

COUNCIL MEETING MINUTES
December 20, 2017

Niles City Council held its regular meeting on December 20, 2017 at 6:00 p.m. in the Niles High School Auditorium 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

President Marino: We would like to thank Superintendent Thigpen, the Niles Board of Education, Mr. Fritz for allowing us to use Niles McKinley High School for the council meeting this evening due to the damage in council chambers. We will expect to with the proceeding of a new council that they will resume their meetings in council chambers. So Mark, please make sure you convey to AnnMarie and the board our appreciation.

It was moved by Steffey, seconded by Lastic to accept the Minutes from the December 6th meeting and place them on file.

Motion carried.

REPORTS AND COMMUNICATIONS

FROM – Auditor’s Office

Statement of Cash from Revenue and Expense - November 2017

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

Motion carried.

FROM – Auditor’s Office

City Positions Cross Charged or Moved out of the General Fund

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

Auditor Merlo: Just to clarify, the highlighted yellow are basically based upon our time studies that we conduct now on an annual basis. Anything that is highlighted in green are things that either have been moved or eliminated to different positions within the city due to any type of labor agreements that we have had.

President Marino: In the treasurer’s office, the two positions, we’re adding. Council, the Mayor and Auditor’s positions were reapportioned to reflect the time study. How many dispatchers were moved into enterprise accounts? How many employees do we have in that department?

Auditor Merlo: We have 3 full time and.

Chief Holland: 6 part time.

Auditor Merlo: 6 part time.

President Marino: And the director of public service directors, his adjustment. Alright.

Motion carried.

FROM – President of Council

Letter from Lory Patrick

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

President Marino: I appreciate Lory's letter. I appreciate that she wrote it to me and shared it with council. I appreciate that she signed her name to it and shared her view points. I respect people who do that. Again we can agree to disagree but I'm very appreciative that she did submit a letter to me.

Motion carried.

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL

Gary DeChristofaro: 38 East Margaret. Niles. Thank you. It's a safety concern that's on the roads. I live on, you'll have to try and listen so I can describe it to you. I live on Margaret Street, which goes down to the one of the new schools. Everybody know where I'm at? On Main? Okay now what happens, I've already discussed it with the Safety Director, Mr. Kaniclides, and he agreed. A police officer witnessed it one day happening, he agreed. What's happening is the school buses want to go north on Main and turn right on Margaret. Sometimes they're backed up. Now, I'm trying to get out of there. There's cars backed up to the right of there. There's buses to the left and the bus driver's waving me go. Go. I cannot see either way. There's no, pardon mine I know I get a little emotional excuse me, I cannot see either way. I can't go. The police officer even told me. I pulled him over. He said you're getting cited you go and something happens. I cannot go. I talked it over with Mr. Kaniclides and they all agreed it's a problem. Now what makes it even worse, to me, they build a nice wide road for them off of North Rd. They refuse to use it. Why? I don't know. Probably it's easier for them to get over there. But now there's already been major accidents on that corner. It's been a very dangerous corner. They decided there's no light need. Fine whatever. But that doesn't take away from the situation. It's very,

very dangerous. To top it off, now the kids are getting involved. Anyway, you just cannot see and I don't know who has the power to make these buses go another route. But to me, it's a very dangerous problem. Thank you very much.

President Marino: Gary, I would ask that maybe there be a meeting with the safety director, police chief and we reach out to the schools.

Gary DeChristofaro: From what I was heard, I think they started it because it looked like it stopped for a week. Then it just started right, today it happened. That's what made me come down here today. It happened again and you cannot, I mean my god, I mean.

President Marino: Hang on.

Chief Holland: The buses would have to get direction from the schools to not turn down the city street. Turn down the access road off of North Rd. I don't think we can legally tell them, if they're legal, they can't use a city street. I think it would have to come from the Superintendent of schools or.

President Marino: Right. That's where I was going is that it would make sense to me that Mrs. Thigpen's a very reasonable person.

Gary DeChristofaro: It all makes sense. Does it not make sense to everybody?

President Marino: I think when you get principals involved that make the decisions and come up with a solution. So where I was going was maybe Mr. Kaniclides, Police Chief can reach to Mrs. Thigpen, set up a meeting and have a discussion on safety for everybody and your concerns and see what can be done, if anything at all. I think that's what should happen.

Gary DeChristofaro: What happened with Mr. Kaniclides the last time when I came down here and discussed it?

President Marino: Gary, you're going to have to direct your questions to.

Gary DeChristofaro: I'm sorry. What the last time that when I discussed it with Mr. Kaniclides? I thought there was some kind of agreement or something happening. I don't know what.

Chief Holland: I wasn't in the loop on that one so I'll have to ask him tomorrow.

President Marino: We'll let George, Mr. Kaniclides, and the police chief get together.

Gary DeChristofaro: Okay safety of everybody. That's all. I've never once come up here.

President Marino: We appreciate that.

Gary Dechristofaro: Thank you very much.

Chief Holland: Alright thanks.

MaryAnn Miller: 209 Cherry Ave. Niles. I want to know if we have any number, any dollar amount that we're going to have to put into the Wellness Center this year for 2017.

Mr. Papalas: You mean for 2018?

MaryAnn Miller: Have we already allocated the money for 2017?

President Marino: The fiscal year is almost over so this year's appropriations would be concluded tonight.

MaryAnn Miller: Okay.

Auditor Merlo: Correct.

President Marino: How much money are we adding to the budget? Are we adding anything?

Auditor Merlo: We're not adding anything today.

President Marino: So whatever their appropriation was is what they're.

MaryAnn Miller: Can you tell me what it was?

Auditor Merlo: I don't have that with me, Mrs. Miller, but I can get it to you.

MaryAnn Miller: Alright. Okay. Thank you.

Auditor Merlo: You want to see me after the meeting.

MaryAnn Miller: Sure.

Wanda Burns: 1740 Warner Ct, Mineral Ridge. And on the draft ordinance, I already forgot the number that fast from going from there to there, 185-17. The 14 days on the trailer, now the trailer. Trailer or a camper? Totally two different things. In addition, after you live in it for 14 days, how long do you have to be out before you can start another 14 days? Can you do it every other 14 days? Kick them out, bring them back and in addition to that, the pop up campers you see them everywhere. They pop up the canvas with the two beds and nobody's living in them, but they're set up for five years. Does this address any of those issues and can you do 14 days, move out a day and be back in for 14 days and play that game? And does it include campers or just trailers?

President Marino: Terry, can you answer that?

Law Director Swauger: A trailer would be defined as a camper, a trailer, a pop up camper, anything like that that is parked in front of a residence so that would be. You can't live in them. It just says more than a period of 14 days. So 14 days is it.

Wanda Burns: For the whole year?

Law Director Swauger: That's it. You get 14 days. You live there more than 14 days, it becomes a residence and that's prohibited in the city of Niles.

Wanda Burns: And what's the definition of living in?

Law Director Swauger: Well that would be a... no one shall use or permit the use of any so called trailer. So, use or permit the use of is what it says, it doesn't actually say living in.

Wanda Burns: So you could sleep in it every night?

Law Director Swauger: No, that's using or permitting use of it on residential property.

Wanda Burns: Okay just front yard? Or including backyard?

Law Director Swauger: Well I'd have to read all of the other ordinances. This is part of several in our statutes. You know, you sort of have to read them all together not just one separated one but... if I can find them all. It's anywhere. It can't be used anywhere in the city.

Wanda Burns: Okay.

Law Director Swauger: So the only place acceptable is would not be the city. If you use a trailer, a camper, a pop up camper, a mobile home... only mobile homes development are authorized, which we have one in the city limits so it's prohibited anywhere in the city.

Wanda Burns: Okay.

Paul Davis: 44 Hartzell Ave. Niles, Ohio. Thank you John for the... now if you will give us an explanation. I think it would benefit us to know with the drain on the enterprise funds is with this complete study. In other words these numbers, financially what's the drain and what might it mean in the future for my light bill and my water bill and my sewage bills? These percentages are all fine but I have no.

President Marino: You want the cost.

Paul Davis: Yeah. I need a cost.

Auditor Merlo: You want a report for council?

President Marino: I'll be gone. Somebody else can ask for it.

Paul Davis: Are we allowed to have that? And the second thing I don't know if anyone from council watched the news last night to see what Lisbon is doing with their downtown.

Mr. McNaughton: I saw that.

Paul Davis: They put in an ordinance that if you don't have a sign for sale, for rent, for giveaway, for tear down, for something, within 30 days or some amount of time that people can be fined. And the fine keeps increasing and increasing and increasing. And I think it would behoove us to take a look at what Lisbon's doing in lieu of what our downtown looks like. Probably not in my lifetime, but it would be nice to see a nice little mall or something downtown. A little strip plaza to replace what Riseman's got as a garbage dump. But Lisbon just passed the ordinance I believe this past week or if not yesterday.

Mr. Mientkiewicz: It was in the news yesterday Paul.

Paul Davis: Was it?

Mr. Mientkiewicz: Yeah I think that the fine is up to \$3500.00.

Mr. Lastic: \$3000.00. \$3400.00

Mr. Mientkiewicz: \$3200.00

Mr. McNaughton: \$200.00 with a maximum of \$3200.00

Mr. Mientkiewicz: Right.

Paul Davis: Yeah it keeps going up substantially. It goes up to a max but it goes up substantially over a period of time and it would be nice to see something done with our downtown. Thank you.

President Marino: Well I agree with you on the downtown and we can look to our friends in Youngstown and what they've done with some of their old buildings.

Paul Davis: Yes. Yes.

President Marino: Basically being very aggressive with building codes.

Paul Davis: Yes.

President Marino: Inspections, adhering to public safety, etc. etc. etc. So in addition to ordinances such as that, I would like to see.

Paul Davis: And Bob, we probably have some safety issues downtown that people could be fined for.

President Marino: Well I asked the fire department to go inspect and they said there was , what was it chief, nothing wrong in there.

Chief Danielson: Everything where we can get through to, everything was within code from what we could see. Except for the.

Paul Davis: I'm not allowed to talk to him.

President Marino: No you're not. I don't know if he wants to talk to you.

(Laughter)

Paul Davis: So I'm assuming that the balcony of the Robbins Theater, we can't get to and places like.

President Marino: I'm with you. I agree.

Paul Davis: Okay thank you.

Mr. Mientkiewicz: Jeff, did the vacant property registration is that just for residential or would that address those commercial buildings as well?

Mr. Crowley: It would address residential and commercial.

Mr. Mientkiewicz: And commercial.

Law Director Swauger: Very similar to the ordinances that we passed.

Mr. Mientkiewicz: That's what I thought.

Law Director Swauger: Very similar to ordinances that we passed already.

James Sheely: 31 Belmont Ave. I just... I just had some question. This here, what we do here every time you know, I don't get time to come down lot of times because I work second shift running a plant but when I do I try and make it in. But this here is very important where the community can address council and I've heard chatter before about them doing away with this. You know that there are ones that would like to do away. It may be just rumor but I would just like to say, you know, to me we live in the good old United States. That's our freedom of speech. That's our right as a people. And as long as we continue on with this, fantastic. But if anybody ever comes up with a harebrained idea to do away with this, I will tell you you're nuts. This is America. I have traveled to countries where people don't have the rights that we have. I've been in the barrios and slums of the Dominican Republic and people would love to have the voice that we have here in America.

President Marino: I was accused of doing this last week so I might as well just continue my track record of interrupting people. I can tell you that I cannot foresee with the next council

considering something like that. I can't speak for them. I can only speak for myself. But I have a good relationship with the existing members and I know all three of the members that are going to be replacing those individuals seated here. I think I speak for all of us that what makes Niles so unique in our city government is that we allow individuals to come and address council. You don't have to preregister. You don't have to go through all of this rigmarole. We're an open form of government and I have not heard anything of that affect. And I'm fairly certain, Nikki and I were speaking about an hour and she was sharing some things on the rules, and there's been no discussion on amending those rules.

James Sheely: Well I would hope it continues on that way because you know what, this is how I look at it, we will in the in the United States.

President Marino: Barry, you want to add on to that?

James Sheely: This is America.

Mr. Steffey: I'm 100% with you.

James Sheely: Because

President Marino: He's replacing me.

James Sheely: Okay. Because what I stand, you know. I'm sorry.

Mr. Steffey: No, I just wanted to reiterate what you're saying. Your voice will always be heard by city council.

James Sheely: Well I'm glad to hear that because to me how I feel in the United States, we have the freedom of speech and we have that right. We elect you guys to represent us.

Mr. McNaughton: Mr. Sheely, if someone is telling you that that's going to happen, someone's lying to you. And if that's a narrative that's out there, then that's wrong. In fact, a lot of us.

James Sheely: Well I hope, I hope and pray that it is.

Mr. McNaughton: A lot of us have advocated.

James Sheely: And I 'm going to take your word.

Mr. McNaughton: Now hold on. A lot of us have advocated that our neighbors should adapt policies like ours. We don't require folks to submit questions weeks in advance. We don't require people to sign in. In fact, I've written extensively that other communities should follow our lead. So I apologize if that narrative is out there, you're being lied to and it's incorrect.

James Sheely: Okay.

Mr. McNaughton: and I know I speak for the rest of us.

James Sheely: Well I'm just saying because, in my opinion, as far as other neighbors/neighboring communities that don't do it, that's where the people need to say hey look, we elect you. We want that right because that is our right.

Mr. McNaughton: You're right.

James Sheely: In the United States that is our right. I watched my son, back in 2012, swear in to the US Air Force and he, they take an oath to defend. Everybody thinks they have to do exactly as the President says. If the President wants him to do something that is unconstitutional, they have that right to say no. First and foremost they defend the U.S. Constitution. That's what our people are about. That's what our military is about. And that's our right to be able to speak and as long as that continues on, I feel like this. I hope no one ever comes up with that harebrained idea because as long as I live and breathe, I feel I will fight them tooth and nail on that.

President Marino: Well I think you've heard at least for the next two years with the council seated, that this process will continue.

James Sheely: I'm glad to hear that.

President Marino: Stepping forward and etc. Thank you Mr. Sheely.

James Sheely: One more thing. One more thing. You know, Mr. Davis I believe it was brought up about downtown. I tell you what, I wish we could come up with the funds where we can have at it and just take it down and turn it into a nice wonderful green space. Right in our downtown that the community can use because it looks awful down there. These run down looking building. You know Niles, we can make it great it again you know just brightening that up and hopefully we can do something. Thanks.

President Marino: Thanks.

Mr. Steffey: Thank you.

George Kuriatnyk: 1206 Mason. I've got a question with all of these ordinances going in. they sound great but we all know they're not going to get enforced. And that's fact. I look at the past and it's not happening. It's not going to happen now. So if anybody thinks that's going to happen, it's not going to happen. Until I see it happen, that's how I'm...that's how I'm going to think about it. Okay. It's, the dumpsters. I brought that up twice since I've been coming to council. It's on my website, which you all read.

President Marino: I don't.

Mr. Papalas: I don't read your website.

George Kuriatnyk: Yeah you do because your sister's on it.

Mr. Papalas: I have nothing to do with your website.

George Kuriatnyk: Yes you do. Yes you Papalas.

President Marino: Okay alright come on. George.

George Kuriatnyk: You're going to bring it up, I'm going to respond. The thing about the dumpsters is that it's in the zoning and building. Any steal container has to be in a closed area. And you guys say that you're coming up with that now. That's in there and it's not being enforced. But now you're coming up with a new one, it's already in there.

President Marino: Well.

Law Director Swauger: Actually Mr. Marino, the existing ordinance exempted pre-existing dumpsters from following that rule.

President Marino: Right.

Law Director Swauger: Prior if they were existing prior to passing that ordinance, they were exempt from complying with that rule. The new one makes them comply.

George Kuriatnyk: And all of these rules were like from what 1940-50-60?

Law Director Swauger: 2008.

George Kuriatnyk: Trash cans were also in there. Trash cans not supposed to be visible from the public in the main view of the road. I see trash cans 4-5 days sitting after the garbage leaves sitting on. It's just these ordinances aren't going to work. That's all. It's just not going to work and until they start working and somebody starts doing something, then I'll believe you. But and.

President Marino: Yes George.

George Kuriatnyk: I wish you well. I really do.

President Marino: Thank you.

George Kuriatnyk: It's been an eventful two years.

President Marino: You certainly made my last two years memorable.

George Kuriatnyk: Well you got about another year and a half.

President Marino: I know I know. I know. I am humored by that. There are a lot of people that do share that with me.

George Kuriatnyk: And you know what, you're not going to be able to tell me to go to the office.

(Laughter)

President Marino: Thank you George. You can't Gary, you already.

Gary DeChristofaro: I just want to add who's going to look into what I asked.

President Marino: We'll have the Police Chief get back to you.

Gary DeChristofaro: Thank you.

President Marino: Thanks Gary.

COUNCIL COMMITTEE REPORTS

None

Mr. Steffey: I move that we move into executive session to consider confidential information related to the marketing plan, specific business strategy, production of techniques, trade secrets and personal financial statements of an applicant for economic assistance. It's Ohio Revised Code 121.22.

Motion was made by Steffey, seconded by McNaughton.

Motion carried.

Council adjourned into executive sessions at 6:25 P.M.
Council reconvened from executive sessions at 6:48 P.M.

ORDINANCES AND RESOLUTIONS

RESOLUTION NO. _____(Draft No. 181-17)

A RESOLUTION AUTHORIZING THE SERVICE DIRECTOR TO EXECUTE AN AGREEMENT WITH CROSBY MOOK FOR PRINTER/COPIER MAINTENANCE SERVICES; AND, DECLARING AN EMERGENCY

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

Mr. Mientkiewicz: We're going to move for suspension so this is in place for the 1st of January starting the first quarter.

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Mientkiewicz, seconded by Lastic to adopt this Draft No. 181-17.

Mr. Stredney: Yes Mr. President. I just wanted to let you know real quick, my apologizes. The Mayor had to step out for personal reasons. Thank you.

President Marino: Let the record reflect that the Mayor had to leave due to personal reasons.

YEAS: 7 NAYS: 0

This Draft No. 181-17 has been adopted on the 20th day of December 2017.

ORDINANCE NO. _____(Draft No. 183-17)

AN ORDINANCE AMENDING CODIFIED ORDINANCE NO. 351.18 "OFF-STREET PARKING LIMITED TO HARD SURFACES" TO ADD ALL VEHICLES TO THE PROHIBITION; AND THE DECLARING OF 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 Lastic to adopt this Draft No. 183-17.

YEAS: 7 NAYS: 0

This Draft No. 183-17 has been adopted on the 20th day of December 2017.

ORDINANCE NO. _____(Draft No. 184-17)

AN ORDINANCE CREATING A DUMPSTERS CHAPTER

It was moved by Pezzano, seconded by Mientkiewicz to give a 1st reading to this Draft No. 184-17.

Mr. Mientkiewicz: Again this is an ordinance being put place to continue to clean up the city of Niles. This is nothing new. Other cities around the area have this. Our neighbors in Girard have something very similar in place.

YEAS: 7 NAYS: 0

This Draft No. 184-17 has received its first reading on the 20th day of December 2017.

ORDINANCE NO. _____(Draft No. 185-17)

AN ORDINANCE REPEALING AND REPLACING CODIFIED ORDINANCE NO. 521.12 “USE OF TRAILER AS RESIDENCE PROHIBITED”

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

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Pezzano, seconded by Steffey to adopt this Draft No. 185-17.

YEAS: 7 NAYS: 0

This Draft No. 185-17 has been adopted on the 20th day of December 2017.

ORDINANCE NO. _____(Draft No. 186-17)

**AN ORDINANCE AMENDING SUB-SECTION “B” OF NILES CODIFIED
ORDINANCE NO. 1157.08, “VISIBILITY AT INTERSECTIONS; TRAILERS”**

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 Steffey, seconded by Lastic to adopt this Draft No. 186-17.

YEAS: 7 NAYS: 0

This Draft No. 186-17 has been adopted on the 20th day of December 2017.

RESOLUTION NO. _____(Draft No. 187-17)

**A RESOLUTION RETROACTIVELY APPROVING THE PENSION PICK-UP FOR
PATROL OFFICERS IN THE POLICE DEPARTMENT THROUGH PAYROLL
REDUCTION; AND, REPEALING RESOLUTION NO. 52-15; AND, DECLARING AN
EMERGENCY**

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 Marchese to adopt this Draft No. 187-17.

YEAS: 7 NAYS: 0

This Draft No. 187-17 has been adopted on the 20th day of December 2017.

RESOLUTION NO. ____ (Draft No. 188-17)

A RESOLUTION AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH NECO FOR THE PURPOSE OF RESIDENTIAL METER INSTALLATION; AND DECLARING AN EMERGENCY

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

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by McNaughton, seconded by Lastic to adopt this Draft No. 188-17.

YEAS: 7 NAYS: 0

This Draft No. 188-17 has been adopted on the 20th day of December 2017.

Mr. Mientkiewicz: Mr. President, real quick. Ed, once we enter into contract with Neco, when will they begin notifying residents of this project?

Mr. Stredney: I imagine that process would be, the letters would probably start going out sometime mid to late January with all of the scheduling then being done. And there will be a nice little campaign. It will be all done through them. You will call their 1-800 number. They'll set it up. They'll handle the whole process.

Mr. Mientkiewicz: They're responsible for the notifications?

Mr. Stredney: Yes. They're responsible for notifying, for follow ups, for everything.

Mr. Mientkiewicz: And we'll put something on our website.

Mr. Stredney: Yes and they'll have stuff in the newspapers.

Mr. Mientkiewicz: Okay.

Mr. Steffey: That's something we might print on the bill.

Mr. Stredney: We will definitely print whatever they want us to on the bill.

President Marino: And this company will also, if they're broken?

Mr. Stredney: Yeah this company is also owned by the company who the city purchased the meters from years ago. So any of the warranty issues that they may or may not have, they'll take care of everything as their installing them.

Ms. Marchese: And as they go into the houses, they'll have their badges and everything before someone lets them into their house.

Mr. Stredney: They'll be well identified. They'll be notified. They'll have badges. We know that's an issue so they go above and beyond. And I talked to the administrative in Girard as this is the same company that installed them there. They were very pleased.

Ms. Marchese: Okay good.

President Marino: So this would be turn key? They'll be installing and when they're turned over to the billing office, she and that department and you will be 100% comfortable with those being read correctly and functioning.

Mr. Stredney: Yes and I've had Stephanie in a lot of, if not all of, those meetings with them to make sure that we're comfortable with the process and them uploading everything.

President Marino: How are the ones that we've had installed thus far work? They doing okay?

Ms. Ford: We had trouble with some of them still. They asked for a list of the ones that were already installed that need repaired and they said they would go out.

President Marino: Great.

Ms. Ford: And fix those also. So by the time everything's in and they're done, everything should be installed and working.

President Marino: Ed, do they give you a window that they'll ensure that these things will be functioning properly? What happens in six months if somebody's?

Mr. Stredney: I'd have to go back and look but I think, I want to say it was 2 years but I'd have to.

President Marino: Okay.

Mr. Stredney: I would double check those.

President Marino: Great. I'm glad they're going to go back and fix if they're issues making sure you guys get turn key.

Mr. Stredney: They're also going to, in one of the last questions that's why it's popped in my head, after everything's all in, as they go they'll be assessing the data centrals. So if we have to add one or two or three more depending on how far out of the city they go, they'll be adding those for collectors.

President Marino: Good. Great.

RESOLUTION NO. ____ (Draft No. 189-17)

A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED WATER FUND TO THE WATER ACCOUNT; AND, DECLARING AN EMERGENCY

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

Mr. McNaughton: This is money so that we can pay our bill to the MVSD for our water.

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by McNaughton, seconded by Lastic to adopt this Draft No. 189-17.

YEAS: 7 NAYS: 0

This Draft No. 189-17 has been adopted on the 20th day of December 2017.

ORDINANCE NO. ____ (Draft No. 190-17)

AN ORDINANCE REPEALING AND REPLACING CODIFIED ORDINANCE NO. 901.06 "TREES; TRIMMING REQUIRED" TO CLARIFY THE RESPONSIBILTY OF THE HOMEOWNER AND THE CITY OF NILES; AND THE DECLARING OF AN EMERGENCY

It was moved by Pezzano, seconded by Mientkiewicz to give a 1st reading to this Draft No. 190-17.

YEAS: 7 NAYS: 0

This Draft No. 190-17 has received its first reading on the 20th day of December 2017.

RESOLUTION NO. ____ (Draft No. 191-17)

A RESOLUTION AUTHORIZING THE YEAR-END TRANSFERS; AND, DECLARING AN EMERGENCY

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

Mr. Stredney: Mr. President.

President Marino: Yes sir.

Mr. Stredney: I think this is the one that the administration is asking to amend.

Auditor Merlo: Right.

President Marino: There's a motion to suspend and a second. If you vote no on suspension, it goes to a first reading and it does not pass. So, you have to rescind your motion.

Steffey and Papalas rescind their motion.
Motion carried.

Motion made by Steffey, seconded Papalas by to amend the amount in the draft for Police wages (217-1710) from \$52,000 to \$55,000 from the Fire wages (217-1715).
Motion carried. Resolution was amended by a unanimous vote.

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

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Steffey, seconded by Papalas to adopt this amended Draft No. 191-17.

YEAS: 7 NAYS: 0

This amended Draft No. 191-17 has been adopted on the 20th day of December 2017.

RESOLUTION NO. ____ (Draft No. 192-17)

**A RESOLUTION AUTHORIZING QUARTERLY CASH TRANSFERS; AND,
DECLARING AN EMERGENCY**

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

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Papalas, seconded by Lastic to adopt this Draft No. 192-17.

YEAS: 7 NAYS: 0

This Draft No. 192-17 has been adopted on the 20th day of December 2017.

RESOLUTION NO. ____ (Draft No. 193-17)

A RESOLUTION AUTHORIZING A CASH ADVANCE FROM THE GENERAL FUND TO THE BRT CLEAN UP AND FEMA ACCOUNTS; AND, DECLARING AN EMERGENCY

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

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Steffey, seconded by Lastic to adopt this Draft No. 193-17.

YEAS: 7 NAYS: 0

This Draft No. 193-17 has been adopted on the 20th day of December 2017.

ORDINANCE NO. ____ (Draft No. 194-17)

AN ORDINANCE AMENDING CODIFIED ORDINANCE NO. 1157.18 "PARKING OF MOTOR VEHICLES IN RESIDENTIALLY ZONED DISTRICTS" TO ADD ALL VEHICLES TO THE PROHIBITION; AND THE DECLARING OF AN EMERGENCY

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

Mr. Pezzano: Mr. Swauger, I want to thank you for tightening up these last four ordinances tonight. I'm really grateful for that. Thank you.

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Pezzano, seconded by Steffey to adopt this Draft No. 194-17.

YEAS: 7 NAYS: 0

This Draft No. 194-17 has been adopted on the 20th day of December 2017.

MISCELLANEOUS REMARKS

President Marino: I wish you all well and until we meet again, God bless all of you.

Mr. Stredney: Mr. President, Mr. Papalas, Mr. Pezzano, it's been quite the honor and privilege. When I first ran for council, Mr. Papalas, I believe I went and talked to you in your basement probably. Bob, you guys have been there since I first came on council. It's been quite the honor and quite the learning experience working with you on council and then getting the vantage point from this side as well. So, thank you very much for all of the valuable life lessons you guys have definitely taught me over the years. Thank you. Good Luck.

Mr. Pezzano: Thank you.

Chief Holland: I would like to thank yourself and Mr. Papalas for your service to the city and helping the police department dig out of the hole we were in. It's special. And good luck on your future endeavors. Mr. Pezzano, thank you as outgoing safety committee chairman. You've always been a support to the police department and always had open line with me and have always been supportive of our department. I wish you the best also and thank you for all of your always needed support of the department.

Mr. Pezzano: Thank you. I appreciate it.

Chief Danielson: I want to echo what Jay said with wishing the best for you guys. Bob, Steve and Frank and wish everybody a Happy New Year.

Mr. Crowley: I want to say thanks to the three members that are leaving. Bob, Steve, Frank, I've known you guys pretty much my whole life and I'm a Niles resident and you've done us proud for many years. Thanks for being another set of eyes we've needed at certain times. Thanks for your leadership. Thank you.

President Marino: Thank you.

Mr. Lastic: Well, I've been here almost 20 years with these two guys and a couple terms with Frank. I won't say goodbye because 2020's right around the corner and you never know what's going to happen. But I will give you a hint; if these guys walk out of here crying, they won't come back. If they walk out not crying, 2020.

President Marino: There will be no tears from me. Thanks Mr. Lastic.

Mr. McNaughton: Department of redundancy department, congratulations. And I had to run as a first term, sometimes it feels like it's been 38 years with the amount of work and whatnot. But, I'm pretty sure 38 and 0 will never be replicated. That's a hell of a run. Mr. Marino, thank you

for your leadership. From the moment that a bunch of us newbies were elected, you reached out, extended the olive branch and you helped guide us to learn the position that we're still learning and will continue to learn. So, I thank you for that. Mr. Pezzano, you were one of the first councilmen who put me in my place when it came to residential outreach from those in his ward. And I thank you for that because it was a valuable learning lesson to do not circumvent your ward council person. To keep them in the loop. But you have been an incredible advocate for the folks in your ward and I appreciate your friendship. To the folks coming in new, as always we're going to hit the ground running and I look forward to serving with you and continuing the good work that we've done. We have a long way to go but if you look at where we're at compared to 2 years ago, we're trending this way so my thanks to everybody up here including the administration for the work that we've done the first two years of doing things the right way. And everybody, Merry Christmas and Happy New Year. Have a great holiday.

Auditor Merlo: To the three of you that are leaving, it's been a pleasure working with you guys. Frank, as I was exiting you were coming on. We served a few years together and it was a pleasure working with you on that side. And then on this side on how supportive you've been on our fiscal responsibilities and I appreciate that.

Mr. Pezzano: Thank you.

Auditor Merlo: Mr. Papalas, you said 38 years.

Mr. Papalas: I had a lot of hair then.

Auditor Merlo: I was one when you took office. So for the years I spent up there with you guys, it was a pleasure. And then on this side and things that you guys have guided me through, I appreciate that very much. Bob, we've had a lot of conversations over the years and I appreciate everything you've done for me and moving forward. Thanks.

President Marino: The city's in good hands with you, John. I've never felt more comfortable.

Mr. Lastic: Yup.

President Marino: With our city's finances. And that's not to speak ill of anybody that sat in that seat prior. You know, there are people that stand up at the right times in history and we are fortunate to have you running our city finances. I know it's a team in there with you and a lot of conversations and a lot of work.

Auditor Merlo: A lot.

President Marino: And Ryan's right, things are going in the right direction and that's a great thing. The city's in good hands with you.

Mr. Lastic: And Nikki.

Auditor Merlo: And Nikki.

President Marino: And Nikki.

Mr. Steffey: It's kind of redundant again but I want to thank you for making me a better person. Better understand city government. Mr. Marino, Mr. Papalas, Mr. Pezzano, it's been a pleasure to serve with you and the professionalism. There's a lot of hard work. Sometimes there's hard feelings and we work through them. I know that there is no one that can fill the shoes of Mr. Marino so I won't even try. I will do the best I can. We will carry the torch and move forward. But I truly am proud to have served these last year two years with the council that we had and I look forward to the fresh faces and new ideas of the gentlemen that have been voted in. And I look forward to working with each of you. Thank you for everything.

President Marino: Thanks for the kind words. Let the record reflect that I too had a great role model, Freemont.

Ms. Marchese: If I could have Steve, I mean Bear, Ryan, Barry and Steve Mientkiewicz step up. And if I could have Bob, Steve and Frank. On behalf of council, we want to thank all three of you for everything you have taught us. We know we haven't always seen eye to eye. I know you guys want to kill me sometimes. But, I still respect everything that you guys have done and the knowledge that you have brought forward. So on behalf of the council members, we want to thank each and every one of you.

Mr. Papalas: Thank you.

President Marino: Thank you.

Ms. Marchese: And give you a little going away present. Thank you very much.

President Marino: Linda brings the truest sense of the words we agree to disagree but not be disagreeable to the forefront.

(Laughter)

Mr. Mientkiewicz: Speaking of notifications Ed, did we get anything formal from RITA for notifying the residence of turnover and tax collections?

Mr. Stredney: I think those letters went out last Thursday or Friday to all businesses and homeowners so they should be getting them this week. And that would be mailed out to every tax payer so whether it be a business or resident.

Mr. Mientkiewicz: Do we have anything on our website? I don't think there is last time we checked.

Mr. Stredney: I will have to.

Mr. Mientkiewicz: Can we make sure that we have some sort of blurb?

Mr. Stredney: I know it's going out on our power bills. We just communicated that through our weekly conference call so I'll make sure that they get us something to put on our website.

Mr. Mientkiewicz: Okay thank you. Kevin, how's the loop coming on Carnegie? Is that almost complete?

Mr. Robertson: They are finished with all of the main lines. They are going to tie in the services next week. They're moving along very well. It's been a very easy going process.

Mr. Mientkiewicz: No hiccups up there. Everything.

Mr. Robertson: Nothing yet. Like I said, they're done with the main line and they're going to do the services and testing next week.

Mr. Mientkiewicz: Okay. Are you checking in up there? Periodically?

Mr. Robertson: Not every day.

Mr. Mientkiewicz: Can we make sure that we remind some of these people up there, specifically the truck drivers, of truck routes? And where they can and cannot drive within the city? I know I've had a couple of calls, a couple of complaints about those trucks beating up the roads on North and South Carnegie.

Mr. Robertson: Okay.

Mr. Mientkiewicz: So if we can monitor that, I would appreciate that.

Mr. Robertson: No problem.

Mr. Mientkiewicz: And again as my colleagues said, Bob, Steve and Frank, we appreciate your service. We thank you for your many years of service on city council. If we as a group remain and continue to lead with the principles you've instilled in us, we will, I think we will continue to steer this thing in the right direction. So, we appreciate it and good luck. God bless you and thank you for your service.

Mr. Pezzano: Thank you.

Mr. Mientkiewicz: And Merry Christmas and happy New Year.

Ms. Marchese: And don't change your cell phone numbers.

Mr. Pezzano: I want to, first of all, thank my beautiful wife for supporting me and tolerating two hour calls at night time, all hours of the night. My 1st ward residents, very supportive of me. Greatly appreciate it. Administration all the way down to department heads, crew leaders, everybody, my colleagues here, every time I went to a department head, both chiefs, I had things

done real quick. Giovanne, Nicole, Terry Swauger, Jeff Crowley, everybody, Kevin, Tony Vigorito, I can't imagine not having these guys here and women because like I said, every time I went to them without even questions, they got the issues done in my ward. And I greatly appreciate it and never will forget it. And thanks to all my colleagues and like I said when I first came aboard, Mr. Marino was there for me, to give me a helping hand also. So can't say enough. But thanks to all my colleagues. It was great working with all of you guys. Thanks.

Mr. Papalas: I can remember the first council meeting in which I was sworn into and it seems like such a short time ago. It's been 38 years, of course. Since then, both of my children were born. My son's here tonight along with my sister, who has always, always had my back. I served with some very, very strong willed, dedicated public servants. Some brilliant people, including Bill Burgess, an MIT graduate who was satisfied working here at the city of Niles as Director of Utilities. And he did it all. Negotiating contracts with the MVSD, oversaw the light department. Of course things have gotten more complicated since then but Bill was a very, very bright man. He did a great job for us. The Mayors. Every mayor I served under from Joe Cicero, who was who inherited as you know a mess. Niles was the first city to go into default. The State took us over and at that time the fiscal commission was much more strict than the one we have, the one we know today. It was awful but we got out of it. Jack Shaffer came in and Jack had, of course some of you may recall, the disaster left behind by the tornado. And believe me, you looked around and wondered where to start. FEMA came in and Jack did a very good job coordinating everything that needed to be done. He did a remarkable job. Joe Parise, great man to work with. I respected him a great deal and our friendship still goes on today. He's a good man. Of course Ralph, under Ralph we did some things. We have the SCOPE center. Mike, you had a hand in the bike trail. Bobby. Mark Hess is the unsung hero in that. So, you've had a lot of interesting situations that we've worked through and a lot of achievements that we can all be proud of. And I know that in your future, all of you will be able to say the same thing. I've always tried to be proactive. I know you've probably heard of the old saying, "There's three kinds of people. Those who watch things happen, those who make things happen, and those who say what happened." I've always tried to be the person who's made things happen. And in so doing, I've made mistakes. If you don't make mistakes in this job, then you're not doing your job. You can make mistakes. The key when you make the mistake, is to let people know you blew it. I made a mistake. Don't try and cover it up. The cover up is far worse than mistake every time. People always respect you if you let them know up front that you made a mistake. The key also is never make the same mistake twice. A lot of folks have asked me how I survived 38 years, especially with some of the people I've served with who I won't mention. I never made that mistake twice. So, I want to thank all of you for the service that you've rendered so far. It's been delightful to work with you. Mr. Pezzano, you have been a complete gentleman. And I'm very disappointed that you're leaving council. Because I think you've come into your own and you've learned the ropes now. You know who to see, what to do in different situations. You're very close to your constituents. You've developed such a good report with them. I hate to see you go. It was great to work with you.

Mr. Pezzano. Thank you sir.

Mr. Papalas: Steve, you're really into the budget. I got faith in you. Keep it up. Choose your battles. Don't fight windmills. Linda, I don't always agree with you.

Ms. Marchese: I know.

Mr. Papalas: You're a very sensitive person when it comes to dealing with constituents. And I've noticed that with every woman who's served on city council over the years and there's been a number. They seem to be sensitive and sometimes more organized than the guys.

Ms. Marchese: We've gone to school since kindergarten. Can you believe that?

Mr. Papalas: Yup. She always looked better than I did. Barry, you also have been a delight to work with. And I'm pleased that you're going to be president of council. Be strong. Don't forget to use the gavel when you need to. Don't let...don't let things get too confusing. I'm sure you won't. And you do have some big shoes to fill.

Mr. Steffey: Can't do it.

Mr. Papalas: You'll be able to get there. Ryan, Ryan is unique because he more recently moved into the community. He doesn't have relatives here. He had to make the friends that he has and he did so very easily. Without such a base, you know a lot of candidates don't make it. And Ryan did and he's done it twice. He's very intelligent. I think that you have years of service ahead of you and I wish you well. And if any of you ever need me, let me know. You know, for advice or... I have folders of things that happened years ago. I'd be happy to give you if you need some background. Mike, I served with Mike for years. He was my boss at the high school. We've always, we hit it off pretty well in council. Mike is sort of the silent person compared to me. But he's very knowledgeable and he's always watching. So, Mike it's going to be your turn now to give new people coming in some advice. You've been here how many years? How many years?

Mr. Lastic: 18 going on 20.

Mr. Papalas: 18 going on 20. That's a lot of grey hairs. And then there's Bob Marino who has probably been my closest friend on city council. We've spoken almost every day, sometimes multiple times every day. And we have had some pretty deep and serious discussions, more serious than you know. I think together, we made some decisions that we certainly had to think about before we made them. Now you know, I could have been a more brash person on council. But Bob had a way of often times, he may not realize this, hold me back. And so Bob, I appreciate that. We've bounced ideas and opinions off of each other for years. And so I hope someday in the very near future, I can have a hand in helping you out with some projects.

President Marino: I appreciate that.

Mr. Papalas: And one, one... I want to talk about a couple others. This is why Bob let me go last because I had things to say. Ed Stredney is our Service Director. Ed was my student in high school. And he has always been a remarkable person. I think he's trying very hard as the Service Director. And I hope that the community, especially a few people in this room, give him the opportunity that he needs to continue to learn in his job position. It's a difficult job, probably the most difficult job at the city. Ask any Service Director in any community in our county, and I know them all through my work. Give him some support because he's going to need it with the

problems that are in front of him. Mr. Merlo, you're a breath of fresh air as far as our auditor's office. You and Mr. Swauger in our Law Director's position. And I trust and hope that you'll both continue to be very strong with people that you work with. And you know if we'd have had that more in the past, we may not have experienced some of the things that we did. So both of you, keep up the good work. And you've made good selections in your department with the personnel, you know, closest to you. And so the last remark is to my son and my sister. Kay, I wish our dad was here tonight. And when we walk out of here, we're walking out of here with our shoulders squared and our family name and reputation intact. Yes he would. So what more can we leave with? Thank you.

Mr. Pezzano: I would like to add something to what Mr. Papalas said about Mr. Stredney. Since he's been on board, I've been in his office 3-4 times a week. Right, Ed? So, I want to especially thank you again. Thanks.

Mr. McNaughton: Now, you'll only be in twice.

Mr. Steffey: We're calling for a second executive session. Ohio Revised Code 121.22 Article 3. Conferences with an attorney for the public body concerning disputes involving the public body that are the subject to pending or imminent court action.

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

Council adjourned into executive session at 7:30 P.M.
Council reconvened from executive session at 7: 47 P.M.

ADJOURN

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



Nicole Bacak, Clerk of Council



BARRY STEFFEY, JR., President of Council