

COUNCIL MEETING MINUTES

October 4, 2017

Niles City Council held its regular meeting on October 4, 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- P, McNaughton-P, Steffey-P, Marchese-P, Mientkiewicz-P, Pezzano-P, Marino-P

Motion to excuse Mayor Scarnecchia due to personal illness was made by Steffey, seconded by Marchese.

Motion carried.

It was moved by Steffey, seconded by McNaughton to accept the Minutes from the September 20th and 25th meetings and place them on file.

Motion carried.

REPORTS AND COMMUNICATIONS

FROM – Auditor's Office

Check Report by Check Number- September 2017

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

Motion carried.

FROM – Service Director

Overtime Report- September 2017

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

Mr. McNaughton: This is extraordinarily encouraging the savings we've had in a span of one year so my thanks to department heads and all our city workers who've. You're doing a hell of a job.

Motion carried.

FROM – Treasurer's Office

Monthly Receipt Totals- Income Tax Department- September 2017

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

Mr. Mientkiewicz: Quick question. Janet, is our delinquent tax owed for this year already the same as last years? Am I reading that right?

Treasurer Rizer- Jones: Well it could be because as some people come off, new ones come on. So yes. It's not that we aren't working on them. They're being addressed.

Mr. Mientkiewicz: No I know but through the remainder of the year, will that continue to increase?

Treasurer Rizer- Jones: It may. There's still zero's that need entered (inaudible)

Mr. Mientkiewicz: Okay.

Motion carried.

FROM – Regional Chamber

City of Niles Economic Development Contract Update- Presented to City Council prior to council meeting by Sarah Boyarko.

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

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL

MaryAnn Miller: 209 Cherry Ave. Niles. I'm kinda confused. I went to a park board meeting, two weeks ago I think, and I don't understand what they did. Supposedly while I was there, they approved a raise for the two ladies that work at the Wellness Center. A \$2.00 an hour raise. Now, these are not people who are employed by the City of Niles. They're not employed by the Park Board. How could they give a raise without anybody else's approval?

President Marino: I would have to defer to our Law Director for legal direction.

Law Director Swauger: The Park Board has the ability to employ any employees at its choosing. They do not employ these employees. They are contracted through.

MaryAnn Miller: Right.

Law Director Swauger: Labor Max or Labor Ready.

MaryAnn Miller: Right.

Law Director Swauger: They are a temporary employment agency. They have a contract with that company and if those. We pay them according to the contract and they can't technically give them a raise. However, if their contract requires we pay them a certain rate, then that rate has to be paid by the city.

MaryAnn Miller: But I, from what they were telling, what they were discussing there was not a set rate. They just felt these people were doing an excellent job and we should give them a \$2.00 an hour raise.

Law Director Swauger: I received a copy of the proposal submitted by Labor Ready.

MaryAnn Miller: Oh okay.

Law Director Swauger: In September 2016, so a year ago. They have a worker listed as Clerical 1 at a certain rate and a worker listed as Clerical 2 at a different rate and a Janitorial staff listed at a third. So if they're duties fall under one of those categories, they are paid the rate according to that contract.

MaryAnn Miller: Okay and then the contract then allows to make a raise at certain intervals.

Law Director Swauger: We don't. No. That contract says if they're performing the duties of Clerical 1, this is what they get paid. If they are performing the duties of Clerical 2, this is what they get paid.

MaryAnn Miller: Okay.

Law Director Swauger: If they are performing the duties of a Janitorial staff, this is what they get paid. So the only way that rate can change is if our contract with Labor Ready requires that change. The board themselves, technically speaking, cannot give raises to people who are not employed by the city.

MaryAnn Miller: That's what I thought but that's what I needed clarification.

Law Director Swauger: That's correct.

MaryAnn Miller: Okay. But they got the raise, right?

Law Director Swauger: I advised them to comply with the contract. I'm assuming they will if that's what the duties have been changed.

MaryAnn Miller: Okay.

Law Director Swauger: I wasn't at the meeting. I've seen the video. It was sent to me by one of the councilmen. So, I...they took action. But I looked at the information that was provided to me and said you have a contract. You comply with the contract. And we do have a contract.

MaryAnn Miller: Okay thank you.

President Marino: Terry, does the Board of Control have to approve that contract? Or the Park Board is part parcel to that mechanism?

Law Director Swauger: The Park Board has the ability to contract on their own.

President Marino: On their own. Okay alright.

Ms. Marchese: Terry, I have a question on that because I'm the one who asked the questions at the beginning of that video. Now, at the beginning, I'm under the impression it was \$8.10 an hour from what they said if you listen to it. So you should have, you should have the breakdown of the contract with all three people right now, is that correct?

Law Director Swauger: It was emailed to me.

Ms. Marchese: Do you have those amounts on you?

Law Director Swauger: The signed thing that was sent to me was...this one says \$10.62 for clerical.

Ms. Marchese: That's what they were going up to. That would be the new rate.

Law Director Swauger: This is the signed contract that was sent to me. \$10.62 for clerical. It was signed on February 2, 2017. So that was.

Ms. Marchese: It was signed when?

Law Director Swauger: The quote was issued February 2, 2017. 8 months ago.

Ms. Marchese: That doesn't make any sense.

Law Director Swauger: I'm sorry 6 months ago.

Ms. Marchese: Why would they come and ask for the raise then up to that amount?

Law Director Swauger: I... they have a written contract that says hourly bill rate is \$10.62 for clerical.

Ms. Marchese: Something's not making sense.

Law Director Swauger: That's the written contract that was signed.

Ms. Marchese: I know.

Auditor Merlo: \$10.62 covers the entire portion of all of their expenses. It includes their hourly rate plus all the other expenses that (inaudible) unemployment.

President Marino: Right.

Ms. Marchese: Oh okay.

Auditor Merlo: They take over the insurance and all of that so.

President Marino: Workmen's comp.

Ms. Marchese: So now that.

Auditor Merlo: So their hourly rate is not \$10.62.

Ms. Marchese: Okay that explains it. (inaudible) So now with that hourly rate and the raise their given, that would go higher?

Auditor Merlo: He just, like Mr. Swauger just explained, the hourly rate is set by that contract. So as of right now, that hourly rate is what's in that contract.

Ms. Marchese: So in other words, the city cannot or will we be liable out of the general fund.

Law Director Swauger: No.

Ms. Marchese: Anymore. I guess is what my question is.

Law Director Swauger: My understanding is that it was made clear to the board at the last time you made a line item adjustment to their budget that would be enough funds to cover them for the rest of this year.

Ms. Marchese: Okay. So nothing can change.

President Marino: However Terry, if they exceed the appropriation for salary purposes, I would assume council would have to fund that.

Law Director Swauger: They would not necessarily. They could shut it down. But I mean there's obviously other issues that. The Park Board has been informed that they have funds and they need to comply with staying in their budget. Just like every other department. So I was told there will be no issue with that.

Ms. Marchese: John, one other question. He was talking about he moved line 1 or something. He did have the money that wasn't being used into line 2 to give them extra money. Can you explain that?

President Marino: Transfer of funds.

Auditor Merlo: There was a transfer of money that council approved.

Ms. Marchese: Right.

Auditor Merlo: 2 or 3 meetings ago. We took money that was not being utilized in the wage budget into contracted labor. When we moved that, it was based upon currently known facts, that wage amount through the end of the year. So, it's not additional expenses for the Wellness Center that was not already appropriated for.

Ms. Marchese: And none of that though was for raises or anything like that. It was just transferred.

President Marino: They're within their appropriation, John?

Auditor Merlo: Correct.

President Marino: And you project them to be within their appropriation through the 4th quarter?

Auditor Merlo: Based on that rate, we did. Yes.

President Marino: Okay. Alright. Any other questions on that matter? Okay. Paul and then Aimee.

Paul Davis: 44 Hartzell Ave. Niles. With the Chamber of Commerce being here tonight, has there been any discussion with the new company at Fairhaven that's going to do the transportation? About locating a business here, property, housing and so on?

Mr. Stredney: Mr. Davis, that I'm not entirely sure of but I'll. I can make a note to ask Sarah tonight.

Paul Davis: She said no.

Mr. Stredney: Okay.

Paul Davis: So, city officials haven't? To enlighten you with what I know, I believe their called PSA or PCS. They're going to take over Fairhaven transportation to the workshops. Currently, and these are rough figures I have no way of knowing for sure but I believe we have about 20 yellow buses, which they won't be permitted to operate. They'll be broken down into probably double that, what they call an LT, I think Frank's familiar with the white buses.

President Marino: Yeah.

Paul Davis: 12 passenger so there would be roughly 40. 30-45 white buses that would need housed. They're looking currently looking for property in the area. They didn't say Niles but they're looking in the area. If I were a city official, I'd be over there knocking on their door tomorrow morning at 6:30 A.M. in the morning because they are going to relocate. Okay.

President Marino: Thanks Paul.

Paul Davis: Second thing the bad news coming out of Fairhaven, I've talked to Mr. Newbrough about this. I sat at the red light at Andrea Blvd tonight for 4 minutes and I'm not sure it's changed yet because everybody went through it. I didn't want you to know that, Chief. 4 minutes. The light coming off of 46 turning left into Andrea Blvd changed twice for the arrow to go in but wouldn't let anybody out. Now, that's absolutely ridiculous. I've been told they're programmed with some other lights and there's a computer doing it. Well, we got to fix that computer. 4 minutes. I was probably the 7th or 8th car back in line. Had they not gone through the light, I'd still be sitting there probably. Could you take a look at that?

Mr. Stredney: Absolutely.

Paul Davis: Thank you very much.

President Marino: Thanks Paul. Aimee.

Mr. Steffey: Thanks Mr. Davis.

Aimee Cantola: 208 Vienna Ave. Back to that money for the two girls out at the Wellness Center. We just moved money from one account to the other to cover that.

Auditor Merlo: One line item to the other.

Aimee Cantola: One line item. Was that one line item out of the park levy or the park budget?

Auditor Merlo: No.

Aimee Cantola: To the Wellness Center.

Auditor Merlo: It's general fund.

Aimee Cantola: General fund. Okay. Second question, I don't know if it's for Mr. Holland, or Chief Holland or not. If there's a vehicle that's not registered, sitting on property that's a rental but it doesn't belong to the landlord and it hasn't had plates on it for like 3 years and the owner of that vehicle is gone, who does that go fall back onto? The landlord or the owner of vehicle?

Chief Holland: If it's a violation of the junk vehicle ordinance, we would tag it. Ten days later, the traffic officer would come out.

Aimee Cantola: And just take it.

Chief Holland: And tow it.

Aimee Cantola: Okay.

Chief Holland: If it's not plated and not operable.

Aimee Cantola: There's three on a property that aren't.

Chief Holland: Okay.

Aimee Cantola: So I will just let you know.

Chief Holland: Address?

Aimee Cantola: I'll let you know afterwards. You were visiting it last night at about 11:00 P.M.

Chief Holland: I was in bed.

Aimee Cantola: Well, not you. Okay I'll let you know though.

Chief Holland: Alright.

Aimee Cantola: Alright thanks.

COUNCIL COMMITTEE REPORTS

None

ORDINANCES AND RESOLUTIONS

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 Papalas to give a third reading to Draft No. 116-17.

YEAS: 7 NAYS: 0

It was moved by McNaughton, seconded by Lastic to adopt this Draft No. 116-17.

YEAS: 7 NAYS: 0

This Draft No. 116-17 has been adopted on the 4th day of October 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 Lastic to give a third reading to Draft No. 117-17.

YEAS: 7 NAYS: 0

It was moved by McNaughton, seconded by Papalas to adopt this Draft No. 117-17.

YEAS: 7 NAYS: 0

This Draft No. 117-17 has been adopted on the 4th day of October 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 McNaughton, seconded by Mientkiewicz to give a third reading to Draft No. 118-17.

YEAS: 7 NAYS: 0

It was moved by McNaughton, seconded by Mientkiewicz to adopt this Draft No. 118-17.

YEAS: 7 NAYS: 0

This Draft No. 118-17 has been adopted on the 4th day of October 2017.

ORDINANCE NO. _____(Draft No. 145-17)

AN ORDINANCE REPEALING ORDINANCE NO. 30-17, PLACING A MORATORIUM ON SEXUALLY ORIENTED BUSINESSES AND CREATING CHAPTER 711 TO REGULATE SEXUALLY ORIENTED BUSINESSES IN THE CITY OF NILES

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

Mr. Pezzano: Yes ladies and gentlemen, this ordinance has been going on for approximately 15 years. Passing moratoriums on it. With the help of our law director, he came up with some great language. You can't stop them but with this language it's going to make it very tough for them to come in. Thanks Terry.

Law Director Swauger: You're welcome.

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Pezzano, seconded by Lastic to adopt this Draft No. 145-17.

YEAS: 7 NAYS: 0

This Draft No. 145-17 has been adopted on the 4th day of October 2017.

RESOLUTION NO. _____(Draft No. 146-17)

A RESOLUTION AUTHORIZING THE SERVICE DIRECTOR TO REQUEST MEMBERSHIP IN THE TRUMBULL COUNTY NATURAL GAS PROGRAM; AND, DECLARING AN EMERGENCY

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

Mr. Mientkiewicz: Ed, can you explain this just for the record so people in the audience understand what this is?

Mr. Stredney: Yeah give me two seconds. I'm sorry. The county has a natural gas program and some people had asked the Mayor so I got tasked with looking into it. I called out to the county and instead of re-creating the wheel; we looked into what they're doing. November 2017-February 2019, it's \$3.45 MCF fixed. So this would go hand in hand with the program that the county is on for all the townships. So we would just be signing on to go right with them.

Ms. Marchese: Have you checked to see what like Dominion, it's not Dominion anymore, but some of the other ones I've been getting in the mail are a little less than that.

Mr. Stredney: The biggest one going around that I've seen or I got in the mail was \$3.57 per MCF so this is actually cheaper. And this would be, this would be an opt in/opt out. It would just be open. Anybody in Niles that wanted to opt in could get it at this. There would be no fees to opt in and no fees to opt out.

Ms. Marchese: Are you locked in on this one so it won't go up if it's a cold cold winter? Is this a lock in rate that they won't.

Mr. Stredney: Until February of 19.

Ms. Marchese: Okay.

Mr. Stredney: And you can opt out at any time without a fee.

Mr. Lastic: You could still join the other one if you wanted to.

Ms. Marchese: Right.

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by McNaughton, seconded by Steffey to adopt this Draft No. 146-17.

YEAS: 7 NAYS: 0

This Draft No. 146-17 has been adopted on the 4th day of October 2017.

ORDINANCE NO. ____ (Draft No. 147-17)

AN ORDINANCE AMENDING IN PART, CODIFIED ORDINANCE NO. 1402.99, THE PENALTY SECTION OF THE HOUSING MAINTENANCE CODE; AND, DECLARING AN EMERGENCY

It was moved by Pezzano, seconded by Mientkiewicz 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. 147-17.

YEAS: 7 NAYS: 0

This Draft No. 147-17 has been adopted on the 4th day of October 2017.

ORDINANCE NO. ____ (Draft No. 148-17)

AN ORDINANCE CREATING A VACANT PROPERTY/BUILDING REGISTRATION CHAPTER

It was moved by Pezzano, seconded by McNaughton to give a first reading to this Draft No. 148-17.

Mr. Pezzano: Yes Mr, Swauger, you can elaborate on this just a little bit?

Law Director Swauger: Yeah this was an issue brought up by members of council regarding vacant properties in the city and another way to attack and address those problem properties. This creates a list that any vacant property in the city, residential or commercial, has to be registered with the city of Niles and provide and pay a fee and it doesn't mean every vacant house. It defines a vacant property it would be, for example, a rental property that is not up to code has housing code violations on it is a vacant property now if it's not being leased at that time. But if the rental property is up to code, there are no housing violations, its well-kept; there is no need to require to register it. This is just a way of getting us to know which are the empty properties that are a problem in our city. They're on our list. They're known to us and we can use the funds generated by this to help attack polite and solve those problems that we see in our city. This is modeled after ordinances from other cities around the state of Ohio.

Mr. Pezzano: Thank you Mr. Swauger.

Mr. Mientkiewicz: Terry and so everyone knows if I own a home, a vacant home, because I bought it, because I inherited it, for whatever reason and I maintain it ,it's up to par, it's following city code, city ordinance, I will never have to register that.

Law Director Swauger: That's correct.

Mr. Mientkiewicz: The only time I will have to register is if I get a violation because of building/zoning/housing etc.

Law Director Swauger: Yeah it defines vacant property under various manners. If they're unsafe, if they're having utilities disconnected, building code violations, things of that nature. So it really has to be an empty house that is also a problem house for us.

Mr. McNaughton: I think the caveat folks need to know is that there is an appeals process written within here so you know. The less anyone thinks the city is just going to bring the hammer down without an opportunity to state your case, it's clearly stated in here.

President Marino: It ultimately comes down to enforcement and what the judicial branch does when cases are brought before it. Mr. Papalas and I have been here a long time and have seen a lot of laws written regarding (inaudible) and it comes down to Tony and Jeff going out and enforcing and then pursuing it in courts. We all remember Hyde Street. That went on for years and years and years and years and years and years so. I trust that this streamlining and these new laws will make things easier.

Law Director Swauger: And with that, the penalties, it's a stiff penalty. We made it a misdemeanor in the first degree. Its 6 months in jail, a \$1000.00 fine. And each day's considered a new violation so there are some teeth to this ordinance.

Mr. Papalas: Terry, where did you find the information for this?

Law Director Swauger: I looked at ordinances from Steubenville, Ohio, Wickliffe, Ohio, St. Clairsville, Ohio. Various cities around the state of Ohio.

Mr. Papalas: And are these a result of recent changes in the law from the assembly or?

Law Director Swauger: Some of these have been around for a while. It's a result of a declining population in Ohio.

Mr. Papalas: Yeah.

Law Director Swauger: Due to loss of jobs and like us, many cities are suffering from vacant properties.

Mr. Papalas: Yeah sure. Well we searched for a solution like this for a long time and I'm sure glad to see you took the intuitive on this. Thanks.

Law Director Swauger: You're welcome.

President Marino: The former safety director, Mr. Guarino, presented pieces of this information to us about neighborhoods taking control of their regions and organizing and so these things have been bantered about for.

Mr. Papalas: Well it was the way; it was the way it was bantered about.

President Marino: So.

Mr. Papalas: That concerned me at the time. I feel more comfortable with this.

President Marino: This has been going on for a while.

Mr. Papalas: Thanks Terry.

YEAS: 7 NAYS: 0

This Draft No. 148-17 has received its 1st reading on the 4th day of October 2017.

RESOLUTION NO. _____(Draft No. 149-17)

A RESOLUTION APPROPRIATING FUNDS FROM THE UNAPPROPRIATED CAPITAL PROJECTS FUND TO CAPITAL PROJECTS BOND CONSTRUCTION ACCOUNT FOR REPAIRS TO CITY-OWNED BUILDINGS; AND, DECLARING AN EMERGENCY

It was moved by Steffey, seconded by Papalas to table this Draft No 149-17.

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Steffey, seconded by Lastic to adopt this Draft No. 149-17.

YEAS: 7 NAYS: 0

This Draft No. 149-17 has been adopted on the 4th day of October 2017.

MISCELLANEOUS REMARKS

President Marino: I'd like the record to reflect how grateful we are to Freemont Camerino for his distinguished service to our community. We all should aspire, present company included, to the high standards that he set as an elected official in this town. Freemont was a very very dear friend of mine. I grew up with his step-son. And he will be sorely, sorely, sorely missed. Freemont, he was just a great guy.

President Marino: Andy, how's the Sewer Treatment Plant coming?

Mr. Catanzarite: It's getting built.

President Marino: That's real reassuring.

Mr. Catanzarite: Things are moving along. I think we were getting a little behind and then they kinda caught up. It looked like it was getting put together and now it's tore up again.

Ms. Marchese: Does that mean those trucks are going to stop on Summit? Especially those cement trucks pulling up and down right now. I mean are they going to re-route them?

President Marino: We're in budget? No change orders?

Mr. Catanzarite: We had one that went through and that was for the replacement of the water line that we had issues with last year. I will tell you. All the valves up front that we had all the issues with, were replaced today. So they're all new and working well.

President Marino: Speaking of water, Ed did you talk to Gary Shaffer about the head wall and getting all the necessary access points to get Farmers taken care of?

Mr. Stredney: Yeah I think we only have one, one person to take care of. I believe I'll be meeting with her either tomorrow afternoon or Friday morning. The people who rent there they don't own it so they don't have the authority to sign the right of entry form.

President Marino: Great. Thanks.

Treasurer Rizer-Jones: Yes. We collected \$28,509.00 on delinquencies in the past month. That brings our total to \$252,967.00 for the year. Right now, we're ahead for the year \$1,231,000.00 and we're tracking to be bringing in \$ 8,300,000.00 for the year.

President Marino: What were we budgeting to John?

Auditor Merlo: \$7,800,000

President Marino: \$7.800,000. So we'll be a half million over.

Ms. Marchese: And we're getting rid of them.

President Marino: And we've stayed within appropriations so we should project the year to be ending with.

Auditor Merlo: \$500,000

President Marino: An additional \$500,000 which would put us close to a million dollars carry over for next year. That would leave this body with a nice carry over. All things considered. So, we're a third of the way to our 6 month.

Auditor Merlo: 3 month.

President Marino: Excuse me, 3 month fund balance. Great. Thanks.

Ms. Ford: Yes, I want to talk to after.

President Marino: Okay.

Ms. Ford: That's all.

President Marino: Thanks

Mr. Papalas: I want to welcome Mr. Lastic back. We missed you, Mike. It's good to see your smiling face and so we'll look forward to you being here for a while.

Mr. Lastic: Thank you.

Mr. Papalas: I also.

Mr. Lastic: I plan on it, Steve. Thank you

Mr. Papalas: What's that?

Mr. Lastic: I plan on it.

Mr. Papalas: I hope so, Mike.

Mr. Lastic: Thanks. Thanks guys.

Mr. Papalas: When I came onto council in 1983, Freemont Camerino was President of Council then. He was a class act. He had full control of these meetings. He didn't take any bologna and yet he was very very fair with everybody involved in our meetings. He was very helpful to us

especially those of us who were new. Through the years, he didn't treat me any differently than he treated the next new person. A very helpful man in all ways and I think probably as a result of his work in the banking industry and his career, he probably gave almost half of the people their mortgages for their homes.

Ms. Marchese: Car loans.

Mr. Papalas: Just a... I think we could all, those of us that knew him, could all tell wonderful stories about Freemont Camerino because he really was an individual completely dedicated to improving the community. He is going to be missed. So Freemont wherever you are, God speed.

Ms. Marchese: Well said Steve.

President Marino: Mr. Lastic, welcome back.

Mr. Lastic: Good to be back. Thanks council. Freemont, wherever he's at, I know he's dressed. He can dress. He had some outfits boy.

President Marino: He certainly did. God bless him.

Mr. McNaughton: I just want to thank the work that Mr. Pezzano and our law director have done regarding some of the things we banged about tonight. You know, I shared with the group the other day that it was our goal when we started. On day one, it was a sprint. The learning curve was this to get our finances back in order. And now it appears that we're on the right track. It's time we got our hands dirty within our neighborhoods in our communities and we're starting to take these steps. So I wanted to thank these guys for their leadership for this next step to bring Niles back. And also I only had a couple interactions with Mr. Camerino. I will not pretend to put the eloquence that you gentlemen have. I hope folks say one tenth of the nice things about me that I have heard about Mr. Camerino when my time is up here and time is up here. So, God bless you sir. That's it.

Mr. Steffey: I do want to just touch on Mr. Camerino. I, as well as Ryan, didn't really know him very well. I know that his picture was always over my shoulder and I knew that he had to have done a lot of impressive things to get there. I also know that he served on the fiscal commission right up until his passing. And he was committed to Niles. Anybody that you talk to will say that. I usually find myself here early. A little bit earlier than anybody. Today I walked in; I was the only one in here. The room was half dark. And Mr. Camerino made it a point, because he was early too, and he made it a point to come up and thank me for being early. He said that that says something about you. He didn't know me. But he said you being here early says something about you. And I will keep that with me knowing that somebody that served this council and this city as he did, took enough just to give me a little confidence because as Ryan said, it was a quick turn of learning this job on the fly. But just an impressive guy. And God bless his soul.

Ms. Marchese: Yes, I'd also like to say that at a young age I met Mr. Camerino through my father. They dealt all their dealings at the bank and at the time I believe it wasn't Security.

Mr. Lastic: McKinley Federal.

Ms. Marchese: Right in downtown.

Mr. Lastic: McKinley Federal.

President Marino: Yup. McKinley.

Ms. Marchese: McKinley. You're right. Oh jeez. And my very first loan, he gave me. Sat there and you know, at first I thought oh my God, I was scared to death. This man turned out to be the nicest man you could have ever met. It's been great knowing him all these years. It really has. I'm sure he's going to do a great job up in Heaven. I really do. And on the other note, I want to thank the electric tree trimmers, whatever they're slash, whoever's doing the job right now for getting the trees cut over the sidewalks that people couldn't come up on on Summit Street. Their children because they were coming from Olive and walking on the street. And I had several calls so I checked it all out today. It's really good. They just got to walk over the tracks a little bit because there's no sidewalk but they can actually see that we do have a sidewalk now. So I'm very thankful for that. So thank you.

Mr. Mientkiewicz: Mr. Newbrough, quick question. After talking about the natural gas options, I've had a few different calls this week about why the city doesn't have a choice program for electric and I know you've mentioned this a few times. I just don't know the exact answer to give them.

Mr. Newbrough: The answer is we're under contract pretty much in perpetuity with AMP to buy our electric from them. So, any municipals in the state of Ohio are closed system meaning no one has that choice. It's part of the regulation of the law when it was written. Since we're a publicly owned municipal electric system, we don't fall under the invest or own type deregulation (inaudible).

Mr. Mientkiewicz: Okay. Did it have to do with something else regarding our lines? People can't come in and put... run their own wires because of our lines/our poles. Was that ever? Didn't you?

Mr. Newbrough: You mean another electric company? Another distributor?

Mr. Mientkiewicz: Another company. Right.

Mr. Newbrough: They city of Niles is the only that's allowed to put electric in the city of Niles unless council passes legislation allowing someone else to come in.

Mr. Mientkiewicz: Okay. But we couldn't do that because we're contracted with AMP. AMP Ohio.

Mr. Newbrough: You guys can do anything you wanted to. It belongs to the city.

Mr. Mientkiewicz: But in general, we're contracted with AMP Ohio and that's why.

Mr. Newbrough: As long as we're going to operate the system, the part that we own, that power has to be purchased from AMP Ohio.

Mr. Mientkiewicz: Okay.

President Marino: I'm wondering if it would be a good idea, I haven't seen our friends from AMP Ohio in quite some time. Maybe in November, Jim, we could schedule something. Can you have them come up and give us an update? I know there's projects out there and we can provide.

Mr. Newbrough: They usually call me about this time of year to schedule to come give us an update anyway. I'll give them a call.

President Marino: You don't mind?

Mr. Newbrough: No.

President Marino: And maybe we'll do it before. These guys like to meet before council meetings and Linda. So, sorry Linda.

Mr. Newbrough: Would you prefer that? That I ask them to come maybe.

President Marino: I would prefer it be off a council night so we don't have to rush them through because.

Ms. Marchese: Yes.

President Marino: We run into the meetings so they could ask questions.

Mr. Newbrough: Sure.

President Marino: But it's not my meeting, it's theirs.

Mr. Newbrough: Okay.

Mr. Mientkiewicz: Maybe at one of the upcoming roundtables we could set that up.

President Marino: An off Wednesday.

Mr. Mientkiewicz: On off Wednesday. Right.

President Marino: How about can you get them to come November 8th?

Mr. Papalas: What day is that, Bob?

President Marino: It's a Wednesday.

Mr. Newbrough: I can give them a call and see if I could set that up.

President Marino: If you don't mind. I appreciate that Jim.

Mr. Newbrough: I will see if I can.

President Marino: Are you around Steve?

Mr. Newbrough: What time would you guys like to do it?

President Marino: 4:00 P.M. – 4:30 P.M.

Mr. Mientkiewicz: Yeah.

President Marino: What time you guys? Ryan, what time are you back? 4:30 P.M.?

Mr. McNaughton: I am off that day. That's the day after election day, I'm going to try and sleep a little bit. So, I'll be here so.

Mr. Newbrough: So say 4:00 P.M.- 4:30 P.M.

President Marino: Yeah over in the conference room.

Mr. Newbrough: Okay I'll try and do it for 4:00 P.M. in the city conference room.

President Marino: That would be great.

Mr. Newbrough: Or would you like 4:30 P.M. better?

President Marino: 4:00 P.M. is fine, Jim.

Mr. Newbrough: Okay.

Mr. Lastic: City building?


Mr. Newbrough: Yes. I'll try to do that conference room.

President Marino: Jim, just let Ed know and Ed can let council know. Thank you. Anything else Steve? Frank?


Mr. Pezzano: I want to echo about Mr. Camerino also and this morning I spent some time with Glenn Randolph from the Sewer department. I want to thank him and his crew. And also Sam Mollica and his crew. Thank you.

ADJOURN

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



Nicole Bacak, Clerk of Council



ROBERT MARINO, JR., President of Council