

MINUTES

Niles City Council held its regular meeting of March 17, 2010 at 6:00p.m. in Council Chambers Safety-Service Complex in Niles, Ohio.

The meeting was called to order by President Robert Marino, and the Clerk; Linda A. Yuhasz called the roll:

Lastic-P; Papalas-P; Giancola-P; McCormick-P; Stredney-P; Papas-P; Wilkerson-P; Marino-P

It was moved by Stredney, seconded by Lastic to accept the Minutes of the regular meeting of March 3, 2010 and place them on file. Motion carried.

REPORTS AND COMMUNICATIONS

FROM The Office of Mayor Ralph Infante
The Niles Trumbull Transit Financial Report 2009

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

Mayor Infante: I just wanted to let everybody know that this is the 2009 report, included in it is the financial statement, the monthly performance, the trips by each community, the 2010 budget and a listing of all the ridership. We had 75,000 trips in 2009 compared to 48,000 in 2008. We had 17,000 TCTC trips in 2009 compared to 11,000 trips in 2008. Warren is the largest user of the busing and Niles is second. Niles also had 9,300 trips in 2009 compared to 8,000 in 2008. The good news is that at the end of 2009 we had a balance or carryover of thirty seven thousand dollars.

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL

Mr. Jason Altobelli, 1295 Niles Vienna Ave., Niles: Ed and I had a meeting a while back because there were some concerns on an ordinance that you are going to be reading tonight and I needed some clarification on dumpsters and trailers that you are trying to generate fees on.

Mr. Vigorito: There is a public hearing on this draft next council meeting, but the only thing that I am concerned with now is storage units. When a construction company comes in and sets up the storage units and trailers they have to come down and get a permit for it and there is a cost for it. As far as dumpsters go there is nothing in it on dumpsters.

Mr. Jason Altobelli: You had a discussion with my brother and dumpsters were brought up at that meeting, was that just a misunderstanding then?

Mr. Vigorito: That was a discussion we had with the Planning Commission and we still plan on doing something with the dumpsters but we haven't finalized anything yet.

Councilman Lastic: When I read that, that is not the original (inaudible) everyone has the chance to bring their own trailer in.

Mr. Vigorito: Right, the biggest part of that ordinance was because of the trailer sitting on the corner of North Road and Main Street. It took me a long time to get it off of there and this just

gives me the ability to unload the kind of headache without taking so long to do it. It also puts a little control on our construction sites.

Mr. Altobelli: That is great, you are doing a great job with that and I respect that. I am a little concerned with the concept that if you are going to bring in dumpsters during construction or deconstruction of a home that are needed to fix homes up because that is what I do, I am active in it and they are going to be there for extended (inaudible).

Mr. Vigorito: There was plenty of discussion in the Planning Commission meetings and we haven't finalized anything because there was too much difference of opinion (inaudible).

Mr. Altobelli: I am not privy to those meetings so I am trying to address it here. If that gets brought in I think that is a step in the wrong direction. I will register it, but for me to pay the City of Niles a dollar a day to have a dumpster, if it does get brought into that, I think that you are working against the whole concept of what we are trying to do.

Mr. Vigorito: You are taking it out of context; it was a lot of ideas thrown in.

Mr. Altobelli: I am not privy to those meetings instead of having to deal with it down the road; I just wanted to air it out here.

Mr. Vigorito: The meetings are public.

Mayor Infante: Jason, the problem was with the trailer on North Road. It sat there over a year and a half and we had a hard time getting it out.

Mr. Altobelli: I respect that. My concerns aren't based on (inaudible). You guys are trying to keep up a clean city and you are doing the best that you can. If this gets turned into a nuisance because there is a dumpster next to someone's house, in my opinion instead of trying to charge me the city should say we will pay for the dumpster, thanks for spending ten or fifteen or twenty thousand in our community. I don't mean that as a snide remark I am just trying to look at it thru the other end of the spectrum. I had the same discussion with Girard. There is a lot of money available; President Obama is giving money away. Maybe we should (inaudible). I think that you are doing a good job. I don't think that dumpsters should be drug into that.

Council and Mr. Vigorito told Mr. Altobelli that he will be informed of the next Planning Commission meeting and that he should attend.

COMMITTEE REPORTS

None

ORDINANCES AND RESOLUTIONS

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

AN ORDINANCE AMENDING, REPEALING AND CREATING NEW SECTIONS WITHIN TITLE 11, THE PLANNING AND ZONING TITLE OF THE CODIFIED ORDINANCES OF NILES, OHIO; REPEALING ORDINANCE NO. 17-07; AND DECLARING AN EMERGENCY

It was moved by Stredney, seconded by Papas to table Draft No. 10-10 until after the April 7th Public Hearing and the Clerk will place Draft No. 10-10 on the agenda for the April 7, 2010 council meeting.

YEAS: 7 NAYS: 0

Draft No. 10-10 has been tabled.

ORDINANCE NO.____ (Draft No. 13-10)

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 Papalpas, seconded by Papas to suspend the rule requiring three readings.

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Papalpas, seconded by Lastic that this Draft be adopted.

YEAS: 7 NAYS: 0

This Draft No. 13-10 has been adopted on the 17th day of March, 2010.

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

A RESOLUTION AUTHORIZING THE EXECUTION OF THE HOUSING REVOLVING LOAN FUND ADMINISTRATION AGREEMENT WITH THE OHIO DEPARTMENT OF DEVELOPMENT (ODOD), AND THE DECLARING AN EMERGENCY

It was moved by Giancola, seconded by Papas to suspend the rule requiring three readings.

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Giancola, seconded by Wilkerson that this Draft be adopted.

YEAS: 7 NAYS: 0

This Draft No. 14-10 has been adopted on the 17th day of March, 2010.

RESOLUTION NO.____ (Draft No. 15-10)

A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED POLICE AND FIRE ½% TAX FUND TO THE FIRE DEPARTMENT'S GRANT ACCOUNT AND, DECLARING AN EMERGENCY

It was moved by Papalpas, seconded by Giancola to table Draft No. 15-10.

YEAS: 7 NAYS: 0

Draft No. 15-10 has been tabled.

MISCELLANEOUS REMARKS

Law Director Dull thanked council for passing Draft No. 13-10.

Mr. Vigorito asked council to be excused from the April 7, 2010 Public Hearing.

Councilman Lastic commented on the vandalism that was occurring around the city and in the neighborhood of Belle Terre. He questioned the Safety Director about the investigation and if just this neighborhood was targeted. Safety Director Guarino said that this has happened last spring and these comments will be passed on to the Chief.

Councilman Papalas: Chief Brown in the past did we have a junior fireman program? As I recall we did years ago. There is some interest and one young man is here tonight. Is that a possibility to resume in the future? Do we have any plans made for that? He is involved in a program at TCTC and they lay the ground work so that he can enter the ranks of the safety forces later on.

Chief Brown was not familiar with the program but was going to talk about it with the gentleman and Councilman Papalas after the meeting.

Councilman Papalas: I had a call today concerning 1458 Clark Street again. As you recall the last two years now Mayor we met in your office with the landlords and it has started again. It has been going on for several days and they call the police department and nothing happens. I called the police department after this gentleman called me and they went up and just drove by nobody stopped at the house to discuss the issue with these people. I thought the policy was going to be that the police would stop and knock on the door after we pinpointed where these places were. Well I pinpointed and I don't know, Captain can you tell me if anybody stopped there? What is going to happen?

Captain Pleiss: Speaking for myself when people say we don't stop, if you want to see a police cruiser you have to sit out there and you can't go and get coffee or do anything else. If I happen to go up to the door and say you don't do this and accuse you of anything then I am harassing you. I haven't seen it. I don't arrest or do anything generally unless I have seen it. If your neighbor says he is speeding every day I don't go and arrest you. This is to keep people from being harassed by the guy or girl down the street that I don't get along with, I'll call the cops and get great pleasure of them getting harassed by the cops. Last year we had three calls and made arrests in that area and we also towed a vehicle in that area. We had the one call this year from the general area. From my perspective when we have only one house and that doesn't mean that the whole street has to call or I won't go there, but when you get one we get a little suspicious that there might be something between a neighbor and a neighbor. If it is that much of a problem they can go down to the prosecutor and file. They can go down and see the prosecutor and tell him what has happened and they will swear to it, but if it's not guaranteed trouble. We will do our best because we don't like four wheeler calls or snow mobiles. If they are having problems, definitely call up and we will definitely look at Clark Street.

Mayor Infante: Captain Pleiss knowing that this house was a problem in the past and you get a call like this, like Steve was saying why don't we go to the door and give a warning?

Captain Pleiss: I will leave a note down there for your request. Generally what they do like with this call when they say in the area, when I get there I might not drive up and down the street but it doesn't take long to check it. It doesn't take long for a cruiser to check it even at the slowest speed. The girl could be giving the call out practically when you are still on the phone and we might be there because the cruisers are in the area. They may be away for awhile but they are on another call. It doesn't mean that you call on something like this and we forget about a house fire or some accident, we have to prioritize. So you might stand there on a situation and not see us for a while, but we do our best. But, you might not be able to call us and see us go up right away there are other conditions; the amount of people you have and the number of calls you have at that time.

Mayor Infante: Can you relay to the Chief tomorrow that this is a problem?

Captain Pleiss: I will remind the Chief tomorrow what we talked about and I myself will leave a note down there that we are getting complaints.

Councilman Papalas: I want to remind everyone that this isn't one neighbor calling, this is the entire neighborhood. There is a long history of it and these people did file charges and the neighborhood did file charges. They were coming down here in mass over a dog and the tenant finally got rid of the dog just before they had to come in here because they knew the line up. So these people aren't picking on anyone, I think it is the other way around. They don't expect to go through another summer of this and we shouldn't have to tell them that they have to be more and more patient. We have and I think every councilman has heard the story, been told that when we know which house it is, what dirt bike or four wheeler is coming from let the police department know and they will knock on the door and tell those people that we got complaints. It is not harassment, it is a policeman trying to straighten out the situation for us which is helping to deteriorate our community. Anthony, I told you about a complaint that I had concerning building permits, did you look into that?

Mr. Vigorito: I contacted the contractor and told him to get down and pulled his permit. I told him when he was supposed to have called for an inspection. Normally on roofs we don't do inspections. The owner requested an inspection and I let the contractor know that when we hit the certain point I have to be up there to look at before he goes any further.

It was moved by Stredney, seconded by Wilkerson to adjourn the meeting . Motion carried.

Linda A. Yuhasz, Clerk of Council

Robert Marino Jr., President of Council

