

COUNCIL MEETING MINUTES

November 1, 2017

Niles City Council held its regular meeting on November 1, 2017 at 6:00 p.m. in Council Chambers Safety Service Complex in Niles, Ohio.

The meeting was called to order by Pro Tem President Steve Papalas, and the Clerk, Nicole Bacak, called the roll:

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

Motion to excuse President Marino was made by Steffey, seconded by Lastic.
Motion carried.

It was moved by Marchese, seconded by Steffey to accept the Minutes from the October 18th meeting and place them on file.

Motion carried.

REPORTS AND COMMUNICATIONS

FROM – Auditor's Office

Check Report by Check Number- October 2017

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

Motion carried.

FROM – Treasurer's Office

Monthly Receipt Totals- Income Tax Division- October 2017

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

Motion carried.

Mr. Mientkiewicz: Mr. Papalas.

Mr. Papalas: Yes.

Mr. Mientkiewicz: I have a quick question sort of in regards to that. Ed, is everything for RITA, switching to RITA on track as of now?

Mr. Stredney: Yeah we have a conference call I think every Wednesday, we're having with RITA. We're scheduled for our next data extract on November 15th. Other than that, it seems like we're all right on pace with their time limit they presented.

Mr. Mientkiewicz: Are they going to notify the residents of Niles?

Mr. Stredney: Yeah they'll send out a mass mailing at the beginning of December. And that will go to every tax payer and business.

Mr. Mientkiewicz: Okay. I was thinking about that today. It might be a good idea to put something on our website as well.

Mr. Stredney: They'll have, been kicking back and forth between Niles and with RITA, the announcement letter or welcome letter. So as soon as everybody signs off on that, that will be a letter we'll post on Facebook.

Mr. Mientkiewicz: Okay.

Mr. Stredney: Put on our website. That will be mailed out to every business.

Mr. Mientkiewicz: Okay sounds good.

Mr. Papalas: Any other questions? Okay.

FROM – Service Director

Overtime Report- October 2017

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

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL

Paul Davis: 44 Hartzell Ave. Niles, Ohio. October 4th, I brought to council and to Mr. Stredney information on a company looking for property to move into the area. I called Mr. Stredney the following morning after not receiving a call from him. So, I'm curious as to why I didn't get a return call of any kind. Nothing happened.

Mr. Stredney: Mr. Davis, I did speak to you.

Paul Davis: You did speak with me?

Mr. Stredney: About the bus garage.

Paul Davis: Yeah.

Mr. Stredney: Yeah.

Paul Davis: No you didn't.

Mr. Stredney: Well I did speak with you. We had.

Paul Davis: That night here.

Mr. Stredney: That night here and then I think about 2 or 3 days later we spoke on the phone. We talked about the bus garage for Fairhaven. The new workshop or them going out with their bus service. And I did talk with Sarah Boyarko and I gave her the information that you gave me and I think the company was...was it SAR or?

Paul Davis: It was Person Centered Services.

Mr. Stredney: Yeah Pearson Centered Services.

Paul. Davis: Yeah Person. Anyway, we never had that conversation. I'm sorta disappointed in that they have now chosen a place in Girard. We needed to act quickly. I guess I would shorten it by saying I won't waste my time anymore by bringing any information in here because it doesn't get acted on. If we can pass up possibly \$2 million in payroll with little buildings around town that would be ideal for this company, then so be it. Second point, I'm disappointed in the expedience of everything getting put on-line. Our meetings, our papers like this. You promised me way back that Mr. Dibble would take care of it and get it done. And it was done, I think, the following week fine. After that, we've not seen it again since. Anything about that? He's swamped.

Mr. Stredney: I think the process is we put the minutes up as we get them as however long it takes our clerk to get us the minutes and then they're given to Dibble and he scans them and puts them on in a PDF file. As far as the agenda and stuff, I believe that got put on I think Mr. Mientkiewicz talked to me this morning. We made sure it got on today.

Paul Davis: Got on today? Okay so we had, we got home from work and we had 5 minutes to look it over. Thank you very much.

Mr. Papalas: Yes sir. Anyone else? Yes ma'am.

Maureen Lauer- Gatta: 407 Lincoln Way. And I'm referring, going to refer to the sidewalks that have been mentioned. Two weeks ago, I handed out the information that I had received like the different dates if you want me to pull that out again. I'm more than happy. But I just wanted to bring up that the fact that I was told that all of this is going to be taken care of. I'm not going to have to be worried about it. And that was back in like December/January. And after I told my husband about what had happened when I came here, he reminded me that when Charlie Brown took the sidewalks out they said that they just had to wait for the city to remove the stumps. And then Charlie Brown would come back and do the sidewalks. And so every now and then

throughout the year, I would come back and ask the city, you know, what is going on? It wasn't very often and every time that I did they say don't worry it's going to be taken care of. Don't worry it's going to be taken care of. And then I get letters from my neighbors, you know, make sure you take care of your sidewalk. So I just wanted to bring those couple different facts up. So, I have not worried about it because, you know, I just assumed it was going to be taken care of. And the same with, you know, when... what was it... when I believe... was it Gypsy... the road just past Difford...when all that work was being done, you don't go and ask. You know the homeowners don't go out and ask, you know, did you get a grant for this? You just assume that it was done. So when I had been told that there was a grant for my sidewalk, I'm like this is great. I don't go out and ask, you know, well is this going to be taken care of. Or is it is going to be...I'm sorry...where did the grant come from? I just trust. So, I just wanted to share that extra little bit of information. I'm not sure if that changes anything but yeah.

Mr. Pezzano: Mrs. Gatta, you spoke of a grant and I've told you that I don't know who gave you that information but you cannot move money from one area to another one.

Maureen Lauer- Gatta: Right. We talked about that. That's just

Mr. Pezzano: Yeah so.

Maureen Lauer- Gatta: So that's just what I was told in the very beginning.

Mr. Pezzano: Yeah.

Maureen Lauer- Gatta: And then now knowing that there's been change of people in.

Mr. Pezzano: Well Mrs. Gatta, I had a conversation with you the other day.

Maureen Lauer- Gatta: Right.

Mr. Pezzano: And you heard me speak just a little while ago and I've told you, you know, everything's going to be taken care of but however after reading the language, like I said, I don't want to repeat myself but I just feel uncomfortable with that section. If that section wasn't there and the administration did what they had to do after the fact, that's fine. Tonight I just.

Maureen Lauer- Gatta: Right. Right.

Mr. Pezzano: I appreciate it.

Maureen Lauer- Gatta: And I'm not the person who said, you know, go ahead with this. I didn't sign any contract. They just showed up one day in front of my house and I, of course, go out and ask what is going on. And that's the stories that they told me and I'm just portraying that to all of you. And...I forget.... So I apologize.

Mr. Papalás: It's alright.

Maureen Lauer- Gatta: Yeah so. Yes. That's all I have I believe so.

Mr. Papalas: Okay.

Maureen Lauer- Gatta: Alright. Thank you.

Mr. Papalas: Thank you.

Mr. Steffey: Thank you Mrs. Gatta.

Mr. Papalas: Yes ma'am.

MaryAnn Miller: 209 Cherry Ave. Niles. I'm probably wasting my time because Mr. Davis took care of most of this. But I just wondered what had been done when he brought up about this busing thing. This bus garage.

Mr. Stredney: Well.

MaryAnn Miller: I assume that somebody.

Mr. Stredney: We.

MaryAnn Miller: Checked into it.

Mr. Stredney: We reached out to both the chamber and to Fairhaven and to Person or Pearson, however you want to call it. They had selected a place in Girard and there was multiple reasons for it but.

MaryAnn Miller: Wait a minute, they didn't select that until a week or two after.

Mr. Stredney: Yes.

MaryAnn Miller: After you had been told about this. And nobody checked on it before that.

Mr. Stredney: I'm telling you I talked to them. I can show you emails if you want to question my integrity here.

MaryAnn Miller: Okay. No, I'm just saying what date.

Mr. Stredney: I called. I left a message for Mr. Davis. I did speak with Mr. Davis that's how I knew the name of the company of which I relayed to Sarah Boryarko with the chamber so.

MaryAnn Miller: Okay this was on October 4th that he spoke to you here at council so I.

Mr. Stredney: By Friday, I had spoken with the chamber and we reached out to the company, both through Fairhaven and to the company directly.

MaryAnn Miller: Okay I just think it's such a loss for our city. You know that was a lot of income.

Mr. Stredney: I think that they had locked in, from what I was told, I think they had locked in on a property that they weren't looking at any point in time in October. They were already finalized.

MaryAnn Miller: Okay and the chamber had something to do with that?

Mr. Stredney: When we got in contact with the chamber, when we got in contact with the company I believe they had already finalized where they were looking to go.

MaryAnn Miller: The reason I ask about the chamber was there was a statement in the paper maybe a week after that that I forget her name... that Sarah whatever... said you know, people don't want to, businesses don't want to come to Niles because we have a bad report. We don't, know you, we got a black eye.

Mr. Stredney: I don't remember seeing that in the paper but.

MaryAnn Miller: I think, well I think we need to do something to improve that and one of the things would have been to try a little harder to get these kinds of companies.

Mr. Stredney: I think we're trying hard. We have a business meeting set up for this Friday morning set through the chamber as a workshop session. Council was informed of that at their last update. I do think that we're trying to do stuff to.

MaryAnn Miller: And they've got, they're talking about bringing business in. Do they have any prospects?

Mr. Stredney: I.

MaryAnn Miller: Well I thought you meant that's what the meeting was about.

Mr. Stredney: For Friday morning, it's with several businesses.

MaryAnn Miller: That's what I asked. Yeah.

Mr. Stredney: Yeah. It's with several business owners.

MaryAnn Miller: About moving into Niles?

Mr. Stredney: It's a workshop session.

MaryAnn Miller: Okay. Alright.

Ms. Marchese: Ed, where is that at? And when and where was this set up?

Mr. Papalas: Do you have, wait a minute, Mrs. Miller, do you have any other questions?

MaryAnn Miller: No that's it.

Mr. Papalas: Okay.

Ms. Marchese: Can you answer that please?

Mr. Stredney: What's that?

Ms. Marchese: Where and when is this set up? I wasn't at the last council.

Mr. Stredney: It's going to be at the Niles Wellness Center on Friday, November 3rd at 8:00 A.M.

Ms. Marchese: Okay thank you.

Mr. Papalas: Any other questions or any other comments? Yes, sir.

George Kuriatnyk: 1206 Mason St. I got a couple questions sir. I was hoping the Mayor was going to be here but. Trying to put all of these rumors to rest about his backhoe situation.

Mr. Papalas: Backhoe?

George Kuriatnyk: Yeah backhoe took some power lines out, hit a telephone pole on Henry St. in June. And it seems like the guy had left the scene of the accident, which I think that's what it would be. I also heard that either the Service or Safety Director released the backhoe cause I can't find no charge. No nothing that he had paid. No fines. No impound fees or nothing like that. And just kinda curious. What's going on and who released it? I'd like for him to say if he wants. You can stand up and say something sir.

Mr. Papalas: George.

George Kuriatnyk: Yes sir.

Mr. Papalas: The Service Director will answer that question.

George Kuriatnyk: Oh okay.

Mr. Stredney: So if we're talking about the incident that a Niles contractor took down the telephone pole.

George Kuriatnyk: Was he registered at that time? Yeah.

Mr. Stredney: Is that what we are discussing?

George Kuriatnyk: Yes. Yes.

Mr. Stredney: So fleeing the scene, was he charged with that?

George Kuriatnyk: I can't find nothing.

Mr. Stredney: Okay so I don't think he fled the scene. If he came down here to report what happened, it's a lot different.

George Kuriatnyk: Nope.

Mr. Stredney: Than fleeing the scene.

George Kuriatnyk: Yeah that's still leaving the scene.

Mr. Stredney: Okay well.

Law Director Swauger: Mr. Kuriatnyk, when there's property damage they have 24 hours to report the property damage.

George Kuriatnyk: Alright that's... even if you leave the scene like that?

Law Director Swauger: Yes.

George Kuriatnyk: Okay thank you.

Law Director Swauger: Unless you can leave a... if you have another car, you have a duty to leave a.

George Kuriatnyk: Okay that's fine. Thank you. He didn't answer .

Mr. Papalas: Thanks for straightening that out there.

George Kuriatnyk: He didn't answer the one question. Who released the backhoe stuff out? Did it go there? Because I'm hearing all kinds of stories and I'm just trying to get it to the... they want to know.

Mr. Stredney: Who's they? The... Who's they want to know?

George Kuriatnyk: Well right now, there's 332 people who would like to know who released the backhoe.

Mr. Stredney: Well we the city, Service Director, Safety Director, Mayor, administration released the backhoe to the.

George Kuriatnyk: Okay so everybody got a conference call at once and said hey release the backhoe. Who gave the person... who gave it? You? You? The Mayor? Who's the person?

Mr. Stredney: It wasn't mine to give it to him. It was his backhoe. What?

George Kuriatnyk: Was it impounded? I heard it impound. That's what I'm trying to get. What happened? Was it impounded?

Mr. Stredney: I don't know if we impounded it or just brought it down to behind the station. I don't know where it was eventually stored.

George Kuriatnyk: Do you know who brought it to the station?

Mr. Stredney: No.

Mr. Mientkiewicz: Ed. Ed was there, excuse me. Was there a police report Chief?

George Kuriatnyk: I can't find nothing.

Mr. Mientkiewicz: About this?

Chief Holland: Police are required when we get a call to make a police report.

Mr. Mientkiewicz: Okay maybe Mr. Kuriatnyk.

George Kuriatnyk: I tried.

Mr. Mientkiewicz: Get with the Chief of Police and.

Mr. Papalas: Do you have the report downstairs somewhere, Chief?

Chief Holland: Yes sir.

Mr. Papalas: Well.

George Kuriatnyk: I just want to know.

Mr. Papalas: You can go down and look at the record.

George Kuriatnyk: Okay I got one more question about that. And I called that day you said he was a registered contractor but the lady in the department said he was.. they couldn't find nothing registered as a registered contractor. Tony. Where's Tony Vigorito at?

Mr. Papalas: Ah.

George Kuriatnyk: Okay.

Mr. Papalas: You can get the report from the chief tomorrow.

George Kuriatnyk: Alright I'll do that. Now, I read an article in the paper too about those sidewalks. Trying to figure out who's telling who. Who's the truth? Two meetings ago, you were pretty excited about we're not repairing those sidewalks. But yet the gentleman, Mr. DePasquale, said in the paper that he knows for a fact that hundreds of feet of sidewalk has been repaired by the city in the past. And being that you've been on council for 38 years, you had to know about it.

Mr. Papalas: Know about what, George?

George Kuriatnyk: About hundreds of feet of sidewalks repaired.

Mr. Papalas: I'd still like to know about it.

George Kuriatnyk: You're telling me for 38 years you didn't know about it?

Mr. Papalas: Where was it George?

George Kuriatnyk: I'm going by what Mr.

Mr. Papalas: Didn't happen.

George Kuriatnyk: I'm asking.

Mr. Papalas: That's it George. Didn't happen. Alright.

George Kuriatnyk: So, he's lying then? Thank you.

Mr. Papalas: I'm not going to say he's lying. He could be talking about an issue where there was a construction project.

George Kuriatnyk: No it wasn't.

Mr. Papalas: For the city.

George Kuriatnyk: I read the paper.

Mr. Papalas: How do you know that?

George Kuriatnyk: I read the paper.

Mr. Papalas: Are you done, George?

George Kuriatnyk: No I got one more sir. Ed, on that... you wanted to bring into an ordinance about contractors who go out and do emergency work for anything under \$50,000. Is that correct?

Mr. Stredney: For different issues that.

George Kuriatnyk: Yes.

Mr. Stredney: Would arise in the.

George Kuriatnyk: Yes. Yes.

Mr. Stredney: Water and the sewer department.

George Kuriatnyk: Yes. Yes. Yes.

Mr. Stredney: Yes.

George Kuriatnyk: How many, since you've been Service Director, how many jobs have been over \$50,000?

Mr. Stredney: None. We.

George Kuriatnyk: None. Okay thank you. That's it. None.

Mr. Stredney: I won't say that.

George Kuriatnyk: No.

Mr. Stredney: Because they have been projects that we have done over.

George Kuriatnyk: You also said too that you were going to have a list of contractors.

Mr. Stredney: Yes.

George Kuriatnyk: Okay here's what upsets me. You've got Summit Supply that as today has gotten \$44,000 from the City of Niles. Now when they hit the \$36,000.00 mark awhile back, I did some research. They could have saved... if you would have went out to LaFarge or looked around you could've, the city could have saved \$16,000. So why are we just going to Summit Supply?

Mr. Stredney: This is... these are.

George Kuriatnyk: This is what?

Mr. Stredney: You asked a question you want answered then at least wait for.

George Kuriatnyk: Okay go ahead.

Mr. Stredney: Me to gather my thoughts and answer.

George Kuriatnyk: I'll wait. I'll wait.

Mr. Stredney: Alright. So when we go out for bid, which question do you want? Why do we go to Summit Supply?

George Kuriatnyk: Yeah why do you go to Summit Supply all the time?

Mr. Stredney: These are done on small increments for different jobs so we don't, we don't go out and order \$40,000 worth of slag unless we know we're going to have \$40,000 worth of slag to put in somewhere.

George Kuriatnyk: We had 100, over a 108 water breaks last year.

Mr. Stredney: Yeah and how many have we had this year? How many have we had this year sir?

George Kuriatnyk: Probably a lot.

Mr. Stredney: About 30.

George Kuriatnyk: Probably, 30?

Mr. Stredney: About 30-35 water breaks.

George Kuriatnyk: Then why didn't you go out and get estimates?

Mr. Stredney: That have. Well, this what we're addressing. Because they're small jobs we were going and filling with what we needed. We just did one job that used a whole lot more because when we started digging, it turned out we had to dig a whole lot bigger of a hole.

George Kuriatnyk: Yeah I understand. Because when I see control minutes it's a, it always says just miscellaneous. Miscellaneous. It don't really say what you got. Like when you go to Pep Boys, miscellaneous shop supplies.

Mr. Stredney: Well there, there... to clarify when we go to Pep Boys, we don't know what we're going to be buying. It's a \$1000 blanket. So when a vehicle breaks down.

George Kuriatnyk: That's true.

Mr. Stredney: Our mechanic can go in there and buy.

George Kuriatnyk: Okay.

Mr. Stredney: And buy that \$300 part. So you say that but.

George Kuriatnyk: Just like the hose.

Mr. Papalas: Your time's up, George.

George Kuriatnyk: Just like the hose for the backhoe.

Mr. Papalas: Have a seat.

Mr. Stredney: You have accusations.

Mr. Papalas: Time's up, George. Have a seat.

George Kuriatnyk: You can't answer nothing.

Mr. Papalas: Sit down George. Time's up

George Kuriatnyk: Be a little civil. I was nice to you.

Mr. Papalas: Will you please remove the gentleman from the meeting?

George Kuriatnyk: For what?

Mr. Papalas: Being disruptive.

George Kuriatnyk: I'll tell you what. You know what sir.

Mr. Papalas: Go George.

George Kuriatnyk: I didn't do nothing. Just arrest. I won't. I'm not.

Chief Holland: You have to leave or I'll have to arrest you.

George Kuriatnyk: Okay I'm not gonna.

Chief Holland: Don't make this.

George Kuriatnyk: Just...I'm not gonna resist. I'm not gonna.

Chief Holland: I'm going to ask you one more time to leave or I'm going to arrest you.

Ms. Marchese: George.

Chief Holland: Come on.

George Kuriatnyk: I did nothing wrong.

Chief Holland: Let's go.

George Kuriatnyk: Nah, I did nothing wrong. That guy's a creep, a crook and I'm the one that's got to go.

Mr. Papalas: Anyone else have remarks to make? Yes ma'am.

Sheri Smith: 1342 Robbins Ave. Niles. The meeting minutes or the agenda for last meeting wasn't posted until today. So, are you telling me that you did not put that agenda for the last meeting until today?

Mr. Stredney: No it was brought to my attention, one of our council members notified me this morning and I, as quickly as I learned about it, I took of it.

Sheri Smith: Okay well, you know, what concerns me is I like having the agenda before the meeting because in that way I can read it. I can read the legislation and I can call my council person instead of taking up your time and ask questions to him directly and maybe get them answered. You know, it's just a simple thing. Could you please make sure it's done a timely manner? Thank you.

Mr. Mientkiewicz: What's the procedure that we, Terry, when you and Sherry draft these ordinances?

Law Director Swauger: We are required to draft the legislation and release them to the clerk of courts. She has... it's released at 4:00 P.M. on Monday. Is that?

Clerk: At the latest.

Law Director Swauger: At the latest. It's required to be released at 4:00 P.M. on Monday because that's the close of business. So if that is the case, and sometimes we are drafting legislation until the end, if that's the case Mr. Dibble would not be in until Tuesday. I don't know. I'm assuming it's emailed to him as well. But we, the legislation is usually not released until on Monday.

Mr. Mientkiewicz: Okay so... so who emails...what, who emails it to Mr. Dibble?

Clerk: I do.

Mr. Mientkiewicz: Nikki. Okay so can we get something in place so where the.

Mr. Stredney: Yeah.

Mr. Mientkiewicz: Legislation and the agenda is on-line Tuesday.

Mr. Stredney: Well it just depends what's going on Tuesday. This last Tuesday, we had a lot going on in the city between running fiber optic lines and double checking different things because we had some computer issues. So that's probably why I'm guessing it did not go up on Tuesday. I didn't ask him. I just said get it up this morning and that was it. But if we want, I can find out. We can try and put a better policy in place.

Mr. McNaughton: Can I ask a dumb guy question? Is there a way, I mean I'm not the most computer literate human being, but is there a way we could train somebody else in the event that Mr. Dibble is extraordinarily busy. He's a one man band. So he can, you know, if he has a priority projects to do that maybe someone else could just quickly take that legislation, throw it on the website and done.

Mr. Stredney: I'm glad you brought that up because I want to talk about getting us some help for our IT. With everything in the city, everything is IT.

Mr. McNaughton: Until we spend more money on people.

Mr. Stredney: But.

Mr. McNaughton: Can we find somebody maybe here that.

Mr. Stredney: We can try. I mean I have no problem taking a look at it but what are we going to train them. Just that function or are we going to start looking at a whole variety of functions?

Mr. McNaughton: Why don't we start at that? We start with one. And you know because, listen we all... we all have to do more for less. We all that's the job and the job we do. So you know, if we could just ask somebody to take. I don't know how long it takes. 5-10 minutes? Maybe longer? I don't know just to help facilitate this transparency that all of us achieve and we all firmly believe in. But when we have folks coming up here and saying I think you're lying to us, that kinda stings because we do our best to be as transparent as possible. So.

Mr. Stredney: I think it's prudent to say to we've had some conversations with some outside companies about different website designs, different designs for the way our clerk takes minutes, different to make them all encompassing. I think we've met with, talked with at least two companies that I've been in the room with so.

Mr. Papalas: I really think you should look at this, Ed as far as having someone Monday morning or Tuesday morning first thing post that. Make it a priority. It's our voice to.

Mr. Lastic: I thought.

Mr. Papalas: To people who are interested knowing what's going on.

Mr. Lastic: I thought everything had to be in Friday at 4: 00 P.M.

Mr. Papalas: For the ordinances to be drawn up.

Mr. Lastic: Monday? Everything has in on Friday. So Monday it's done.

Law Director Swauger: Everything has to be in. Everything has to be in to my office by Friday.

Mr. Lastic: Oh okay.

Law Director Sauger: So if I need to draft legislation on Monday, I have time to draft that legislation.

Ms. Marchese: Ed, couldn't the secretary help?

Law Director Swauger: And I send it to the clerk of council and then she releases it to.

Ms. Marchese: Can the park secretary help her?

Mr. Papalas: Well let's look at this then. Ed, you'll look at this.

Mr. Stredney: Yeah we'll figure something out.

Mr. McNaughton: Just a short term.

Mr. Papalas: Really we need to figure something out.

Mr. McNaughton: Short term fix while, you know, we look kind of the larger big picture, new website.

Mr. Lastic: What happens if he goes on sick leave?

Mr. Steffey: Right there can't be a reason why it doesn't happen. There's so many things that we can control that we need to control. This seems controllable. A simple thing.

Mr. Papalas: So Sheri, Mr. Davs, we'll look at this and hopefully next meeting, we'll have some sort of solution. Ed, you need to get back to us on it. Okay.

Mr. Stredney: I'll get.

Mr. McNaughton: Enough of the snide comments.

Mr. Papalas: Anyone else?

COUNCIL COMMITTEE REPORTS

None

Mr. Steffey: Under Ohio Revised Code 121.22 Article 3, we are going to conference with our attorney from the public body concerning and involving the public body and their subject pending, imminent or action.

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

Council adjourned at 6:30 P.M. into executive session.

Council reconvened from executive session at 7:16 P.M.

ORDINANCES AND RESOLUTIONS

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

AN ORDINANCE CREATING A VACANT PROPERTY/BUILDING REGISTRATION CHAPTER

It was moved by Pezzano, seconded by Mientkiewicz to give a third reading to Draft No. 148-17.

YEAS: 7 NAYS: 0

It was moved by Pezzano, seconded by Marchese to adopt this Draft No. 148-17.

YEAS: 7 NAYS: 0

This Draft No. 148-17 has been adopted on the 1st day of November 2017.

RESOLUTION NO. ____ (Draft No. 151-17)

A RESOLUTION AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS FOR REPAIR WORK OF WATER AND SEWER LINES FOR 2018; AND, DECLARING AN EMERGENCY

It was moved by McNaughton, seconded by Steffey to give a 2nd reading to Draft No. 151-17.

YEAS: 7 NAYS: 0

This Draft No. 151-17 has received its second reading on the 1st day of November 2017.

RESOLUTION NO. _____(Draft No. 154-17)

A RESOLUTION IN SUPPORT OF OHIO HOUSE BILL NO. 368 REGARDING CHANGES TO THE OHIO REVISED CODE RELATING TO LAND INSTALLMENT CONTRACTS

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

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Steffey, seconded by McNaughton to adopt this Draft No. 154-17.

YEAS: 7 NAYS: 0

This Draft No. 154-17 has been adopted on the 1st day of November 2017.

ORDINANCE NO. _____(Draft No. 155-17)

AN ORDINANCE FINDING THAT CERTAIN PROPERTY OF THE CITY OF NILES IS NO LONGER NEEDED FOR MUNICIPAL PURPOSES AND THAT SAID PROPERTY HAS NO VALUE THAT CAN BE REALIZED BY THE CITY; AUTHORIZING THE SERVICE DIRECTOR TO DISCARD OR SALVAGE AN INOPERABLE TRAFFIC LIGHT; AND, DECLARING AN EMERGENCY

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

Mr. Pezzano: Can Mr. McNaughton elaborate on this?

Mr. McNaughton: Sure so there. This allows a traffic signal in town that is old and has been deemed valueless to be donated by the city to Relay For Life for fundraising purposes. So the request was made, I made a request... our light department. I made a request with our law director who did his due diligence. He told us it has no value and can never be used again. So we can go ahead with this. So that's the intended purpose of this to raise charitable funds.

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Pezzano, seconded by Steffey to adopt this Draft No. 155-17.

YEAS: 7 NAYS: 0

This Draft No. 155-17 has been adopted on the 1st day of November 2017.

RESOLUTION NO. _____(Draft No. 156-17)

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

Mr. Pezzano: Mr. President, if I can make a motion to amend this ordinance to take out section 2.

Ms. Marchese: You mean the 90503 Frank?

Mr. Steffey: No.

Mr. Pezzano: Ordinance 156-17. Sidewalks

Ms. Marchese: Oh okay.

Mr. Papalas: Is there a second?

Motion made by Pezzano, seconded by Marchese to amend Draft No, 156-17 to remove Section 2.

YEAS: 3 NAYS: 4 (Papalas, Lastic, McNaughton and Mientkiewicz)

Motion fails.

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

YEAS: 5 NAYS: 2 (Marchese and Pezzano)

Rules are not suspended.

It was moved by Lastic, seconded by McNaughton to give a 1st reading to this Draft No. 156-17.

YEAS: 5 NAYS: 2 (Marchese and Pezzano)

This Draft No. 156-17 has received its first reading on the 1st day of November 2017.

MISCELLANEOUS REMARKS

Mr. Kaniclides: I wanted to let council know that because of the situation in Girard, police and fire we donated our time to help with Girard. They did a very good job and I would like to commend them for doing it and helping out in a tough situation.

Mr. Papalas: It was. Great job. Thank you.

Chief Holland: We've been in the process of filling three vacancies in the department. So, next council meeting we'll be swearing in two new officers. One will be our first female officer in the department's history.

Mr. Lastic: What time is that?

Chief Holland: We usually do like 15 minutes before the meeting starts. Unless you have caucus and we'll do before that.

Mr. Lastic: 5:30 PM-5:45 PM?

Chief Hollnad: Yes.

Mr. Steffey: At the next meeting, chief?

Chief Holland: Yes.

Ms. Marchese: Yes. It's about Spectrum TV since they've come into the area. I've had numerous complaints from different people in the area. When it was Time Warner, they were set with a bill and they had agreements before more or less with Niles to take care of our citizens. I wanted to

see as a council whole, how we can go back and help our citizens. These bills are getting out of hand with them. And if we could meet with Spectrum, if we have any legal rights, to send them a letter telling them they're using our lines or what we can do to get them to do some better deals for our citizens in Niles. People are saying their bills are ranging anywhere from, jump from Time Warner Cable up to \$40-\$50 a month up to over \$200. And it's getting harder and harder for them to afford this. Is there any way that we can send a letter out to them, asking them what they can do? I mean if we do it for gas and everything else why can't we do something to try and help our citizens a little more.

Law Director Swauger: Gas consortiums and things of those nature, electric consortiums in other parts of the State are authorized by law with opening up of markets for competition in those areas. Cable TV is regulated by Federal Government law. FCC. We have very limited authority to control them. There's not a whole lot we can do.

Ms. Marchese: But didn't we have it though when they came into council years and years ago when you guys and met with council and spoke with council and then worked with our citizens, Steve. You've been here a long time.

Law Director Swauger: That was probably back before there were all these options in cable TV, Direct TV, satellite TV, and all these other things that the markets been freed up.

Ms. Marchese: Is there anyway maybe we can send them a letter?

Law Director Swauger: I'll look into it.

Ms. Marchese: Stating our concerns or something like that.

Law Director Swauger: I don't know what.

Ms. Marchese: To make it better for the citizens.

Law Director Swauger: I don't know what their concerns are. They have a right to change any time they want. They sign a contract with them.

Ms. Marchese: They're actually being told that if they send it back for 30 days, they can come back as a brand new customer for a year for \$49.00.

Law Director Swauger: That's true. That's their business model. That's in their contracts. Every person who signs with them signs a contract with them. That's between the homeowner and Spectrum. That has nothing to do with the city. And if they read their contract, it's probably in there about their rate increases. They just don't know about it because it's in fine print but realistically we have no involvement in that process. Their complaints.

Ms. Marchese: So we can even send a letter out asking them if they can do something better for our citizens?

Law Director Swauger: I don't know. I don't think we can. We can't ask them to give us a special rate.

Mr. Steffey: It would be like going to Pep Boys and asking for a special price on tires.

Law Director Swauger: We're not authorized. The law doesn't give us that power as a city to do those types of things.

Ms. Marchese: Can we state our concerns? Anything at all?

Mr. Lastic: Yeah tell them we're going to go to satellite. They'll come up with a deal.

Ms. Marchese: Armstrong. Whatever.

Mr. Steffey: Every person has to work their own.

Mr. Lastic: Everyone has to do it on their own.

Law Director Swauger: Realistically speaking, the city has very little authority over cable television.

Mr. McNaughton: It's all individual choice. Do what my wife and I did. Cut the cord.

Ms. Marchese: Exactly.

Mr. Papalas: Any other questions?

Ms. Marchese: No that's it.

Mr. Mientkiewicz: Ed, where are with the Carnegie water loop? Is that out to bid yet? Terry, I know.

Law Director Swauger: That's publicized. I think that the notice has been public this last week and this week.

Mr. Stredney: Second week.

Law Director Swauger: This is the second week.

Mr. Stredney: This is the second week.

Mr. Mientkiewicz: Okay.

Law Director Swauger: Of advertisement of that.

Mr. Mientkiewicz: And everything, all the background work, I know we were waiting on an agreement.

Law Director Swauger: That's longer than I thought. It's still on my desk to finalize it. It's like 7-8 pages long. It's a little more complicated but it will be done before the... the bid will be open on time.

Mr. Mientkiewicz: When's that? Do we have? How many more weeks of advertising?

Mr. Stredney: This is the second week.

Mr. Mientkiewicz: Okay.

Mr. Stredney: So I should, Monday we could probably.

Law Director Swauger: I don't know when the bid deadline is but I know this was the second week of advertisement so it's coming up very soon.

Mr. Mientkiewicz: Okay.

Law Director Swauger: I don't know the exact date.

Mr. Papalas: Mr. Pezzano, I'll go after you.

Mr. Pezzano: Chief Holland, can I see you after the meeting?

Chief Holland: Sure.

Mr. Pezzano: And also I wanted to thank Mr. Stredney. I failed to thank him at last council meeting for helping me out on an issue. Thanks again Ed.

Mr. Stredney: Can we remind everybody that we have AMP Ohio next Wednesday at 5:00 P.M. here?

Ms. Marchese: Next Wednesday?

Mr. Stredney: Next Wednesday at 5:00 P.M., we have AMP Ohio. I don't know if it's.

Mr. Lastic: Here or at the city building?

Mr. Stredney: That's just what I was looking at. I think it's over at.

Mr. Lastic: City building.

Mr. Stredney: City Building.

Mr. Mientkiewicz: It's at the city building.

Mr. Lastic: City building.

Mr. Stredney: At 4:00 P.M. I'm sorry.

Mr. Lastic: 4:00 P.M. next Wednesday, city building.

Mr. Stredney: 4:00 P.M. at the city building. AMP Ohio for anybody that's interested.

Mr. Papalas: Anything else?

Mr. Pezzano: No, I'm good.

Mr. Papalas: I have one question. Mr. Stredney, on Stepney Street what are we doing about the issue with storm sewers?

Mr. Stredney: I believe, I know I just talked to Kevin, I think last week or two about it. I'm not entirely sure which engineer he had reached out to to start getting quotes or if we were just going out for three quotes from local contractors to address the issue. But they've pulled up maps and they got the where they're going to run into easement troubles with the fences on the back line and going up the sides of the houses where we'll have to dig so I can have Kevin send out a detail explanation to all of council for that. I could probably have him sit down and do that tomorrow for everybody so they know the timeline.

Mr. Papalas: Okay good.

Mr. Stredney: Yeah.

Mr. Papalas: Yeah everybody should get that update. Thank you. I appreciate it.

ADJOURN

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



Nicole Bacak, Clerk of Council



ROBERT MARINO, JR., President of Council