

COUNCIL MEETING MINUTES
September 6, 2017

Niles City Council held its regular meeting on September 6, 2017 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, Nicole Bacak, called the roll:

Papalas- P, Lastic- NP, McNaughton-P, Steffey-P, Marchese-P, Mientkiewicz-P, Pezzano-P, Marino-P

Motion to excuse Mr. Lastic due to personal illness was made by Papalas, seconded by McNaughton.

Motion carried.

It was moved by Marchese, seconded by Mientkiewicz to accept the Minutes from the August 2nd meeting and place them on file.

Motion carried.

REPORTS AND COMMUNICATIONS

FROM – Auditor’s Office

Statement of Cash from Revenue and Expense – July 2017

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

Auditor Merlo: Just a quick note that if you guys look on the financial status of the city under unexpended balances, the water fund is now down to negative 109. The water department is moving in the right direction. And general fund is at 2.5 of which approximately \$500,000 will need to be transferred leaving a balance of \$2 million. So all and all, fund balances of the city are looking good.

President Marino: So \$2 million with the last quarter to go?

Auditor Merlo: Correct.

President Marino: Alright. What are you projection the unencumbered fund balance of the general fund to be at the end of the year?

Auditor Merlo: Based upon the recovery the plan, which needs re-addressed.

President Marino: What is it?

Auditor Merlo: As of right now, still about \$500,000.

President Marino: \$500,000. Okay. And you're saying it needs to be.

Auditor Merlo: We just need to relook at the recovery plan.

President Marino: And update the numbers.

Auditor Merlo: Based upon recent developments in the water fund.

President Marino: Oh I understand. Okay.

Motion carried.

FROM – Auditor's Office

Check Report by Check Number – August 2017

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

President Marino: John, what's our health care cost right now?

Auditor Merlo: Right now about \$2 million.

President Marino: For the year?

Auditor Merlo: For the year.

President Marino: Wow.

Auditor Merlo: We're down, we're projecting to be about \$2.8 this year.

President Marino: That's fantastic.

Mr. Papalas: To be at what this year?

Auditor Merlo: \$2.8 million. Last year was a little over \$3.5.

President Marino: It's continuing to trend down.

Auditor Merlo: So it's continuing to trend down. So current claim runs, we're doing pretty good.

President Marino: Well, maybe in October we'll invite Mr. Zaluski to give us an update again. We're due to get one. You don't mind.

Auditor Merlo: Absolutely.

President Marino: Barry, can you coordinate that?

Mr. Steffey: I can.

President Marino: Maybe before a council meeting. Have Mr. Zaluski come in and give the members a health care update.

Auditor Merlo: A couple of things that we are doing with Mr. Zaluski is we're going to be having a city wide employee health fair where the employees can come in get tested with on the spot. So, we're going to be doing things like that for our employees and give them something back so. We're going to do that at the Wellness Center October 19th for all city employees and their dependents.

President Marino: Those are all fee based services. That's not free.

Auditor Merlo: Mutual Health Services is picking up.

President Marino: Not free.

Auditor Merlo: It's not on the city.

President Marino: We're paying the premium. We're paying them one way or another John, it's not free. That's what I'm saying. We do it too.

Auditor Merlo: Oh.

President Marino: Believe it or not, I'm in charge of it. This thing up here in charge of wellness so.

Mr. Papalas: Looking good, Bob.

President Marino: Yeah. We're giving free shots and what nots too.

Auditor Merlo: You're not paying for them?

President Marino: Indirectly we do, John. Indirectly we do. Believe me, you find it shocking we had this discussion with MMO or Medical Mutual. Anything else?

Auditor Merlo: That's it.

Mr. Steffey: When do you want that meeting?

President Marino: Some time in October, John, will be good. Maybe the second meeting.

Auditor Merlo: I'm meeting with him on Friday so I can relay that to him.

Mr. Steffey: Okay thank you.

President Marino: And if he needs to move it to November to get us into the 4th quarter, you know what I mean. To get a good (inaudible) on where we're at to end the year is kinda what I'm interested in.

Mr. Steffey: Okay.

President Marino: At least for the next 117 days.

Motion carried.

FROM – Treasurer's Office

Monthly Receipt Totals- Income Tax Department- August 2017

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

Motion carried.

FROM – Service Director

Overtime Report- August 2017

Mr. Steffey: I would just like to say that this is trending in our direction. It's (inaudible) you take the heat and it's going up. But we appreciate you working hard to get this overtime down. I know some of it came with the safer grant, the fire department. It's good to have a full staff of police and fire. I just wanted to thank you for pushing to get this number down.

Mr. Mientkiewicz: I concur with Barry. I noticed it right off the bat and good job.

Mr. McNaughton: Also our chiefs and supervisors, it's real money. It's real savings.

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

Motion carried.

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL

Beth Francis: 358 West Park. Niles. I have been getting, receiving phone calls and I've been letting my answering machine pick it up. And today I played my answering machine just to get the guy's name and his phone number and his name is James. And he says he's from the rates department and he's been wanting to he says to have your electric bill in hand. So.

President Marino: Beth, can you... I got it too.

Beth Francis: Okay.

President Marino: I spoke to Mr. Newbrough.

Beth Francis: Okay.

President Marino: Jim's here. Jim, did you want to touch upon this real quick?

Mr. Newbrough: There's are companies who sell bulk electric, sort of like you buy your gas from a different supplier even though you have East Ohio.

Beth Francis: Okay.

Mr. Newbrough: The city of Niles is not because we are a municipal system, we buy all of our electric off of Amp Ohio.

Beth Francis: Okay.

Mr. Newbrough: You don't really have a choice in Niles to get a different electric supplier.

Beth Francis: Okay.

Mr., Newbrough: So, they tell you they can lower your rate but.

Beth Francis: That's fine. Next time I will answer it.

Mr. Newbrough: No, they can't do anything in the city of Niles.

Beth Francis: Okay.

Mr. Newbrough: I've actually tried to explain to a couple of them how it works that have called me.

Beth Francis: Right.

Mr. Newbrough: And they end up hanging up on me.

Beth Francis: Right. I know that we've had this issue before.

Mr. Newbrough: Yes.

Beth Francis: Next time, I'll just tell him quit calling.

President Marino: Yup.

Beth Francis: Okay.

President Marino: Thanks Beth.

Beth Francis: Thanks.

COUNCIL COMMITTEE REPORTS

None

President Marino: Mr. Steffey

Mr. Steffey: I'd like to move that we move into executive session under ORC 121.22 to preparing for, conducting and reviewing negotiations and bargaining sessions for public employees concerning compensation and terms and conditions of their employment.

Motion made by Steffey, seconded by McNaughton to adjourn into executive session.
Motion carried.

Council adjourned at 6:11 P.M.

Council reconvened at 6:48 P.M.

ORDINANCES AND RESOLUTIONS

ORDINANCE NO. ____ (Draft No. 112-17)

AN ORDINANCE AUTHORIZING THE TREASURER TO ENTER INTO AN AGREEMENT WITH BRINKS COMPUSAFE SERVICE; AND, DECLARING AN EMERGENCY

It was moved by Steffey, seconded by Mientkiewicz to give a second reading to Draft No. 112-17.

YEAS: 6 NAYS: 0

This Draft No. 112-17 has received its second reading on the 6th day of September 2017.

RESOLUTION NO. ____ (Draft No. 113-17)

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

It was moved by Steffey, seconded by Pezzano to give a second reading to Draft No. 113-17.

YEAS: 6 NAYS: 0

This Draft No. 113-17 has received its second reading on the 6th day of September 2017.

ORDINANCE NO. ____ (Draft No. 114-17)

AN ORDINANCE AUTHORIZING DECLARATIONS OF OFFICIAL INTENT UNDER U.S. TREASURY REGULATIONS WITH RESPECT TO REIMBURSEMENTS FROM NOTE AND BOND PROCEEDS OF TEMPORARY ADVANCES MADE FOR PAYMENTS PRIOR TO ISSUANCE, AND RELATED MATTERS, 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 McNaughton seconded by Steffey to adopt this Draft No. 114-17.

YEAS: 6 NAYS: 0

This Draft No. 114-17 has been adopted on the 6th day of September 2017.

ORDINANCE NO. ____ (Draft No. 115-17)

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS FOR CATCH BASINS; AND, DECLARING AN EMERGENCY

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

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by McNaughton, seconded by Pezzano to adopt this Draft No. 115-17.

YEAS: 6 NAYS: 0

This Draft No. 115-17 has been adopted on the 6th day of September 2017.

ORDINANCE NO. ____ (Draft No. 116-17)

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO PURCHASE A BACKHOE AND A CARGO VAN FOR THE WATER DEPARTMENT; AND, DECLARING AN EMERGENCY

It was moved by McNaughton, seconded by Mientkiewicz to give a first reading to Draft No. 116-17.

YEAS: 6 NAYS: 0

This Draft No. 116-17 has received its first reading on the 6th day of September 2017.

ORDINANCE NO. _____(Draft No. 117-17)

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO PURCHASE A PICK-UP TRUCK FOR THE SEWER DEPARTMENT; AND, DECLARING AN EMERGENCY

It was moved by McNaughton, seconded by Mientkiewicz to give a first reading to Draft No. 117-17.

YEAS: 6 NAYS: 0

This Draft No. 117-17 has received its first reading on the 6th day of September 2017.

ORDINANCE NO. _____(Draft No. 118-17)

AN ORDINANCE AUTHORIZING THE PURCHASE OF PICKUP TRUCK FOR THE LIGHT DEPARTMENT THROUGH THE STATE PURCHASING PROGRAM; AND, DECLARING AN EMERGENCY

It was moved by Mientkiewicz, seconded by Pezzano to give a first reading to Draft No. 118-17.

YEAS: 6 NAYS: 0

This Draft No. 118-17 has received its first reading on the 6th day of September 2017.

RESOLUTION NO. _____(Draft No. 119-17)

A RESOLUTION APPROPRIATING FUNDS FROM THE UNAPPROPRIATED CAPITAL PROJECTS FUND TO CAPITAL PROJECT CONSULTANTS FEES ACCOUNT FOR THE DOWNTOWN LIGHTING PHASE II; AND, DECLARING AN EMERGENCY

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

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by McNaughton, seconded by Papalas to adopt this Draft No. 119-17.

YEAS: 6 NAYS: 0

This Draft No. 119-17 has been adopted on the 6th day of September 2017.

RESOLUTION NO. _____(Draft No. 120-17)

A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED GENERAL FUND TO THE BUILDING AND ZONING CONTRACTED LABOR ACCOUNT; 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 McNaughton, seconded by Steffey to adopt this Draft No. 120-17.

YEAS: 6 NAYS: 0

This Draft No. 120-17 has been adopted on the 6th day of September 2017.

RESOLUTION NO. ____ (Draft No. 121-17)

A RESOLUTION APPROPRIATING FUNDS FROM THE UNAPPROPRIATED GENERAL FUND TO THE INCOME TAX REFUND AND CONTRACTED LABOR ACCOUNTS; AND, DECLARING AN EMERGENCY

Motion was made by McNaughton, seconded by Steffey, to amend the draft number from 121-16 to 121-17.

Motion carried.

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 McNaughton, seconded by Papalas to adopt this Draft No. 121-17.

YEAS: 6 NAYS: 0

This Draft No. 121-17 has been adopted on the 6th day of September 2017.

ORDINANCE NO. ____ (Draft No. 122-17)

AN ORDINANCE AMENDING SECTION 921.07, BACKFLOW PREVENTION DEVICES OF THE CODIFIED ORDINANCES OF THE CITY OF NILES; AND DECLARING AN EMERGENCY

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

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by Pezzano, seconded by McNaughton to adopt this Draft No. 122-17.

YEAS: 6 NAYS: 0

This Draft No. 122-17 has been adopted on the 6th day of September 2017.

ORDINANCE NO. _____(Draft No. 123-17)

**AN ORDINANCE AMENDING IN PART, CODIFIED ORDINANCE NO. 143.07
IMPOUNDING/TOWING AND, DECLARING AN EMERGENCY**

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

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by Pezzano, seconded by McNaughton to adopt this Draft No. 123-17.

YEAS: 6 NAYS: 0

This Draft No. 123-17 has been adopted on the 6th day of September 2017.

ORDINANCE NO. _____(Draft No. 124-17)

**AN ORDINANCE REPEALING AND REPLACING CODIFIED ORDINANCE NO.
165.01, "ESTABLISHED; DUTIES" TO ADJUST THE MEMBERS OF THE RECORDS
COMMISSION IN ACCORDANCE WITH THE OHIO REVISED CODE; AND,
DECLARING AN EMERGENCY**

Mr. Mientkiewicz: This has to do with the city wide record retention and our ordinance in relation to the records commission.

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

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by Papalas, seconded by Mientkiewicz to adopt this Draft No. 124-17.

YEAS: 6 NAYS: 0

This Draft No. 124-17 has been adopted on the 6th day of September 2017.

RESOLUTION NO. ____ (Draft No. 125-17)

A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED WATER FUND TO THE WATER FUND'S CONTRACTED LABOR ACCOUNT; 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 Steffey, seconded by Papalas to adopt this Draft No. 125-17.

YEAS: 6 NAYS: 0

This Draft No. 125-17 has been adopted on the 6th day of September 2017.

RESOLUTION NO. ____ (Draft No. 126-17)

A RESOLUTION AUTHORIZING LINE ITEM TRANSFERS WITHIN THE WELLNESS CENTER FUND TO PROVIDE FUNDS FOR THE WELLNESS CENTER CONTRACTED LABOR ACCOUNT; 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 Steffey, seconded by Papalas to adopt this Draft No. 126-17.

YEAS: 6 NAYS: 0

This Draft No. 126-17 has been adopted on the 6th day of September 2017.

RESOLUTION NO. ____ (Draft No. 127-17)

A RESOLUTION APPROPRIATING FUNDS FROM THE UNAPPROPRIATED PARK FUND TO THE VARIOUS WAGE RELATED ACCOUNTS; 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 Steffey, seconded by Papalas to adopt this Draft No. 127-17.

YEAS: 6 NAYS: 0

This Draft No. 127-17 has been adopted on the 6th day of September 2017.

RESOLUTION NO. _____(Draft No. 128-17)

A RESOLUTION AUTHORIZING LINE ITEM TRANSFERS WITHIN THE WATER DEPARTMENT TO WATER DEPARTMENT; 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 Steffey to adopt this Draft No. 128-17.

YEAS: 6 NAYS: 0

This Draft No. 128-17 has been adopted on the 6th day of September 2017.

Motion made by Papalas, seconded by Marchese to add Draft No. 129-17 to the agenda.
Motion carried.

RESOLUTION NO. _____(Draft No. 129-17)

A RESOLUTION AUTHORIZING THE TENTATIVE AGREEMENT FOR THE FOP PATROLMEN'S UNIT; AND DECLARING AN EMERGENCY

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

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by McNaughton, seconded by Pezzano to adopt this Draft No. 129-17.

YEAS: 6 NAYS: 0

This Draft No. 129-17 has been adopted on the 6th day of September 2017.

MISCELLANEOUS REMARKS

President Marino: Did we get the fire hydrant, Ed, taken care of for Mrs. Stahl on Carle St?

Mr. Stredney: The fire hydrant's been replaced. We're up there on a routine. I know they were there this past Friday and flushed it. I do believe Mrs. Stahl is still having issues. I know we've been there two or three times since. I don't know if it's something in her house. It's not in the line. We've flushed the line.

President Marino: Okay.

Mr. Stredney: Watched it but it's a brand new hydrant.

President Marino: Thank you sir.

Mr. Stredney: Yeah we had tentatively scheduled a tentatively we do have scheduled a round table for next week at 5:00 P.M. I've had at least one council member has asked if we could move that to before the next council meeting. We have A to Z scheduled to come in and go over their water meter proposal.

Ms. Marchese: Before the council meeting would be good for me.

Mr. Steffey: Would 5:00 P.M. be okay that day of the council meeting?

Mr. Mientkiewicz: The 20th?

Mr. Steffey: Yes.

Mr. Papalas: Better check with them though also to make sure.

Mr. Stredney: I'll text him as soon as we leave here. So, I'll have an answer for you for sure tomorrow. But he indicated to me earlier that Wednesday would be good.

President Marino: So, you're cancelling the round table for next Wednesday and moving it to a 5: 00 P.M. round table prior to the next council meeting?

Mr. Steffey: Yes.

President Marino: Nikki, make sure you send all of the notices out please. Anything else, Eddie?

Mr. Stredney: Not at this time, Mr. President.

Chief Holland: Yes I would just like to report that in the last 30 days, we've raided 3 drug houses that we made under cover buys/ purchases at. One on Fenton Street, where they were selling heroin, one on Wade Street, where they were selling heroin, and one Fulton where they were selling crack cocaine and heroin. And we also indicted and arrested one mobile trafficker who was delivering heroin to the city from other locations.

Ms. Marchese: Good job.

Mr. Steffey: Great.

Chief Holland: The drug unit is paying off.

Mr. Mientkiewicz: Chief, that does not go unnoticed. Two residents today, asked me to pass on compliments because of this. Because of these issues. They see it in the paper. They see it on Facebook. They know you're being proactive and cracking down on this so keep it up please. As well as they also notice that there's a lot of police presence in smaller neighborhoods they've been noticing. So, they're very happy about that.

Mr. Steffey: I echo Steve's comments. Great job.

Chief Holland: Thank you.

Chief Danielson: I just wanted to let council know that we finally got done running all of the hydrants in the city. I typed up a report and gave it to the service director. We have roughly 30 hydrants that are definitely need replacing. They're broken. We probably have another 30-40 that, in my opinion, that if we can repair the stems the stems is what turns them on. Get those repaired and those would be back in service. And then about another 20 with miscellaneous things the water department.

Mr. Steffey: While we're talking about the hydrants, has the one at the corner of Neil and Holford been replaced yet? It has?

Mr. Stredney: Yeah it's been replaced. I think we changed the direction and moved it back and we're coordinating to get some cement poles in there.

Mr. Steffey: To alleviate I know the truck traffic.

Mr. Stredney: To alleviate and I know the chief is having our traffic officer look at some different options possibly for that street. So, we'll.

Mr. Steffey: Well the traffic officer's work has not gone unnoticed either. He's put up proactive signage leading them to where the businesses are instead of saying where you can't drive now if you drive down certain corridors into that side of town, on the west side, there are signs leading you to the business so I would expect that to be very helpful.

Mr. McNaughton: And I don't know as a city or what, if we could educate the drivers of the companies more to follow those signs and not the GPS. Because those GPS units are tearing up these neighborhoods and causing all of this havoc in spite of this tremendous signage that's up. So, I don't know what we need to do to get it in these folk's heads that the signs... follow the signs.

Ms. Marchese: Also if we're going to be putting new fire hydrants, can we get them all one color? Like an emergency color so people know? Instead of all of the different colors they're being painted?

Mr. Stredney: I think we're going to be going with; we talked about doing I don't know what the certain safety color is? Fire engine red or whatever? The red color is. We're going to start repainting some of the older ones that are still good so.

Ms. Marchese: We need them all one color so they know it's an emergency.

Chief Danielson: A lot of those that are on private businesses, they're private orders. Residents have painted them. Just driving around on the south side I know when our guys tested, somebody painted their hydrant brown. Another one might have been painted pink. Standard color is all red.

Ms. Marchese: Maybe we need to come up with something that they know they're not allowed to do that.

Chief Danielson: So unless we can get out there when these guy's start the program, get out there any and all of the hydrants.

President Marino: So the 20 that need minor repairs and the 30 that need stems repaired.

Chief Danielson: It's about 30. 30.

President Marino: You said 30 are not working.

Chief Danielson: Right.

President Marino: 30 need a stem and you said 20 need minor repairs if I heard you correct.

Chief Danielson: 10 of those are caps are frozen.

President Marino: That's neither here nor there.

Chief Danielson: Okay.

President Marino: We've got about 8 hydrants that are going to be replaced. Is the water department working on these daily.

Mr. Stredney: Yeah we actually, I know we have a grant that's going to address some of them up into the CDBG money. We got, I think maybe 9 new fire hydrants. We're already put a couple of them in.

President Marino: Well.

Mr. Stredney: And we've cannibalized parts and we've got parts for the ones that we need parts so we're starting to address them and work on them.

President Marino: I'd like to be updated. I'd like council to receive an update each meeting on the progress our water department's making in fixing these.

Mr. Stredney: I've talked with the chief, our plan right now is to address as many as we can. We've asked the chief to see if we can get one more flushing cycle through our water system this year which would retest all of the hydrants.

President Marino: Okay.

Mr. Stredney: Preferably before we get a nice big freeze.

President Marino: I don't know who's going to keep us updated but you or somebody, make sure council's keep informed of the progress on repairs and whatnot with the hydrants.

Chief Danielson: If the water department would give me a weekly update then I can get you a report.

President Marino: Okay great. We'll be looking forward to the September 20th update and the progress.

Mr. Vigorito: Just one thing. Jeff and I attended a Trumbull County Zoning meeting last week with Michael O'Brien as our guest speaker. He's on the agricultural committee and the state is making a move to allow small farm animals into cities and into townships and you won't be able to zone them out. So, I just want to give you a forewarning is House Bill 175. It's not at a committee yet. He'll let us know when it is so that you can definitely make your comments. The last time the state superseded us was over the gas wells. I came and gave forewarnings on that and they passed it anyhow and we don't have any control over where the gas wells go. So and the small animals included chickens, pigs, goats.

President Marino: My neighbor already has chickens.

Mr. Vigorito: Huh?

President Marino: My neighbor already has chickens.

Ms. Marchese: I wondered what that was.

President Marino: I'm not talking about that. I'm talking about at the end of the street they really do have chickens.

Mr. Vigorito: Llamas. Those are considered small animals. Pigs, goats. So just to let you know, it could be coming.

Mr. Steffey: And that would supersede anything that we have in place legally Terry?

Law Director Swauger: That's the intent. They want to eliminate the ability of cities to.

Mr. Steffey: So any preemptive strike that we may do would be.

Law Director Swauger: We already have them outlawed in our books.

Mr. Steffey: Right.

Law Director Swauger: The animals are not allowed.

Mr. Steffey: Nothing.

Law Director Swauger: They would basically strike our ordinances down as not enforceable anymore.

President Marino: So you all need to go to Columbus when this bill comes up. Someone needs to pay attention to this from the Ohio Municipal League if they a brief to someone and go down and testify before that committee because that's how it works. Huh Steve, we've had to do that a time or two.

Mr. Papalas: Yes we have.

Treasurer Rizer- Jones: I just want to report that we brought in \$27, 973.00 on delinquents for the month. That brings it to \$224,000 for the year. And we're ahead for the year by \$1,1050,000.

Ms. Marchese: Good job. Tell your girls good job.

President Marino: Thanks. Thanks. Steph, anything in the billing office?

Ms. Ford: Everything's pretty good.

President Marino: Pretty good or very good?

Ms. Ford: Very good.

President Marino: Very good. Okay.

Mr. McNaughton: Echo my colleagues and folks that reached out to me on the drug unit, I've had some comments upon us to really work with you folks to do everything we can holster that moving forward because actually it's paying dividends. Might be impossible to eradicate it, but you guys are doing a hell of a job and I appreciate it as a resident now with two young kids myself. So thank you. I'm also happy to see that we continue to become compliant with Ohio Revised Code. Again tonight, I don't think it can be ignored that the city seems to be trending upward. The more we are compliant with our friends down in Columbus so that's also good to see. And Ms. Burns, if you're watching, we're thinking about you. Nothing further.

Mr. Steffey: I did receive a text at the beginning of the meeting from Andy Bickerstaff. He just wanted me to re-invite any members of the administration or council to the Feel the Heat program that they're going to have in Reynolds, Ohio next month. Frank Pezzano and I attended nearly two years ago and I didn't know Frank that well before we went, but you spend 16 hours sweating, hands on his back and such in the fire academy and we left there friends and remain that so. What it does is it gives some empathy and understanding of really what the firefighters go through. You know, you think you know, we all have respect for the safety forces but until you actually have to take a tank off your back in full gear in a smoky room and push that tank ahead of you through an attic type setting and rely on the touch of your partner getting you through there. And Frank found the baby underneath the bed. It was really, I can't over speak on how well I felt the program went. So I encourage anybody that's willing to go, Mr. Bickerstaff's willing to go with you for the day. I would encourage that. I will find out the date for you. But I know he's scheduling it I believe the third week of October. And that's all I have.

Mr. Mientkiewicz: Ed, where are we at on the Carnegie water loop project?

Mr. Stredney: I might defer to Kevin for a minute or Swauger. But there was two, one business, one home owner, that has delayed giving us permission for an easement that is holding up the whole water loop process as it is. There's three projects on there. Without those two signatures, all three projects in that grant are on hold. I know Mr. Swauger has reached out to contact both

of them to talk them into it. Otherwise, we'll ask Mr. Swauger to legally go into, force our way into getting the easement so we can forcibly do it.

Mr. Mientkiewicz: Alright. Well, my people on Carnegie have been waiting for over a year now. And it's unfortunate that.

Mr. Stredney: There's

Mr. Mientkiewicz: I don't know why this is happening.

Mr. Stredney: There's residents that are holding it up. We're trying to talk them into letting us get the easement but.

President Marino: Kevin, there's no way Eastgate can release some of the money for Carnegie and hold back for the other ones or is this.

Mr. Robertson: This would be the state money.

President Marino: Or whoever it is.

Mr. Robertson: I could ask but I highly highly doubt that.

President Marino: Well how about we ask? What do you think? And explain the situation to them that this portion of the project is ready to go. These other pieces are on hold because we have easement disagreements with property owners. But why can't we seek relief to.

Mr. Robertson: You would have to bid the project though and they would have to bid it on the full thing. The full project.

President Marino: But maybe they'll allow us to. Just ask. Say hey is there a way we can move forward with this. And when they say no, they say no. I mean but no harm no foul.

Mr. Robertson: Right.

Law Director Swauger: There's three loops.

Mr. Robertson: There's three.

Law Director: So basically you're asking if we can get permission to break them up into three separate projects.

President Marino: At least let Carnegie go. I mean, we're holding.

Law Director Swauger: I understand. I will help Kevin. We'll go through it and see what we can find out for you.

President Marino: I appreciate that. Thanks. Is that alright, Steve?

Mr. Mientkiewicz: Yeah I mean. You've been in contact with these residents?

Mr. Stredney: I know. I know.

Law Director Swauger: One of them made it very clear they want no more further contact.

Mr. Pezzano: Yeah. Ladies and gentlemen one of the constituents in the first ward, been to her house numerous times, she actually came to the council meeting along with another gentlemen and voiced her opinion very loud. And we got the project awarded to us. Kevin and I believe Sherry went to the house. She pretty much said no. I went to her house again after that and she said no. She left me a message saying that she doesn't even want to talk about it anymore. So, I relayed the message to Mr. Swauger and that's where we're at right now. We're trying to come up what.

Mr. Mientkiewicz: Well like I said, they're waiting on Carnegie so maybe I should give them her number?

Mr. Steffey: Terry, (inaudible) imminent domain would take effect?

Law Director Swauger: That would be the process we would have to go through to take any type of action. It's a lengthy process and that's the problem. We'd like to see if we can't reach a resolution without.

Mr. Steffey: Sure.

Law Director Swauger: There's no guarantees so. But it's a process we're looking at.

Mr. Steffey: Okay.

Mr. Papalas: This person, this lady who was complaining originally, did her problem get solved?

Law Director Swauger: No.

Mr. Stredney: No.

Mr. Papalas: So, she still has this problem and she's.

Mr. Pezzano: Actually Mr. Papalas, when they all came in here, we already went to their houses. There's two houses on that street. One was on the dead end there, obviously. We put a new fire hydrant in. Andy and the guys went down there and installed a new fire hydrant. They moved it from one end to the other and thought that would and completely flushing the system almost all the time on a timer. Plus automatically putting their hose out to the stream, the creek and letting it continuously flow, it cleared up the water. And when we got this project awarded to us, she

said no. She don't want anybody on her property. And like I said, her message to me on my machine said I don't want to talk about it again.

Mr. Papalas: So her water's cleared up?

Mr. Robertson: No.

Law Director Swauger: No.

Mr. Papalas: Okay. I don't understand that but okay.

Mr. Pezzano: Well Kevin, I mean she's still, is she getting, I mean she was told to run her water continuously. Okay. And as long as they automatically flush that system, the water's still clear. Right?

Mr. Robertson: Well it should be clear but.

Mr. Pezzano: Yeah.

Mr. Robertson: But if they would stop the process of.

Mr. Pezzano: Oh no, yeah obviously yeah.

Mr. Robertson: Yeah.

Law Director Swauger: She has a temporary fix. It's not a permanent fix.

Mr. Pezzano: It's a temporary fix yeah.

President Marino: It's costing us money because we're just running water.

Mr. Robertson: (inaudible) an excavator is going to come in there and dig a trench across her property. It's a directional drill underneath the ground so.

Mr. McNaughton: You hit the nail on the head. It's costing us money.

President Marino: Yes, it's costing the water department money.

Mr. McNaughton: It's costing everybody money. Everybody money.

Mr. Pezzano: And everybody in the city has been doing their best to go down there every time there's a call out in from day one. So, they can't say nobody's been on the, everybody's been here. Service Director, the Mayor, everybody's been there.

Mr. Papalas: Well, I think we're going to have to do what you can legally.

Law Director Swauger: That is our option. And we will follow through with it.

President Marino: Anything else Steve?

Mr. Mientkiewicz: Yeah for about the last month, I've noticed a few volunteers, I think their volunteers, up in Steven's Park bringing piles of branches up toward the road. The piles are still there. Can you send the tree department up and have them get rid of those.

Mr. Stredney: Yeah.

Mr. Mientkiewicz: That's it.

Mr. Pezzano: Yeah I want to add to, like my colleagues, that Chief, I requested him to put extra patrol in a certain area in the first ward. Thank you for that. And I want to thank Sam Mollica and his team for also following up on some issues. Thanks.

Mr. Steffey: Just one more thing, I did get a message on that Feel the Heat. It's Saturday, November 4th. So Mr. Bickerstaff, anybody that's interested please notify him. Saturday, November 4th for the Feel the Heat training. That's it.

Mr. Steffey: And Barry, since you're taking a new a seat, I think you should go through it again just to make sure you understand exactly how hot things are.

ADJOURN

It was moved by Steffey, seconded by Marchese to adjourn the meeting.



Nicole Bacak, Clerk of Council



ROBERT MARINO JR., President of Council