Inquired about the roundtable that will take place the second Wednesday of each month beginning January 11, 2017. Councilman Mientkiewicz wanted to make sure it was posted to the city website.

Amy Cantola, 208 Vienna Avenue, Niles. Questioned how many days meter readers took to read meters, if any city employees were cross-trained and how many accounts were being read. A discussion was held with Mr. DePasquale, Councilman Steffey, Councilman Mientkiewicz and President Marino.

George Kuriatnyk, 1206 Main Street, Niles. Inquired about the Wellness Center sewer problems, bidding out contracts, condition of city parks and water meters.

James Sheeley, 627 Fenton Street. Questioned personal use of city vehicles.

Debbie Brutz, 1327 Difford, Niles. Asked about the ice problem on her street from the hydrant running. A discussion was held with Mr. DePasquale and Mr. Catanzarite.

President Marino: Thank you. 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

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

ORDINANCES AND RESOLUTIONS

RESOLUTION NO. ____ (Draft No. 164-16)

A RESOLUTION APPROPRIATING FUNDS FROM THE UNAPPROPRIATED CAPITAL PROJECTS FUND TO CAPITAL PROJECTS CONTRACTED LABOR ACCOUNT; AND, DECLARING AN EMERGENCY

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

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by McNaughton, seconded by Papalas to adopt this Draft No. 164-16.

YEAS: 7 NAYS: 0

This Draft No. 164-16 has been adopted on the 21st day of December 2016.

ORDINANCE NO. ____ (Draft No. 165-16)

**AN ORDINANCE AMENDING ORDINANCE NO. 38-15, KNOWN AS THE
AUTHORIZED STRENGTH ORDINANCE TO UPDATE COMPENSATION SOURCES,
AND DECLARING AN EMERGENCY**

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

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Papalas, seconded by Lastic to adopt this Draft No. 165-16.

YEAS: 7 NAYS: 0

This Draft No. 165-16 has been adopted on the 21st day of December 2016.

ORDINANCE NO. ____ (Draft No. 166-16)

**AN ORDINANCE CREATING THE POSITION OF PROJECT MANAGER/PUBLIC
UTILITIES AND INFRASTRUCTURE COORDINATOR; AMENDING THE
AUTHORIZED WORK FORCE ORDINANCE TO REFLECT THIS NEWLY
DESIGNATED POSITION; AND, DECLARING AN EMERGENCY**

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

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Steffey seconded by Marchese to adopt this Draft No. 166-16.

YEAS: 7 NAYS: 0

This Draft No. 166-16 has been adopted on the 21st day of December 2016.

A discussion was held by Council as to whether a 2 year or 4 year degree was necessary. Councilman Papalas said 2 year. Further discussions as to minimal qualifications, whether a Civil Service test was necessary and if the ordinance could be amended and added to.

ORDINANCE NO. _____(Draft No. 167-16)

AN ORDINANCE UPDATING COMPENSATION SOURCES ONLY FOR THE POSITIONS OF MAYOR, PRESIDENT OF COUNCIL, WARD COUNCIL MEMBERS AND COUNCIL MEMBERS AT LARGE, THE LAW DIRECTOR, THE AUDITOR AND THE TREASURER FOR 2017; AND, DECLARING AN EMERGENCY

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

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Papalas, seconded by Steffey to adopt this Draft No. 167-16.

YEAS: 7 NAYS: 0

This Draft No. 167-16 has been adopted on the 21st day of December 2016.

RESOLUTION NO. _____(Draft No. 168-16)

A RESOLUTION AUTHORIZING THE LINE ITEM TRANSFER OF FUNDS FROM THE LIGHT DEPARTMENT'S WORKERS COMPENSATION ACCOUNT TO THE LIGHT DEPARTMENT'S BANK SERVICE CHARGES ACCOUNT; AND DECLARING AN EMERGENCY

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

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Steffey, seconded by McNaughton to adopt this Draft No. 168-16.

YEAS: 7 NAYS: 0

This Draft No. 168-16 has been adopted on the 21st day of December 2016.

ORDINANCE NO. ____ (Draft No. 169-16)

AN ORDINANCE AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO ADVERTISE FOR REQUESTS FOR PROPOSALS FOR THE LEASE OF THE WELLNESS CENTER; AND, DECLARING AN EMERGENCY

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

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Papalas, seconded by Lastic to adopt this Draft No. 169-16.

YEAS: 7 NAYS: 0

This Draft No. 169-16 has been adopted on the 21st day of December 2016.

RESOLUTION NO. ____ (Draft No. 170-16)

A RESOLUTION ADOPTING THE PERMANENT BUDGET FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2017; AND, DECLARING AN EMERGENCY

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

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Papalas, seconded by Steffey to adopt this Draft No. 170-16.

YEAS: 7 NAYS: 0

This Draft No. 170-16 has been adopted on the 21st day of December 2016.

ORDINANCE NO. ____ (Draft No. 171-16)

AN ORDINANCE DECLARING A REAL AND PRESENT EMERGENCY; AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO ENTER INTO A CONTRACT FOR SLUDGE DISPOSAL WITH WOLFORD'S ROLL OFF INC. AT

CARBON LIMESTONE LANDFILL FOR THE YEAR 2017; AND, DECLARING AN EMERGENCY

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

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by McNaughton, seconded by Papalas to adopt this Draft No. 171-16.

YEAS: 7 NAYS: 0

This Draft No. 171-16 has been adopted on the 21st day of December 2016.

RESOLUTION NO. ____ (Draft No. 172-16)

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

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

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Papalas, seconded by Steffey to adopt this Draft No. 172-16.

YEAS: 7 NAYS: 0

This Draft No. 172-16 has been adopted on the 21st day of December 2016.

RESOLUTION NO. ____ (Draft No. 173-16)

A RESOLUTION AUTHORIZING THE YEAR-END TRANSFERS; AND, DECLARING AN EMERGENCY

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

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Papalas, seconded by Lastic to adopt this Draft No. 173-16.

YEAS: 7 NAYS: 0

This Draft No. 173-16 has been adopted on the 21st day of December 2016.

RESOLUTION NO. ____ (Draft No. 174-16)

A RESOLUTION APPROPRIATING FUNDS FROM THE UNAPPROPRIATED STATE HIGHWAY FUND TO THE STATE HIGHWAY WAGES AND BENEFITS ACCOUNTS; AND, DECLARING AN EMERGENCY

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

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Steffey, seconded by Papalas to adopt this Draft No. 174-16.

YEAS: 7 NAYS: 0

This Draft No. 174-16 has been adopted on the 21st day of December 2016.

RESOLUTION NO. ____ (Draft No. 175-16)

A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED HOSPITAL SELF INSURANCE FUND (HSIF) TO THE HSIF SELF INSURANCE ACCOUNT AND, DECLARING AN EMERGENCY

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

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Papalas, seconded by Lastic to adopt this Draft No. 175-16.

YEAS: 7 NAYS: 0

This Draft No. 175-16 has been adopted on the 21st day of December 2016.

ORDINANCE NO. _____(Draft No. 176-16)

AN ORDINANCE AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO ISSUE A REQUEST FOR PROPOSALS FROM ARCHITECTURAL FIRMS TO PROVIDE AN ANALYSIS OF THE MAINTENANCE AND REPAIR NEEDS FOR ALL CITY-OWNED BUILDINGS AND STRUCTURES; AND, DECLARING AN EMERGENCY

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

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Lastic, seconded by Papalas to adopt this Draft No. 176-16.

YEAS: 7 NAYS: 0

This Draft No. 176-16 has been adopted on the 21st day of December 2016.

ORDINANCE NO. _____(Draft No. 177-16)

AN ORDINANCE DESIGNATING THE PARK BOARD AS THE SUPERVISING ENTITY FOR THE WELLNESS CENTER; AND, DECLARING AN EMERGENCY

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

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Marchese, seconded by Papalas to adopt this Draft No. 177-16.

YEAS: 7 NAYS: 0

This Draft No. 177-16 has been adopted on the 21st day of December 2016.

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

MISCELLANEOUS REMARKS

President Marino announced he will not be running for re-election when his term is up. He has served for 20 years and feels it is time to step down.

Mayor Scarnecchia: Very sad and shocked to hear the news from President Marino.

Chief Holland commented on the Ohio Collaborative Law Enforcement Agency Certification awarded to the police department.

Law Director Dull announced he would be retiring in February 2017 as Law Director due to health issues.

Mr. Vivolo discussed how he was unaware of Draft No. 177-16. A long discussion was held with Councilwoman Marchese, Mr. Dull, Councilman Papalas, and Councilman Mientkiewicz.

Mr. Papalas: Announced he would not be running for re-election when his term is up. He felt he could do more for the city working at the Trumbull County Engineer's Office.

Mr. Steffey: Asked Chief Danielson to elaborate on the inspections of dilapidated buildings within the city.

Mr. Pezzano: Announced he would not be running re-election when his term is up. Advised the first roundtable in January 2017 would be to meet with the representatives from MVSD to update the city of pending projects.

It was moved by Steffey, seconded by McNaughton to go into executive session pursuant to ORC 121.22 to discuss compensation of public employees.

President Marino: Council is excused into executive session at 7:30 p.m.

President Marino: Council adjourned out of executive session at 8:15 p.m.

ADJOURN

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



LORI KUSZMAUL, Clerk of Council



ROBERT MARINO, JR., President of Council