

COUNCIL MEETING MINUTES

December 6, 2017

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

The meeting was called to order by President Robert Marino, and the Clerk, Nicole Bacak, called the roll:

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

It was moved by Marchese, seconded by Steffey to accept the Minutes from the November 15th and 21st meetings and place them on file.

Motion carried.

REPORTS AND COMMUNICATIONS

FROM – Office of the Treasurer

Monthly Receipts Totals- Income Tax Division- 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

Check Report by Check Number - November 2017

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

FROM – Service Director

Monthly Overtime Report - November 2017

Mr. Mientkiewicz: Chief, I noticed Fire's up a little bit. Is that because of the Safer Grant transfers? Because we had some people quit and.

Chief Danielson: Some of it was and we hit a couple of spells when the one turn was short because of the safer, because of the guys moving in and out. There was some overtime for about a month period. But it's been under control the last month or so.

Mr. Mientkiewicz: Okay. And then, Ed, it looks like water and waster's up and light is up substantially for November.

Mr. Stredney: I know water is going to be up because we had quite a few issues in water. I'd have to look back but possibly near the beginning of the month in November, we might have had some issues with storms.

Mr. Mientkiewicz: In the month? For the light department?

Mr. Stredney: Yeah.

Mr. Newbrough: The light department, we had to work three weekends at Cleveland Steel Container. We had to put a new...we actually had to replace the substation that was there. And we could only work on Saturdays and Sundays because they couldn't shut the plant down since they work during the week so that was just something out of the ordinary. But all of the work's done now and that's the reason for that overtime.

President Marino: Thanks Jim. Any others Steve?

Mr. Mientkiewicz: The only other one is the court. Do we know why the court hasn't had any overtime through the entire year except this month?

Mr. Stredney: We had did some work for the judge. I have to talk to Giovanne. I don't believe all of that should have been charged to the court but there is going to be some that's left need charged to the court for doing some work for the judge over here.

Mr. Mientkiewicz: The incoming judge?

Mr. Stredney: Well.

Mr. Mientkiewicz: Or the current?

Mr. Stredney: The current judge. Any of the, all of the work that we did over here, some painting, all of the lights, we charged back to.

President Marino: The court.

Mr. Stredney: Yeah.

President Marino: Anything else Steve? I need a motion.

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

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL

Lory Patrick: 414 Hartzell Ave. Niles, Ohio. I'm here because I was informed that last week or the week before, your last meeting, that one of neighbors was a little bit disgruntled because I had my property surveyed and they felt that I was on their property. And I understand, or at least I would hope everybody understands, this really isn't an issue for city council but it's.

President Marino: Actually Lori, that.

Lory Patrick: Right.

President Marino: It is not and we explained that so.

Lory Partick: Right.

President Marino: We and our Law Director did an excellent job.

Lory Patrick: Right.

President Marino: Of explaining so if you want to move on to your.

Lory Patrick: Yeah and it sorta mushroomed into other things. But I just wanted to assure the council and the people here that I had my property surveyed by a licensed registered surveyor. If I put a post on my property, it was my property. It wasn't an alley, it wasn't their property. Every property that I had that was surveyed, my neighbors were 5, 10, 15 feet on my property. So, I'm sorry you heard a different story but I have the documentation to prove it. Now, that rolls into something else though where it becomes city or maybe government situation. What has happened is that behind one of my other houses is an alley or we don't know if it's called an alley. We're trying to figure out what its even called. But there's three distinct properties, one's 8 foot, one's 10 foot, on's 12 foot in width that go into the old Davis Street... Davis Street Playground.

President Marino: Well, that's Federal Government property.

Lory Patrick: Okay and that's what we're trying to figure out is are the alleys leading to it also Federal Government? Or are those Niles with an easement? So, I've gone to Timmy Ryan and I've talked to Mr. Leonard and I wasn't even aware they were already working on this but they were. But, this is where the other thing that I want people understand because this rolls into my third issue because we had a tree cut down. In this alley, there are trees growing. Now sometimes, it's not an issue of are there wires in the trees? There's other issues like are limbs falling and crashing through your windshield. And in the last two years, I know of three limbs that have fallen off of these trees and crashed through two people that I know and a neighbor over there, through their windshield even to the point of damaging the dashboards of the cars. Thank God it was just a vacant car. Because if this would have came through a roof, if it would

have hit a person on the ground, we'd be going to a funeral. These limbs are huge. So when I called up Mr. Leonard at Mr. Ryan's office and I said "look, I understand you're already aware of this but this is the situation." He said "oh my God, I didn't realize we had this liability." He said "I'm going to get you an answer this week. I'm going to get on this. I'm going to prioritize this because this is a problem." Well, that then rolled into another problem over there because the neighbor and I'm learning this because if you want to find where your property is and where the junk yards are...man, have your property surveyed. What neighbors do next to your property is.

President Marino: Lori we have, in terms of the tree being cut down and all of that if.

Lory Patrick: Yeah.

President Marino: That would be the Mayor and Service Director.

Lory Patrick: Right. Well the thing is.

President Marino: I guess I'm asking what is... where are we going?

Lory Patrick: I am just bringing this here because it's rolled into other issues because the minute that I said hey we need take care of these trees, then all of a sudden calls started coming in because I also said look these are alleys. We can't be putting junk in alleys. Whether it's our Niles city alley like the alley that we have behind Vienna Ave.

President Marino: Right.

Lory Patrick: 405 Vienna. Whether it's a government alley like we have behind 807 or 811. You can't be putting junk in alleys. Calls are flying. Everybody's crazy because God forbid I should have property surveyed. God forbid I should ask people to get their junk out of alleys. I'm the bad guy. But the real reason I'm here tonight, and this parlays into the third thing, is because like I said there are certain people under an impression that because you're cutting a tree down and you might not see wires.

President Marino: Lori, the role of your presence here is a council matter is, and I was out of town last week so this is.

Lory Patrick: Yeah.

President Marino: Somewhat new to me. I kinda knew. I was told you were coming. The administration addressed it.

Lory Patrick: Right.

President Marino: I mean the city employees work for the mayor and the service director so.

Lory Patrick: Well.

President Marino: If they addressed it and took care of your problem.

Lory Partick: They have addressed it.

President Marino: So then.

Lory Patrick: The other part of this problem, and that's the only other thing I want to say because quite frankly it's my birthday tonight and I have other places to go than stand here and I appreciate everybody, you know, being concerned and I appreciate the Mayor. And that's why I really want to be here though. Because I just want everybody to know you're right, this is a personal thing. The other people that came in here complaining about I'm putting things on their property which I wasn't, should have never even come here. Should have never been a city council thing. But I just want people to understand that this man over here took his time to come out and try to find solutions to problems, which he didn't have to do. But he's a peacemaker and he's a problem solver. And I just felt really bad because everybody's calling him, their calling the building office, their going crazy and I just want you all to understand I'm not on anybody's property. They're on mine. I'm not the one putting junk in junk yards, they're doing it. But I just want everybody here to understand because I didn't like knowing the calls coming into the city building against him.

President Marino: Well but.

Lory Patrick: And against other people.

President Marino: Very good. Thanks Lori.

Lory Patrick: And yeah.

President Marino: Happy birthday.

Lory Patrick: Thank you.

President Marino: Go celebrate.

Lory Patrick: I appreciate it. You didn't ask how old I was?

President Marino: I dare not. Dare not.

(Laughter and misc. comments)

George Kuriatnyk: Hey, do you want to get her out of here before somebody gets hurts?

Lory Patrick: Excuse me, are you threatening me?

George Kuriatnyk: I'm

President Marino: Chief. Chief, take them both out. Chief take them both out.

George Kuriatnyk: You come up to me like that.

President Marino: Chief, both have to go. Chief.

George Kuriatnyk: I didn't do nothing.

Lory Patrick: I was just asking.

President Marino: Lori.

Lory Patrick: He owes me a judgment for \$14,000.00

President Marino: Lori. You have to go. Lori.

George Kuriatnyk: I got.

(Audience comments)

President Marino: Stop. Stop. Stop. Stop. Not another word from anybody.

Aimee Cantola: 208 Vienna Ave. I was wondering if I could get an update on the repairs of the roofs on the buildings that we have that are being repaired that Sekanick, Michelle came in from them and got with the company that was coming out. How we coming on those? Are we on schedule?

President Marino: Ed.

Mr. Stredney: They had a meeting, I believe, yesterday or earlier today. I emailed council late this afternoon a copy of the minutes. As far as I know from what I'm being told, they are more or less on time. They are well underway on this roof and they got coordination with the other roofs. So we're right on time. I believe it's looking sometime near the end of January/early February for their.

Aimee Cantola: Okay.

Mr. Stredney: Final deadlines on that.

Aimee Cantola: No additional problems once they got up there and.

Mr. Stredney: None yet.

Aimee Cantola: Okay. Keep our fingers crossed. Thank you.

President Marino: Thanks Aimee.

Paul Davis: 44 Hartzell Ave. Niles, Ohio. Is the new antenna in the cemetery behind the fire station completed?

Mayor Scarnecchia: The antenna?

Mr. Mientkiewicz: I believe so.

Mayor Scarnecchia: The cell tower.

Ms. Marchese: Everything except I think they haven't moved that.

President Marino: Who has the definite answer on that? Ed or?

Mr. Stredney: Yeah it's done. I believe they've sent.

Paul Davis: Has the construction been okayed as being?

Mr. Stredney: That I don't know. I'd have to refer to Tony Vigorito. I mean, I just know it's done. They've sent money.

Paul Davis: Because there's a definite lean. Severe lean as you're coming towards the cemetery on Hartzell Ave. You look up and you can see that thing leaning quite a lot.

President Marino: Tony, can you hear what he's saying?

Mr. Vigorito: No.

President Marino: He said that the cell tower in the cemetery is leaning.

Mr. Vigorito: Okay.

President Marino: So is it, I guess what his question is is it safe? I don't know. I haven't seen it.

Mr. Vigorito: I don't know. I haven't been up there.

Paul Davis: I've never seen one lean that far.

President Marino: They have a building like that in Italy. Can you go check it tomorrow, Tony?

Mr. Vigorito: Sure. I'll take a ride out there.

President Marino: Alright.

Paul Davis: Hartzell Ave. looking towards the mall.

Mr. Vigorito: Okay.

Paul Davis: Second thing, you brought it up at the last council meeting if I remember correctly about the run on the light department and the water department and so on from the general fund people.

President Marino: I sure have.

Paul Davis: Are we going to discuss that tonight?

President Marino: I.

Paul Davis: You did ask for a report.

President Marino: I did. I asked how many employees have been transferred from.

Paul Davis: Yes.

President Marino: General funded positions to.

Paul Davis: Are we going to discuss that tonight at the?

President Marino: Did?

Auditor Merlo: We discussed that in the budget hearings.

President Marino: Oh did you? And I was gone for those.

Auditor Merlo: I don't have that with me tonight.

Paul Davis: Well we unfortunately don't get to go... aren't at the budget hearing because it's during working hours.

President Marino: Well it was in the evening.

Auditor Merlo: I can put it together and send it to you tomorrow.

President Marino: Can you bring it to the next council meeting?

Auditor Merlo: Sure.

President Marino: We'll have it.

Paul Davis: Because I have a strong feeling as I said back when we started doing that, the next thing you'll know is that you'll want more money from my electric bill, my water bill, my sewage bill, my this bill, and my that bill. And we can see it coming from your comment at the and you even.

President Marino: I did.

Paul Davis: Said it back a year ago.

President Marino: I sure did and I stand by my comments.

Paul Davis: Okay.

President Marino: And I believe it with every ounce of my being that that's going to occur.

Paul Davis: But I would like to hear from it at a council meeting. You know, could we not forget that? I think that's.

President Marino: Well part of it Paul is my fault because I was out of town and wasn't able to attend the budget hearings and I did ask for it. And truth be told, my schedule's a little hectic now. I'm not making.

Paul Davis: No, I understand.

President Marino: So John if you could have that for next meeting, I would appreciate it. And we will Paul.

Paul Davis: Thank you.

President Marino: Alright thank you.

George Kuriatnyk: 1206 Mason Street, Niles, Ohio. And I just want everyone to know what she said is not correct. There is no alley. That's not an alley. It's not an alley. I just want everyone to know that.

President Marino: Okay.

George Kuriatnyk: And I got one other thing to clear up because she kinda confused me. Why did we cut that tree down in front of her rental?

Mayor Scarnecchia: I'm going to ask our Superintendent of Light. It falls under his department.

Mr. Newbrough: It's been our policy since I started working here, 25 years ago, if someone asks you to cut down a tree in the devil strip, we take it down. All you have to do is ask. As long as it's feasible, we'll take it down. We won't come on private property to do it.

George Kuriatnyk: So you cut it all the way to the ground then?

Mr. Newbrough: Yeah, they asked us to take the tree down. We take it down.

George Kuriatnyk: Okay.

President Marino: Okay. Alright thanks.

Mr. Newbrough: We don't take the stump. We don't fix sidewalks.

George Kuriatnyk: That's fine. That's fine. We're fine.

President Marino: Thanks.

Mr. Mientkiewicz: Is that our... is that our city policy? Because I was told otherwise. For the last two years when the issue of trees on devil strips arose, I was told that we only take them down if they are on the same side of the power lines.

Mr. Papalas: That's what I was always under the impression of.

Mr. Mientkiewicz: If the tree comes down because it's in the power lines, it's the homeowner's responsibility to remove the stump.

Mayor Scarnecchia: That's right.

Mr. Mientkiewicz: I was... that is my impression of our policy. So now it's different?

Mr. Steffey: My experience was.

Mr. Newbrough: It's always been that way as long as I have been here.

President Marino: Hang on, hang on. Barry, let Jim answer.

Mr. Steffey: Go ahead Jim.

President Marino: Go ahead Jim.

Mr. Newbrough: Like I said, there was an issue when I first started working here on Third Street. A tree came down that was in the devil strip and fell a car that was waiting for the traffic light. Homeowner came out and said I told you 6 months ago that tree was dead and it was going to fall. There was some... I don't know it was a big issue at the time. And the policy that came out of it was if a resident wants a tree taken down out of the devil strip, we'll take it down and then there's no question who's liable. But the resident has to ask.

President Marino: Well.

Mr. Newbrough: We don't just go out and do it.

President Marino: Go ahead Barry.

Mr. Steffey: Well I'll just say that this is inconsistent with my experience because Mayor, if you remember, the address on Hyde where we brought the gentleman in four different times. He had three trees. One of the trees was blown down in a storm, took out the electric on his house and the one next door. Tree department came out and made it passable for that night. They were told that they have the right to the devil strip but not the responsibility of it. So they did not cut down the other trees as the resident asked at that time. The very next night, the rest of tree came down on their house.

President Marino: Yeah.

Mr. Steffey: And so I... this is the only experience I've had regarding trees and devil strips but it's a little bit inconsistent.

Law Director Swauger: I am aware of that one because of our legal issues involved in that but that tree was beyond the capabilities of our equipment. That was a very large tree. That was one of the issues that came up. The one on Hyde. We would have had to bring in an extra truck that we don't own.

Mr. Newbrough: And I just said if it's feasible we'll take the tree down.

President Marino: Okay. I really think that this needs to be memorialized by ordinance stating what our position is. Terry, can you draw something up in concert with meeting with the department heads? Run it by, I would assume this would be council as a whole. Get something in their hands as quickly as possible for the next council meeting because this is contrary to what I've been told in the past as well. So, I think that to make sure that there's no confusion and we're fair with everybody, it needs to be memorialized in ordinance by the next meeting and then distributed to everybody so they know what it is. Steve?

Mr. Papalas: I know countless times I asked about a tree for a constituent and I was told no.

President Marino: Yeah I.

Mr. Papalas: Not by you, Jim.

President Marino: Not you, Jim. It's not you.

Mr. Papalas: I didn't ask you.

Mr. Newbrough: Like I said, if you'd still like to have it down it came be addressed and we'll take it down.

President Marino: Well we need, no we're not going to do that. No.

Mr. Papalas: 20 years worth.

Ms. Marchese: We might have a problem a lot closer though.

Mr. Papalas: 38 years worth.

Ms. Marchese: We have one family right up the street from there now and that's how I got involved with this, that their tree is also in an easement, has lifted up the sidewalk. The guy next door to them its spreading so bad that the roots are into the sewer.

President Marino: Well this is what happened on the street down in the first ward with Mr. Pezzano. This.

Ms. Marchese: Exactly.

President Marino: This needs to be addressed by ordinance.

Mr. Papalas: Yes it does.

President Marino: And once the ordinance is passed, I would like to think by emergency because this cannot be left to stand.

Ms. Marchese: No.

President Marino: Where we pick well I'm going to cut this one's trees down and that one's tree down.

Ms. Marchese: And that's just what we're getting.

President Marino: And I'm not going to cut that... we can't run government.

Mr. Papalas: Well or I'll do it for this councilmen but not that one.

President Marino: Well that...well.

Ms. Marchese: That's just what we got now.

President Marino: Okay. Terry, can you have that prepared.

Law Director Swauger: Yes I will get something together for that.

President Marino: If you don't mind. Thank you.

Mr. Mientkiewicz: Because this rolled into the last issue or was related to the last issue, should there be something about sidewalks codified as well.

Law Director Swauger: We have something about sidewalks codified.

President Marino: Yeah.

Mr. Mientkiewicz: It is.

Law Director Swauger: It's already there. It says the home owner's responsible for repairs to sidewalks.

Mr. Mientkiewicz: Okay.

Law Director Swauger: We have ordinance regarding trees.

Mr. Mientkiewicz: Okay.

Mr. McNaughton: The ordinance was broken on that one.

President Marino: Yeah. Okay thank you.

COUNCIL COMMITTEE REPORTS

None

ORDINANCES AND RESOLUTIONS

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

It was moved by McNaughton, seconded by Papalas to give a third reading to Draft No. 156-17.

YEAS: 5 NAYS: 2 (Marchese and Pezzano)

It was moved by McNaughton, seconded by Lastic to adopt this Draft No. 156-17.

YEAS: 5 NAYS: 2 (Marchese and Pezzano)

This Draft No. 156-17 has been adopted on the 6th day of December 2017.

ORDINANCE NO. _____(Draft No. 170-17)

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO SOLICIT A REQUEST FOR QUALIFICATIONS FOR THE ADMINISTRATION OF THE COMMUNITY DEVELOPMENT BLOCK GRANT; 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 Steffey to adopt this Draft No. 170-17.

YEAS: 7 NAYS: 0

This Draft No. 170-17 has been adopted on the 6th day of December 2017.

ORDINANCE NO. _____(Draft No. 171-17)

AN ORDINANCE AMENDING CODIFIED ORDINANCE NO. 163.01 "BONDS" TO INCREASE THE AMOUNT OF THE BOND FOR THE CLERK OF COURT AS REQUIRED BY OHIO REVISED CODE SECTION 1901.31(D); AND THE DECLARING OF 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 Pezzano to adopt this Draft No. 171-17.

YEAS: 7 NAYS: 0

This Draft No. 171-17 has been adopted on the 6th day of December 2017.

RESOLUTION NO. ____ (Draft No. 172-17)

A RESOLUTION AUTHORIZING THE SAFETY DIRECTOR TO ENTER INTO CONTRACT(S) WITH WEATHERSFIELD TOWNSHIP REGARDING PRISONER TRANSPORTATION AND SECURITY; AND, DECLARING AN EMERGENCY

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

Mr. Mientkiewicz: Would that be, correct if wrong, is that security for these council meetings as well or was that a separate issue?

Mr. Stredney: I believe we talked about it being with the council meeting as well.

Mr. Steffey: In the budget hearings, that was presented.

Mr. Papalas: Section 2. Look at section 2 Steve.

Mr. Mientkiewicz: Does it say in there on section 2?

Presdient Marino: That's the Ohio Supreme Court. That would be probably the.

Mr. Papalas: Are we on 172?

Mr. Steffey: Yes 172, section 2.

Ms. Marchese: Yes 172, section 2.

Mr. Papalas: Look at section 2.

Mr. McNaughton: That grant, that's the technology part that the judge elect wants for the body scanner.

President Marino: Oh out there.

Mr. McNaughton: On top of that, in his request for safety overall that's where this comes in and then we had inquired about providing safety for these proceedings as well.

President Marino: As you should.

Mr. Stredney: The body scanner, I believe, as we discussed then would be in operation for the meetings and then the Chief is your clerk of.

President Marino: He's the Sergeant of arms.

Mr. Stredney: Sergeant of arms.

President Marino: However, as people are entering and as we know there's people here before us, and you know we were at Frank's block watch last night and the residents there spoke about the state of the human condition and the violence in society and what takes place with gatherings of individuals. And let's face it, people are coming here, more often than not, they're coming to complain and are not happy and you know it is a different time. I know Steve and I have had this discussion many, many times about putting a policeman out there. I think that next year might be a good time for Mr. Steffey as the new president and you councilmen and councilmen elect to consider placing a uniformed officer out there and following a screening. I mean, there's screenings taking place all over now going into government buildings. It's

Mr. Papalas: You go to Girard City council meeting, you have to pass through somebody there with a metal detector and the body scanner and so forth.

President Marino: So I think Steven that you do bring up a very good point. Something for you guys to consider for next year. Maybe work with the judge and the chief.

Mr. McNaughton: Oh we already talked about it in budget hearings.

Mr. Lastic: Budget hearings.

Mr. McNaughton: I think we're all on the same page.

Mr. Steffey: The judge was going for a \$40,000 grant to get that machine. But he also talked about securing this building and having a lone entrance downstairs and closing up the entrance upstairs so that everybody is funneled through one.

President Marino: One way.

Mr. Steffey: One way.

President Marino: Through the two doors. Okay well. Call the roll for suspension.

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Pezzano, seconded by McNaughton to adopt this Draft No. 172-17.

YEAS: 7 NAYS: 0

This Draft No. 172-17 has been adopted on the 6th day of December 2017.

ORDINANCE NO. _____(Draft No. 173-17)

AN ORDINANCE REPEALING AND REPLACING CODIFIED ORDINANCE NO. 163.12 LONGEVITY PAY FOR ALL NON-UNION, NON-ELECTED EMPLOYEES; AND DECLARING AN EMERGENCY

It was moved by Papalas, seconded by Steffey 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. 173-17.

YEAS: 7 NAYS: 0

This Draft No. 173-17 has been adopted on the 6th day of December 2017.

ORDINANCE NO. _____(Draft No. 174-17)

AN ORDINANCE AMENDING ORDINANCE NO. 56-16, KNOWN AS THE AUTHORIZED STRENGTH ORDINANCE, AND DECLARING AN EMERGENCY

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

President Marino: John, were there any new positions funded in this or are we the number of positions from 17 maintaining to 18. Do you know?

Auditor Merlo: No, there are additional positions that were discussed in the budget hearings.

President Marino: What are some of them?

Auditor Merlo: Part timers in the park and cemetery, part timer in the... I said park and cemetery. And the assistant housing inspector.

Mr. Stredney: And one in the Treasurer's office.

Auditor Merlo: Oh and the Treasurer's office.

President Marino: Moving forward, as I've said before about employees and I know about raising fees and all that but some of those I don't agree with but oh well.

Mr. Mientkiewicz: The part time in the cemetery and park is seasonal, correct?

Mr. Stredney: Yeah. What we had talked about.

Mr. Mientkiewicz: I mean if there's two feet of snow on the ground we don't need them then.

Mr. Stredney: Well right. What we had talked about is putting one there but I'll probably have two there during the summer but it will be one all year if that makes sense.

Mr. Mientkiewicz: If that makes sense? No it does not.

Mr. Stredney: I'll hire two for seasonal for summer time but in actuality pay wise it will just count as one guy all year.

Auditor Merlo: No.

Ms. Marchese: That doesn't sound right.

Auditor Merlo: The budget hearings were one.

Mr. Stredney: One.

Auditor Merlo: All year.

Mr. Stredney: What was the?

Auditor Merlo: For cemetery.

Mr. Stredney: Park?

Auditor Merlo: And the four in the park were seasonal.

Mr. Stredney: Right my bad.

President Marino: Seasonal right.

Mr. Stredney: My bad.

Mr. Mientkiewicz: That's right. Okay.

President Marino: Seasonal in the park. Yeah. Okay. Some of those other departments I think we have existing staff that could pick up the work but. Okay.

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Papalas, seconded by Steffey to adopt this Draft No. 174-17.

YEAS: 7 NAYS: 0

This Draft No. 174-17 has been adopted on the 6th day of December 2017.

RESOLUTION NO. _____(Draft No. 175-17)

A RESOLUTION ADOPTING THE PERMANENT BUDGET FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2018; AND, DECLARING AN EMERGENCY

It was moved by Papalas, seconded by Steffey 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. 175-17.

YEAS: 7 NAYS: 0

This Draft No. 175-17 has been adopted on the 6th day of December 2017.

ORDINANCE NO. _____(Draft No. 176-17)

AN ORDINANCE UPDATING COMPENSATION SOURCES ONLY FOR THE POSITIONS OF MAYOR, PRESIDENT OF COUNCIL, WARD COUNCIL MEMBERS

AND COUNCIL MEMBERS AT LARGE, THE LAW DIRECTOR, THE AUDITOR AND THE TREASURER FOR 2018; AND, DECLARING AN EMERGENCY

Mr. Papalas: Mr. Chairman, I want to stress this designates the sources from which the money comes. It's not a raise.

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

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Papalas, seconded by McNaughton to adopt this Draft No. 176-17.

YEAS: 7 NAYS: 0

This Draft No. 176-17 has been adopted on the 6th day of December 2017.

ORDINANCE NO. ____ (Draft No. 177-17)

AN ORDINANCE AMENDING RESOLUTION NO. 22-17, THE PURCHASING POLICY FOR THE CITY; AND, DECLARING AN EMERGENCY

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

President Marino: John, good job on that. Cleaning that up and making it more efficient.

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Steffey, seconded by McNaughton to adopt this Draft No. 177-17.

YEAS: 7 NAYS: 0

This Draft No. 177-17 has been adopted on the 6th day of December 2017.

ORDINANCE NO. ____ (Draft No. 178-17)

AN ORDINANCE CREATING A NEW CAPITAL PROJECTS FUND, FUND 404 FIRE TRUCK REPLACEMENT AND DECLARING AN EMERGENCY

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

President Marino: John, there was a question that came up during caucus. The \$30,000 is for 17 and \$80,000 next year?

Auditor Merlo: I believe its \$85,000 next year.

President Marino: \$85,000 next year. Alright. You'll do it at the end of the year?

Auditor Merlo: Yeah we'll do it next year.

President Marino: Okay. Thank you.

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Pezzano, seconded by McNaughton to adopt this Draft No. 178-17.

YEAS: 7 NAYS: 0

This Draft No. 178-17 has been adopted on the 6th day of December 2017.

RESOLUTION NO. _____(Draft No. 179-17)

A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE GENERAL FUND TO THE FIRE TRUCK REPLACEMENT FUND; 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. 179-17.

YEAS: 7 NAYS: 0

This Draft No. 179-17 has been adopted on the 6th day of December 2017.

RESOLUTION NO. _____(Draft No. 180-17)

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

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

Mr. Mientkiewicz: Quick question. Janet, we did this in September.

Treasurer Rizer-Jones: And then there were extensions that came in after that.

Mr. Mientkiewicz: So.

Treasurer Rizer-Jones: So there's additional money needed for refunds.

Mr. Mientkiewicz: Alright.

Treasurer Rizer-Jones: Prior to RITA taking over.

Mr. Mientkiewicz: Okay.

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Steffey, seconded by Papalas to adopt this Draft No. 180-17.

YEAS: 7 NAYS: 0

This Draft No. 180-17 has been adopted on the 6th day of December 2017.

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

Mr. Mientkiewicz: We're going to move for a first reading. And once again this was proposals went out back in August I believe. Three or maybe four of them came back. This company was the low bid and it was the company we had previously used in the past.

President Marino: Can I ask what took so long if we solicited RFP's in August and it's now in front of council?

Mr. Mientkiewicz: I believe we did it through readings. So, it came to council in August.

President Marino: Okay.

Mr. Mientkiewicz: By the time, it went out.

President Marino: Okay. Alright. First reading, Steven?

Mr. Mientkiewicz: First reading.

It was moved by Mientkiewicz, seconded by Steffey to give a first reading to Draft No. 181-17.

YEAS: 7 NAYS: 0

This Draft No. 181-17 has received its 1st reading on the 6th day of December 2017.

RESOLUTION NO. _____(Draft No. 182-17)

A RESOLUTION AUTHORIZING THE LINE ITEM TRANSFERS OF FUNDS FROM THE GENERAL FUND'S BUILDING & ZONING HOSPITALIZATION ACCOUNT AND GENERAL MISCELLANEOUS ACCOUNT TO COURT WAGES ACCOUNT AND, DECLARING AN EMERGENCY

It was moved by Papalas, seconded by Lastic 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. 182-17.

YEAS: 7 NAYS: 0

This Draft No. 182-17 has been adopted on the 6th day of December 2017.

MISCELLANEOUS REMARKS

Mr. Stredney: Yeah just real quick. I wanted to thank council. I know some of you had gotten calls yesterday and going into the night. So thank you for being patient with us. We had crews out until very early in the morning dealing with some of the down trees so thank you for your patience. Thank the residents for their patience last night.

President Marino: Thank the light department and all the city workers because some of those trees were enormous that I saw the pictures from Wade Street. It was unreal so tell the guys we appreciate all that they do, Jim.

Mr. Newbrough: Sure.

Mr. McNaughton: Indeed.

Chief Danielson: Just to let council and members of the audience, with this hire tonight finally brings us up, back up to our authorized strength. So we finally go there.

Mr. Steffey: Chief can I ask, are we about halfway through that Safer grant?

Chief Danielson: It ends December... wait let me get this right. February of 19 it will end. February 5th is when we hired.

Mr. Steffey: Okay.

Chief Danielson: So.

Mr. Steffey: And then you're going to be working to try and get another grant behind it.

Chief Danielson: Either get the other grant or see what we can do with excess funds. Use it up and then try and extend it, the grant, to keep them on.

Mr. Steffey: Okay thanks Chief.

Mr. Crowley: Just a real quick update on demolitions. I did get an email yesterday and 3 more were added to the list so we do have 16 approved demolitions. 8 of them are completed. We'll get a couple more this year when they send out information for asbestos it does slow the process down but the Trumbull Neighborhood Partners and the Auditor's Office we have 16 homes to be taken down at no cost to the city.

Mr. Steffey: Great.

Mr. McNaughton: Hey Jeff, do we have any update on the CHIP grants? Where we're at with that as far as dispersing it on those folks that applied?

Mr. Crowley: Yeah.

Mr. McNaughton: How that's going to be used?

Mr. Crowley: So the question is on our CHIP grant that we received, we would have \$400,000 allocated to that. There's a number that they call to Ravenna to a Neighborhood Development Services. It was in the paper advertised and we'll be having another public meeting at the Wellness Center soon. But that number has been a pretty hot number so they've received lots of phone calls. I have a meeting with them and Giovanna on the 13th of next week at 2:00 P.M. to talk about dispersing those monies and how will the city will interface with them on how to make payable.

Mr. McNaughton: Thank you.

President Marino: Thanks. Mr. Stredney?

Mr. Stredney: Yeah I'm sorry. I did forget one thing. We were working on getting the Chamber to come back in here possibly next Wednesday if it would be amicable to city council for another presentation.

President Marino: 5:00 P.M.?

Mr. Stredney: 5:00 P.M.?

President Marino: Okay.

Mr. Steffey: I would just like everyone to know that Niles City Council will be sworn in on Wednesday December, 27th at 6:00 P.M. in this room. So just to let you know so make that aware. Two weeks from this evening, after the council meeting, we are going to do committee assignments in the back so just to let everybody know that will be here in 2018 that we will be doing the committee assignments two weeks from this evening.

Mr. Papalas: Those are open to the public.

President Marino: That is open to the public.

Law Director Swauger: What time, what time are you getting sworn in?

Mr. Steffey: 6:00 P.M. on Wednesday the 27th.

Law Director Swauger: Thank you.

President Marino: Committee assignments and all that are public. Okay.

Mr. Steffey: bobby, that's elected and appointed? Just elected.

President Marino: Elected for committee assignments?

Mr. Steffey: No for the swearing in.

President Marino: Just elected officials.

Mr. Steffey: Okay.

President Marino: Appointments come from the Mayor. He will send that to you in January so you would accept your rules.

Mr. Steffey: Okay.

President Marino: And then you'll accept the mayoral appointments and then you move into your agenda and I'll help you with that.

Mr. Steffey: Alright thank you.

President Marino: The committee assignments is the big thing and getting that all worked out.

Mr. Steffey: Right.

Mr. Mientkiewicz: Yeah Mr. Mayor if... Mayor.

Mayor Scarnecchia: Yes.

Mr. Mientkiewicz: If we could, since we're out taking down trees, if we could send them to the parks. I know Stevens Park is a mess up there. I've been saying it for months. There's limbs, branches, trees, full whole trees down everywhere up there. The leaves are all over the place. It's a mess up there. I drive by White Park every day in Youngstown. It looks like the month of July compared to our parks. So if we can keep an eye on that please. The other thing, Kevin, when is our Carnegie water loop supposed to start?

Mr. Robertson: It should start next week.

Mr. Mientkiewicz: Next week?

Mr. Robertson: It was supposed to start this week but they got pushed back a week.

Mr. Mientkiewicz: Pushed back a week. And then it will be done by January?

Mr. Robertson: 45 day project so about a month and a half.

Mr. Mientkiewicz: What did you say?

Mr. Robertson: It's a 45 day project.

Mr. Mientkiewicz: 45. Okay. Thanks I will let the residents up there know.

President Marino: Do we have any engineering firms on retainer for the city?

Mr. Robertson: I believe that's.

Mr. Stredney: That's what I'm working on for next year.

Mr. Robertson: That's what the ad is for. The legal notice.

President Marino: Do we have any engineering firms on retainer right now? Do we call engineering firms when we need help? How do we select those engineering firms?

Mr. Robertson: That's what we're soliciting for.

President Marino: I know that Kevin. I'm asking how do we do it now? How have we done it this year when you've need help with an engineering firm? You just pick.

Mr. Robertson: Just send out 3-4 letters.

President Marino: Okay.

Mr. Robertson: Or proposals for each individual project.

President Marino: Well in the future , that needs to be paid attention to.

Mr. Papalas: Very closely.

President Marino: Just saying. That needs to be paid attention to my fellow colleagues.

Mr. Papalas: May I add to what you are saying?

President Marino: By all means.

Mr. Papalas: Not that it's happened during this administration but that could lead to some decisions that will prove very unfortunate for everybody involved legally if you guys aren't careful with how the engineers are selected. If people develop a habit of bringing somebody in whose their buddy and you find out that it could have been done more cheaply somewhere else locally, you're not going to be happy and neither is the public. So, be careful of it. I'm not going to get into details but you guys better watch yourselves.

President Marini: Yeah so thanks. Anything else?

Mr. Stredney: I just want to be clear that that is why we're going out.

President Marino: Right. Exactly. I know why we're doing it.

Mr. Stredney: Alright.

President Marino: I just want. I know why we're doing it.

Mr. Papalas: That's fine. Just keeping you guys you know.

President Marino: You learn things.

Mr. Papalas: We just like transparency.

President Marino: Absolutely.

Mr. Stredney: Absolutely.

President Marino: Thanks.

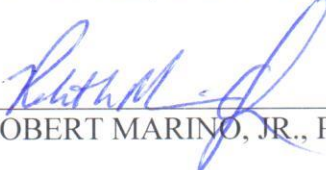
Mr. Pezzano: Just one thing. I want to thank Mr. Crowley for giving my residents an update last night. Thanks a lot. Always appreciate it.

ADJOURN

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



Nicole Bacak, Clerk of Council



ROBERT MARINO, JR., President of Council