

MINUTES
SEPTEMBER 17, 2014

Niles City Council held its regular meeting on September 17, 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-A, Giancola-P, McCormick-P, Stredney-P, Merlo-A, Pezzano, P, Marino-P

Mr. Stredney: I would like to make a motion to excuse Mr. Merlo. He will be a couple of minutes late for tonight's meeting.

President Marino: Moved by Stredney, seconded by Pezzano. All in favor signify by I. Opposed. Motion carried. You have your Minutes from the September 3rd meeting distributed before you. Your pleasure?

President Marino: Motion to excuse Councilmen Papalas and Stredney.

Mr. Giancola: I would like to make a motion to accept them and place them on file.

Mr. Papalas: Seconded.
Motion carried.

REPORTS AND COMMUNICATIONS

FROM the Niles City Auditor
Revenues/Expenses through August 2014.

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

President Marino: Anything Chuck that we need to be aware of?

Mr. Nader: Last month water, lights, sewer and electric were down. Therefore, it shows the month balance for August being down. Hopefully, that will be corrected in September.

President Marino: Thank you.
Motion carried.

FROM the Chief of Police
Parking Ban Warnings/Citations Issued

It was moved by Giancola seconded by Pezzano to accept the report and place it on file.

President Marino: Questions or comments?

Mr. Papalas: I have a question to ask. Chief, I read through this and there is one citizen who is here this evening and he had a question, and I'm glad you included these pictures because it cleared everything up right away. So we briefly discussed it and if you have a minute after the council meeting, I just want to run something by you so all of us are on the same page.

Chief Hinton: Sure.

Mr. Papalas: Thank you for the pictures. They sure bring home what is going on in the neighborhoods. As far as the cars on the front yards, the next thing you know, it gets wet, people keep parking on the yard, it turns to mud and it just looks terrible for the rest of the neighborhood. Thank you for the information.

President Marino: Any others? All in favor signify by I. Oppose?
Motion carried.

President Marino: Would anybody in the audience like to address city council?

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL

President Marino: State your name and address for the record, please?

Barry Stiffey. I live at 511 W. Third Street, Niles. The first thing I would like to bring up is our neighbors in Girard who have taken -- the council there and the mayor there have taken hold of the issue with these clothing boxes that are all through their city. They had a first reading that these shed like structures need to be permitted and they are basically going to outlaw these clothing bins that look terrible for the esthetic appearance in the city. So we ask that -- I'll give you an example. Kim's Drive Thru down here has a standard box that we see all over the town is a shed like structure that has been put in the middle of their parking lot. And I just ask city council to take the time to ride by and tell me that that's not a shed because it is. If I put a shed up, I'd need a permit. I've also been talking to some business leaders that have these boxes on their property to find out what is the draw, why they continue to allow these boxes to be put on their property. They are given a \$500.00 credit that they have donated towards the box company so they get a \$500.00 receipt for business owners saying they donated \$500.00 for their effort and that's the cost that they have received for allowing those on their property. I would like -- I know that we've had -- I don't know where we stand currently in Niles. I think there was one reading, but I really think that looking at it as a structure that's been added to these properties is the way to get rid of those and I hope that that's what we are trying to do.

On a second note, I notice that the state auditor has come out and I know that there are some major issues currently out there about closing the second fire station up by the cemetery, and I would just like to adamantly ask that you find any way to keep that open as we feel it will affect the response time and the safety overall for our citizens. So we ask that we try and find a different way to get where we need to go without cutting safety services in the police and fire departments. I just want to put that out there. Thank you.

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

Mr. Giancola: May I comment on that very quickly? Barry, earlier this year, we brought an ordinance in about these boxes and that was to have these companies notify us so we know where they're at and make sure the businesses give them permission to put them on their property. We want them to be kept clean and orderly and I drove the whole city on these boxes. I don't know how many I found – 40 or 50. I don't remember.

Mr. Stiffey: My only other thing is the local charities are getting robbed by these companies that come from out of state and throw these boxes in. Good Will Industries has eight stores in three counties and their workers and all the money that goes for the goods and clothing items if they use Niles Community Services or Good Will Industries, that money stays here in the Valley and that's really the issue. There really is no need to have these boxes all through the city. 40 or 50? That's over kill and it really looks terrible. They are lining Main Street. They line Main Street; they are back behind the Dairy Queen. I have pictures. I'll print them off and bring them to the next meeting. They have mattresses leaning against them. It's bad and I think it's something very simple, like I said; Girard is using theirs as adding a building to the property, so they're eliminating them and I think they take away from the local charities.

Mr. Giancola: I will get ahold of someone from the City of Girard and I will see what they are doing with that ordinance.

Mr. Stiffey: Thank you.

President Marino: Your name and address for the record, please.

Jeffrey Stegall, 773 Bowen Street, Niles. I received a parking ticket. I've been a resident now for many years and I've parked in front of my house. The police have patrolled my area quite a bit and I have never been told that I cannot park there. I was told by a person downstairs that you all are pushing the Chief of Police to do this. If I had known, I would have widened my driveway.

President Marino: May I ask who downstairs told you that? Do you recall the name of the individual who said council was pushing this?

Mr. Stegall: He wasn't in uniform. It was the guy, an officer, on duty.

President Marino: Well, to set the record straight on that, the request for this ordinance and enforcement came from them, the Niles Police Department. Niles City Council took action based on requests from the police based on safety, security of residents, clean lines of sight, and I'll let them speak for themselves, but so that we are all clear, that ordinance came at the request of the police, so I don't know how that message got lost in translation somewhere along the way. I'm certain when they figure out who it was, there will be a correction, I hoping. Chief?

Chief Hinton: The overnight parking ordinance will begin to be enforced in October. What you are talking about is a different issue. It's a different type of parking violation.

Mr. Stegall: I've been allowed to park in front of my house for five years. Not once was I –

Mr. McCormick: Is that one of the pictures in here?

Chief Hinton: Yes. I personally have received numerous complaints about parking. I put an order out from my office on Friday afternoon to do a blitz within the city for violations that are in the codified ordinances to enforce them and take action. This will go on through today. We did a blitz and we will maintain. We had to do an impact initially to clear this up. But there were many complaints that have come into my office and we had to correct the issue. On new city laws, such as the overnight parking ordinance that the council commented about, we do give a grace period. We give a 90-days written warning grace period for anybody parking on the street between 2:00 a.m. and 6:00 a.m. will receive a written warning. Any new laws we do give a grace period. But these other laws have been on the books for years and years and we are enforcing them. We are trying to clean the city up, make the neighborhoods look cleaner and better for our citizens.

Mr. Stegall: Has this ordinance been on the books for more than five years?

Chief Hinton: It's been on the books for quite some time.

Mr. McCormick: Over five years.

Mr. Stegall: Why couldn't one of the officers yell out the window that you're breaking the law there? It's not the \$10.00 that I'm –

Chief Hinton: Sir, we give a lot of warnings such as on snow removal, the snow ban. It appears on the screen on the TV, on the internet, it's in the newspaper. Our guys get out of the car and go knock on doors. People don't shovel their sidewalks. They go up on the porch and knock on the door and ask them to move their cars. We do give a lot of courtesy to our residents. We care for our residents. This is a problem that council has photos. Some photos are of the tickets that we gave. We had 163 violations in five days and 53 written warnings for the overnight parking ordinance that is going into effect and will be enforced on October 14' which is the 90-day grace period. You aren't the only one that received a ticket. Actually my nephew received a ticket for parking part way in the grass and part way in his driveway. He called me and I told him it's the law and he got a ticket. I told him he has the right to come to court and contest it.

Mr. Stegall: I'm not contesting it. It's not the \$10.00. I would just sort of like to know – I could have done things so I wouldn't be breaking the law. I could have widened my driveway.

Chief Hinton: All the laws are on line.

Mr. Stegall: I've acquainted myself with that over the last three days. Thank you.

President Marino: Thanks Chief for clarifying that. Anyone else which to address Niles City Council? Yes, your name and address for the record.

Laura McMillion Rek. Mine is the same issue. I didn't receive a citation, but someone in my household received a citation yesterday at 2:30 in the morning and I went out and I asked the officer was there an issue, was there a problem? No. He drove up, came back, stopped in front of my driveway again. I asked him again, is there is issue? Is there a problem? No ma'am. Then he proceeded three minutes later to put a citation on the window. He could have told me. I've been a resident for 24 years. He could have said, ma'am, you're not allowed to park on the grass. My boyfriend parked on the grass because I'm re-siding my house and my garage is full of siding. I parked in the driveway, my son parked in the driveway. We leave at 4 and 5:00 in the morning. My boyfriend doesn't leave until 7:30. It only makes common sense to us. And I have a real problem with the way that officer handled it.

President Marino: Thank you. Would anyone else like to address council? Your name and address for the record.

Douglass Hall, 622 Washington Avenue, Niles. Same issue. I just wanted to verify that whoever is dispatching is being ordered to do what they didn't want to do and I wanted to verify that. I've been parking (inaudible) in the gravel for 15 years.

President Marino: I parked there for ten. He purchased my house on Washington Street so you all know. And I included the gravel that was there before.

Mr. Papalas: We want to talk about that gravel area later on. I have some questions.

President Marino: Any others? Name and address for the record.

John Williams, 1928 Saltsprings Road, McDonald, Ohio. I'd like to talk about the recent earthquakes that have happened and caused by the injection wells out on Main Street. First, we have had earthquakes in Youngstown caused by injection wells and then we have had earthquakes in Poland at the carbon limestone landfill caused by frack wells and now we have had two earthquakes caused by injection wells in Niles and everywhere these earthquakes happen the more fluid they inject, the more earthquakes you get and the stronger they get. Right now they're small and I have every belief that ODNR is going to permit American Water to continue injecting.

President Marino: John, I don't want to interrupt you, but if you have a question – everything you mention, first it's in Weathersfield, secondly, this distinguished body and this administration has absolutely no control as you're well aware of the regulations, administration of both fracking and injection. I know you're versed in all of this. I read every e-mail you send me.

Mr. Williams: Thank you.

President Marino: I do, and we take this matter very seriously. I know the Mayor does. The fire and police chief take it very seriously on behalf of the residents of Niles and have been very proactive in doing some things for the safety of residents. Cut to the chase and your question?

Mr. Williams: Here's the question. If those earthquakes cause a problem to the infrastructure of Niles, let's say, they shake parts of Niles that has older water lines or cause any damage to any buildings in Niles, who pays? Who pays? And that's something that Niles can do. They can call ODNR and say, who pays? They can call our state reps and say find out who pays? Because if we don't next thing you know, we are going to be like Youngstown and the taxpayers are going to end up paying. Thank you.

President Marino: Thank you. Anyone else? In the opinion of the chair, there being none, Committee Reports?

COUNCIL COMMITTEE REPORTS

Mr. Papalas: Mr. Chairman, I would like to have a roundtable to discuss finances one afternoon next week. It looks like it's going to be Wednesday, if that's all right with everyone. The only problem is I have a meeting at 5:15 so I would need to make this meeting for about 4:00.

Mr. McCormick: 4:00 next Wednesday?

Mr. Papalas: Yes. This will be a roundtable. Those of you who cannot make it, we'll bring you up to speed on things, but in particular I want to discuss issues that are requested by the auditors. I think we should talk about some of these things including additional money for wages in the safety service complex as well as the issue that we discussed prior with our court. That hasn't been rectified yet. We need to talk about these things all together so I'm, therefore, going to make a motion that we have this meeting at 4:00 next Wednesday in the conference room.

President Marino: Additionally, under committee reports, within the performance audit it was recommended that we combine the audit and technology committees. Because the IT Committee is very busy with oversight regarding the software upgrades and IT upgrades, the computer upgrades and Chuck's office, it would be my recommendation that both the Finance Committee and the IT Committee members formulate or sit on the Audit Committee for the city or you can create a council as a whole committee for the Audit Committee. But within the performance audit, the auditors outlined specific things that should be included in that combined committee. So this is something to think about. Its recommendation R8 in your performance audit, but we need to get ahead of this because when the financial audit comes out and we receive that information in addition to this and working with the Mayor, it's going to be those committees responsibility as I read the performance audit.

Mr. McCormick: In general, can we include this during the finance meeting?

Mr. Papalas: Well, it's a roundtable, we could, but I'm strapped for time. I have a Metro Parks Board meeting that I have to be at by 5:15.

Mr. McCormick: Ok.

Mr. Papalas: That's my problem. You guys can talk about it. Just let me know what happens.

Mr. McCormick: Can we talk about that at the roundtable or would we have to have it on the agenda?

Mr. Papalas: No.

President Marino: Well, we do need to think about how we're going to do with Audit/Technology Committee in making sure our oversight pieces are in place as soon as possible. That would require rule change by you. Food for thought, gentlemen. Any other committee reports? There being none, would the clerk please present tonight's legislation.

ORDINANCES AND RESOLUTIONS

ORDINANCE NO. _____ (Draft No. 60-14)

A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED STREET FUND TO THE STREET DEPARTMENT'S VEHICLE MAINTENANCE ACCOUNT; AND, DECLARING AN EMERGENCY

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

YEAS: 7 NAYS: 0

It was moved by Giancola, seconded by Papalas to adopt Draft No. 60-14.

YEAS: 7 NAYS: 0

Draft 60-14 has been adopted on the 17th day of September 2014.

ORDINANCE NO. _____ (Draft No. 61-14)

A RESOLUTION APPROPRIATING FUNDS FROM THE UNAPPROPRIATED STATE HIGHWAY FUND TO THE STATE HIGHWAY FUND'S EQUIPMENT PURCHASES ACCOUNT; AND, DECLARING AN EMERGENCY

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

YEAS: 7 NAYS: 0

It was moved by Giancola, seconded by Lastic to adopt Draft No. 61-14.

YEAS: 7 NAYS: 0

Draft 61-14 has been adopted on the 17th day of September 2014.

ORDINANCE NO. _____ (Draft No. 62-14)

A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED GENERAL FUND TO THE HEALTH DEPARTMENT'S BIOTERRORISM ACCOUNT; AND DECLARING AN EMERGENCY

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

YEAS: 7 NAYS: 0

It was moved by Giancola, seconded by Lastic to adopt Draft No. 62-14.

YEAS: 7 NAYS: 0

Draft 62-14 has been adopted on the 17th day of September 2014.

ORDINANCE NO. _____ (Draft No. 63-14)

AN ORDINANCE AUTHORIZING THE VACATION OF A PORTION OF CHARTER ALLEY

It was moved by Pezzano, seconded by Lastic for a second reading.

Mr. Giancola: We have to wait until we hear from the Planning Commission before –

President Marino: At the next meeting, if the Planning Commission has not gotten back to us, we will just let it lay.

YEAS: 7 NAYS: 0

Draft 63-14 received its second reading.

ORDINANCE NO. _____ (Draft No. 64-14)

A RESOLUTION AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR TWO YEARS OF SLUDGE DISPOSAL AND FOR ONE YEAR OF CHEMICALS FOR THE WASTEWATER TREATMENT PLANT; AND DECLARING AN EMERGENCY

Mr. Papalas: Mr. Chairman, I'd like to make a motion to amend this heading on this ordinance so that we strike out "and enter into contract."

President Marino: Motion to delete in caption "and enter into contract" by Papalas, seconded by Lastic. All in favor by the ordinance signify by I.
Motion carries.

Mr. McCormick: We're changing what now?

Mr. Papalas: We're going to take out "and enter into contract." Let's see what the bids are first.

Mr. McCormick: Okay. To advertise for bids. Okay. We're just going to look at bids before we enter into any contract?

Mr. Papalas: Yes.

Mr. McCormick: That's fine. Andy, are you in a time pinch on this or anything?

Mr. Catanzarite: It expires in December.

Mr. McCormick: Ok.

Mr. Catanzarite: It would be nice to know the numbers going into next year for purposes as we go and prepare for next year's budget.

Mr. McCormick: Do you normally get a two-year sludge contract or is that usually a one?

Mr. Catanzarite: This is my first time here, but it looks like two year.

President Marino: Okay. Thank you.

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

YEAS: 7 NAYS: 0

It was moved by Papalas, seconded by Giancola to adopt Draft No. 64-14.

YEAS: 7 NAYS: 0

Draft 64-14 has been adopted on the 17th day of September 2014.

ORDINANCE NO. _____ (Draft No. 65-14)

RESOLUTION THAT THE CITY OF NILES WILL PICK UP THE STATUTORILY REQUIRED CONTRIBUTION TO THE OHIO PUBLIC EMPLOYEES RETIREMENT SYSTEM FOR THE MEMBERS OF THE DISPATCHERS BARGAINING UNIT OF THE CITY OF NILES PURSUANT TO INTERNAL REVENUE SECTION 414(H)(2)

Mr. Papalas: Mayor, I don't have a problem with this, but if this is part of the contract already, why are we passing this?

Mayor Infante: Because it has to be sent to the pension board.

Mr. Papalas: That's right.

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

YEAS: 7 NAYS: 0

It was moved by Papalas, seconded by Merlo to adopt Draft No. 65-14.

YEAS: 7 NAYS: 0

Draft 65-14 has been adopted on the 17th day of September 2014.

ORDINANCE NO. _____ (Draft No. 66-14)

**AN ORDINANCE CREATING THE BRT CLEAN-UP CAPITAL PROJECT FUND;
APPROPRIATING FUNDS TO SAID FUND; AND DECLARING AN EMERGENCY**

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

YEAS: 7 NAYS: 0

It was moved by Papalas, seconded by Merlo to adopt Draft No. 66-14.

YEAS: 7 NAYS: 0

Draft 66-14 has been adopted on the 17th day of September 2014.

ORDINANCE NO. _____ (Draft No. 67-14)

**AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE FOR
BIDS AND ENTER INTO CONTRACT FOR THE PURCHASE OF ROAD SALT FOR
THE UPCOMING WINTER WEATHER SEASON; AND, DECLARING AN
EMERGENCY**

Mr. Papalas: Mr. Chairman, I'd like to make a motion to amend this ordinance so that we strike out "and enter into contract."

It was moved by Papalas, seconded Pezzano to delete "and enter into contract." All in favor signify by I. Ordinance is amended

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

YEAS: 7 NAYS: 0

It was moved by Pezzano, seconded by Giancola to adopt Draft No. 67-14.

YEAS: 7 NAYS: 0

Draft 67-14 has been adopted on the 17th day of September 2014.

ORDINANCE NO. _____ (Draft No. 68-14)

AN ORDINANCE CREATING THE WASTEWATER TREATMENT PLANT DESIGN & IMPROVEMENT FUND; AND DECLARING AN EMERGENCY

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

Mr. Papalas: Is this going in phases? Did we talk about this any further? How is this going to be going in?

Mr. McCormick: This is just setting up a fund. From what I understand from talking to Andy, when we get a bill from Montgomery Watson it goes to Columbus, gets approved, they send that amount of money to Niles and it will go into this fund and then we'll pay Montgomery Watson out of it. It's not for the whole thing, it's for what they bill us for, I believe, in increments. Am I correct Andy? As the work gets done, they want paid along the way. Am I right?

Mr. Catanzarite: Yes.

Mr. Merlo: Steve, I think we are just setting up an account totally for the OWDA funds.

Mr. McCormick: So the loan money can come from Columbus and then go into our funds and then we will disburse that money to Montgomery Watson.

Mr. Papalas: I'm up in the air on this. I don't trust them. I mean I trust you guys, I just don't want to get into something that snowballs so big that we are wondering what happened.

Mr. Nader: Steve, if I may say on this. All we are doing here is actually creating an account for the money to come in and go out of. We are not putting any money into it at this time. We are not appropriating any money. This is just creating a fund for the money to flow through. There are no appropriations that pass with this. We are not asking council to put any money in there until appropriations. We are just creating a fund.

Mr. Hess: And if I may say, these are monies that are due the engineering firm. They have already performed the work. This is just so we can pay them what we owe them. Going forward we know everybody's concerns as to what this treatment plant is going to cost. Right now, the cost is at \$30,000,000.00. That's what that is at currently. Andy and I met with Tom Holloway. We wanted to get some of his expertise from MVSD to present a proposal to the Mayor that we

are going to have to go over, but Tom will oversee the bills coming in and the work and time frame for the Wastewater Treatment Plant. We also met with the EPA. Andy and I both met with the EPA and did a walk through to determine -- or give us some ideas of about how they think that we could save money on the design of the plan. So all of that stuff is happening right now. That's where it's at. But this money is money that the engineers have bills for and so I am recommending that you at least let us pay those bills that we owe.

Mr. Papalas: All Right. I feel better knowing that you and Andy and Tom are doing pretty good work. I mean that is really important to me.

Mr. McCormick: One last question for Chuck. When the monies do come in in order to pay the amount to Montgomery Watson, will that have to come before council and we'll have to approve it or is somebody else going to be authorized to approve it?

Mr. Nader: No. When the money comes, you're going to have to appropriate monies into this fund so I'll be able to pay it, so when Mark gets the bills or whoever the bills go through, you'll be presented because it will have to be appropriated.

Mr. Hess: When the money comes, we pay.

Mr. McCormick: Well, I think that's good and as Steve said, that's a little bit more checks and balances than we had before.

President Marino: When do we start servicing the debt on these notes or loans or whatever it is?

Mr. Nader: Since we haven't drawn any -- you know this will be the first. Once we start paying bills and drawing money down, it will be at least six months to a year.

President Marino: So next year?

Mr. Nader: Next year we could possibly start paying down on this engineering design.

President Marino: And the construction loan. Will they marry all that debt together?

Mr. Nader: That I don't know right now.

President Marino: I want to start looking at that for budget purposes to make sure we have the money to pay for all this.

Mr. Papalas: Well, I hope we have a handle on it.

President Marino: For suspension, please call the role.

YEAS: 7 NAYS: 0

It was moved by Giancola, seconded by Lastic to adopt Draft No. 68-14.

YEAS: 7 NAYS: 0

Draft 68-14 has been adopted on the 17th day of September 2014.

MISCELLANEOUS REMARKS

President Marino: What date is the CUSI software going to become officially operational?

Mr. Merlo: It is tentative for the end of November. That is tentative depending on whether there are any other obstacles that we need to overcome. Talking to both our consultant and Mike Dibble, we don't want to rush anything if there are any obstacles. We don't want another Cogsdale on our hands, so we want to iron out anything that comes up.

President Marino: Well, I certainly don't want another Cogsdale either because in the performance audit, there are one, two, three, four, five references operational inefficiencies directly relating to billing software in here. Five of them, so I guess I'm asking that it be done as quickly as possible because if I didn't hear it once, before I went on vacation, while I was on vacation and since I've been home from vacation, I have heard - and I know all of you have too --about the vast swing in our utilities bills, so I guess I'm begging that committee to please as quickly as possible get this repaired and working correctly and it would be nice if we all received - I know you have your weekly conference call or whatever that thing is -- I would appreciate something in writing more specific in terms of definitive time lines, when it's going to start so that we can hold somebody accountable so it doesn't go south. Because if it goes south, we're going to be looking for somebody to hold accountable. I think we owe it to those people out there that we have something definitive on paper saying it's starting on this date and we're moving forward.

Mayor Infante: I passed out a tire pickup for next week. Monday through Friday. We increased the tire pickup per household from 4 to 10. It's been advertised in the paper. That's all I have. Thank you.

Officer Crank: I'm head of traffic bureau here at the Police Department and I've been here for about 3 or 4 years now. I just want to address the whole warning process. We have in the past issued warnings for everything that we can, but the warnings in general just don't work. They work temporarily for a week or two and then everything goes back to the way it was before. I just had a young person that I gave a 10-day warning. I came back and gave him 11 days and when I went back and the car was still parked there in the same condition it was prior. When I issued the citation and went back the next day it was gone. Unfortunately, I am required to issue the citations. Some people think the Police Department should have something better to do than issuing citations for vehicles parked on the lawn. It's the same as schools, you want to have a city that enforces strict values and laws that I consider quality of life; it makes our property values go up. There are communities on either side of us that have allowed for the OK Corral. We don't want that to happen here in Niles.

Chief Danielson: I just wanted to let council know that we were just recently notified that we are receiving another grant for equipment. It's a grant with Trumbull County fire departments for MVT's for our vehicles (inaudible). There is a 10% match and we have to pay 8% to the grant writer. We received MVTs, brackets installation. All we have to do when we purchase them is the city is responsible for the parts. Once we get them mounted (inaudible)

Chief Hinton: I'd have to call a Safety Committee meeting.

Mr. Giancola: Yes. When would you like to schedule that? Tomorrow in the afternoon?

President Marino: I can't. Is this a Safety Committee meeting?

Mr. Giancola: Yes.

President Marino: We have to give 24-hour notice to the press.

Mr. Giancola: How about Friday morning?

Mr. Dull: I can't make it Friday morning unless it's very early. If it's really early, like 8:30 or something like that, I can do that.

Mr. Giancola: I can do it any morning next week too.

President Marino: Chief, is Monday ok with you?

Chief Hinton: That's fine.

Mr. Giancola: Monday morning?

Chief Hinton: Yes. A little later because I have payroll due.

Mr. Giancola: Terry, when are you available?

Mr. Dull: I'm wide open.

Mr. Giancola: Chief, 10:00 at your office?

Chief Hinton: That's fine.

President Marino: You understand this is a public meeting. You have to have enough room to accommodate for that.

Mr. Giancola: Do you want to do it at the conference room downstairs.

Chief Hinton: Yes.

President Marino: The Safety Committee meeting is Monday, 10:00 a.m. in the conference room at City Hall. There is also a Finance Meeting. Anything else, Chief?

Chief Hinton: No.

Mr. Vigorito: Just one thing on that Charter Alley. There is a Planning Commission meeting on October 8th. We'll have a report for you after that meeting.

President Marino: So it will have to be tabled at the meeting on the 1st until the 15th meeting. We'll table that ordinance.

Mr. Papalas: Yes. I have some remarks. I also had a slew of phone calls and e-mails concerning the utility bills, and, of course, I've got my own, and I have the same questions that were asked of me. But I don't have any answers, so I just told everybody to come to the meeting, but I guess I'm the only one here. So I'm going to ask these questions because they need to be answered. I have my most recent bill that is for 42 days. Going back a couple of months, it was 26 days, 38 days, 31 days. How do we get 42 days? I'm not the only one asking this so I'm representing some people who are. Can somebody enlighten me? Something is wrong.

Mayor Infante: It's a big process because I got a 42 day bill too, and Mike Dibble has been handling that along with the billing office. It's a couple of things. One is loading the guns, when you download the guns, when the billers read the bills, when they're sent to the billing company. A couple of times the billing company has messed up so we've corrected that situation. We've corrected the guns. Now that we are loading every day and downloading every day at the end of the day so everybody is on the same batch the same week and it's finished that week and then when we send a bill to get printed, we make sure the dates right. We've been on that the last two weeks. It's going to take about a whole cycle.

Mr. Papalas: Who is loading the guns?

Mayor Infante: Tom Telego loads the guns.

Mr. Papalas: Tom's not here.

Mayor Infante: He's been loading them from his computer. And he's been downloading. We've also had Neptune come in and teach three billing clerks how to do it. It's a process that's going to take 30 days for the whole city to get right again.

President Marino: Tom Telego has been doing this, Mayor?

Mayor Infante: Yes. And we're trying to get away from that and have it done right in billing. Mike Dibble is getting all the pass words and the process, he's learning it himself and we've also brought Neptune in and trained three employees in the building.

Mr. Papalas: Ralph, this problem has been going on for three years now.

Mayor Infante: Yes. Not because we have a problem with software and you know that. We have been telling you guys for the last year and you delayed in entering a contract with a new software company.

Mr. Papalas: But when we did have problems, I thought we took care of it with the software company. Then things were wrong with the guns. We saw dispatchers going door to door rather than driving up the street like they were supposed to do. This can't keep going on. How do I explain this to people then? Well, we loaded the guns wrong and then the billing company screwed up. Do you know what we look like?

Mayor Infante. A multitude of problems.

Mr. Papalas: We look like idiots.

Mayor Infante. The software is terrible and I've been saying that for years. And I've been trying to get you guys for years to let us advertise for bids for new software. We finally did it. Now we have to get on the right track.

Mr. Papalas: Don't rewrite history. We never said no to you when you wanted new software. It's probably why we're in the hole like we are. We never said no. Did we ever say no to you?

Mayor Infante: Yes. Yes, you did.

Mr. Papalas: When?

Mayor Infante: August, September in the back room here, we tried to enter into a contract for new software and it was held up for another three, four months.

Mr. Papalas: That's because offices didn't communicate like the auditor said they should.

Mayor Infante: Well, that has nothing to do with – this is utilities.

Mr. Papalas: We never said no to you.

Mayor Infante: Yes.

Mr. Papalas: We never said no until the auditors told us what we needed and then –

Mayor Infante: Well, we had Anthony and Mike Dibble in the back room and we were trying to explain to you guys how we have to get out and get rid of this software and you guys put it off for three, four months until the beginning of this year. That's why we are a little bit late on this.

Mr. Papalas: Why did we put it off?

Mayor Infante: I don't know why you put it off.

Mr. Papalas: Because the state auditors said we had to stop.

Mayor Infante: No, the state auditors said nothing about the utilities software. About the financial and tax department software, yes.

President Marino: Actually, they reference the manner in which we were moving forward purchasing IT software. They did suggest that council do – provide more oversight in terms of insuring that the selection had more of a review process based on you gentlemen carrying out your duties.

Mr. McCormick: The IT Committee was –

President Marino: IT Committee. That's correct and the IT Committee was coming on line, Mr. Merlo was coming on line in terms of providing the necessary oversight, which he's done an excellent job and the record needs to reflect it, that John has done an excellent job.

Mr. Lastic: Isn't Tom Telego on sick leave and you're asking him to do work from home? Does that make sense? Shouldn't there be somebody in our office that knows how to do that? I mean after all these years, we don't have anybody in the office?

Mayor Infante: He was the IT at the time and nobody else knew how to do it.

Mr. Lastic: Can Anthony do it?

Mayor Infante: No. Mike is learning right now how to program everything. He's been on top of it for the past two weeks, but it's going to take a whole cycle because if you guys get –

Mr. Lastic: 30 days from now?

Mayor Infante: Yes.

Mr. Papalas: What's the possibility of having the billing and printing done in-house again?

Mayor Infante: We're going to get to that. I've recommended to John once we get the new software in that we start printing inside again so we can control our own destiny.

Mr. Papalas: How soon will that be done?

Mayor Infante: Right after we get CUSI in. Get their software in.

Mr. Papalas: Ok.

Mr. Merlo. Steve, we already have Mike working on looking at a printer and what it's going to cost us in the budget for next year.

Mr. Papalas: Ok.

President Marino: That goes back to my original point though. I want to see a timeline. With dates certain and people to be held accountable for those dates. Everything between this and the high water, you can fill in the blanks.

Mr. Merlo: CUSI has a timeline out there for us that they've been following, so I can get that for you.

President Marino: Not just me. I think that everybody needs to know that. On that timeline, John, I would like to see the next phase. That timeline stuff, the work load method to planning is all throughout this thing.

Mr. Papalas: Hold on a second. I'm not done yet. So what am I supposed to tell the people who call me? What are we all supposed to say to them about the bills so that they understand it?

Mayor Infante: Right now we are in the process of getting new software. That the software just isn't reacting to what we need. We're not getting reports out of the software that the billers can look at those bills right away before they are mailed out. The timing is completely off so now we changed our strategy with Mike Dibble where we're loading the guns for readers, for instance, the first week of the month they'll read the first batch of the whole city. Then that batch gets billed out the following week. We've got to meet those timelines. So now we're loading the guns every day, read every day, they're downloaded every day and by Friday that whole batch should be read. The following month we have to go back to the same cycle and do that same first batch the first week of next month so we get into that 30 day cycle mode.

Mr. Giancola: Aren't the guns preloaded for a week at a time?

Mayor Infante: They are. The batches are all loaded. It's all one batch and we are downloading them every day. We're loading them and downloading them every day and we're keeping tabs on what's read, what's not read. If somebody is on vacation, the fill-in person has to read that book to get that batch done in that first week so that we get on that 30-day cycle.

Mr. Papalas: So will anybody else get a 42-day bill next month?

Mayor Infante: I sure hope not. I got one.

Mr. Papalas: It's pretty bazaar.

Mayor Infante: It's a multitude of problems.

Mr. Papalas: It's a train wreck. That's what it is. I don't see it getting better yet. I do have just one more quick question. Did you look into the source of the funding for the grant that the fire chief referenced?

Mr. Nader: Yes. I put that in my notes for next time. What it is, is the money has to – we have to appropriate the full amounts. When the chief gets it, we will get reimbursed at – is it 95%, chief?

Chief Danielson: Yes.

Mr. Papalas: Chief, if you want to be there, we'll put you on first if you have to go.

Chief Danielson: Ok. Thank you.

Mr. Giancola: Shawn, just make sure you give that Penn Ohio Trucking Company a call. Tell them to stick with truck routes.

Officer Crank: Ok.

Mr. McCormick: Chief, thanks for the detailed report with pictures and everything. It helped quite a bit. If everybody could understand downstairs or I don't know where the word is getting out at, but this was a joint effort that we did and I don't think anybody forced anything down anybody's throat when enacting this parking ban. The other laws were on there forever, but if somebody doesn't understand that, you need to communicate to them that this was a joint project and not something that was forced on anybody.

Mr. Stredney: Two questions. Mr. Vigorito, maybe I was left out of the loop, but that house on Robbins that we discussed, is that all taken care of?

Mr. Vigorito: Well, I sent all e-mails and correspondence to each of you on that issue and I sent another e-mail today based on another call that I had about an article in the Tribune on Sunday.

Mr. Stredney: I got the same call I'm sure.

Mr. Vigorito: I'm waiting for an answer on that article. That's where it's at right now.

Mr. Stredney: Ok. Mayor, did you need any action from city council from this letter from the Planning Commission?

Mayor Infante: From which one? About the car lot?

Mr. Stredney: Yes.

Mayor Infante: Not at the moment we don't. I know they applied for something through the state. I don't think the state gives any kind of tax credit for commercial or industrial.

Mr. McCormick: Having that business in town would be a plus for us because it's in Warren now, isn't it?

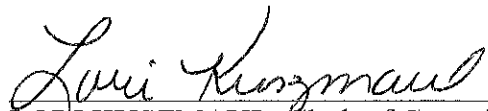
Mayor Infante: Yes.

Mr. McCormick: That would be a plus so anything we can do to try to convince them to move in would be great.


President Marino: Ralph did a great job with that.

ADJOURN

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



LORI KUSZMAUL, Clerk of Council



ROBERT MARINO, JR., President of Council