

COUNCIL MEETING MINUTES
August 2, 2017

Niles City Council held its regular meeting on August 2, 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-NP, Marchese-P, Mientkiewicz-P, Pezzano-P, Marino-P

Motion to excuse Mr. Steffey was made by Papalas, seconded by McNaughton.
Motion carried.

It was moved by Marchese, seconded by Mientkiewicz to accept the Minutes from the July 19, 21, and 24, 2017 meetings and place them on file.

Motion carried.

REPORTS AND COMMUNICATIONS

FROM – Treasurer’s Office

Monthly Receipt Totals- Income Tax Department- July 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 – July 2017

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

FROM – Service Director

Overtime Report- July 2017

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

President Marino: Let the record reflect that there is a note in here that says city wide we are down \$147,283.35 in overtime as of this report.

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL

Aimee Cantola: I have a letter that I'd like to read from the Save the Pool Committee.

President Marino: George, you have to stay in the audience.

George Kuriatnyk: I'm like a reporter.

President Marino: You have to stay in the audience.

George Kuriatnyk: (inaudible)

President Marino: Sorry. Sorry.

George Kuriatnyk: I seen the TV monitor I figured I was allowed.

Aimee Cantola: 208 Vienne Ave. Tonight I am the spokesperson for the Save the Pool Committee. The mission of this committee is pretty simple. We would like to work with the City of Niles to restore and repair Waddell Pool and use the grant money requested by the former Mayor and possibly additional grants to complete the process. Our group has forged ahead in a positive manner in our commitment to enrich and improve the recreational lives of the citizens of Niles and the surrounding communities. We have no hidden agenda. We have been above board and gone through what we were told the proper channels to keep our vision alive. We have learned a lot these past few months and weeks. It has come to light in these most recent days that information has been withheld; people within the City Administration do have a hidden agenda and we have been led astray by those in power. We trusted the administration would respect our conviction to this project and at the very least explain the process but instead we have been they have been deceitful, lied and misled us and treated us in a very condescending and degrading way. We do not appreciate the oppressive treatment and it will not continue. It stops today. Beth Francis and myself have met countless times with this administration and city employees. Most of the meetings and conversations have been laced with irritation and negativity. At the July 22nd City Council meeting, two members of the committee presented some questions. One being are we speaking to the right people regarding the Waddell Pool issue? Should we be meeting with the three member Park Board appointed by the Mayor? The Mayor and the Law Director and at least one council member all chimed in and said that the Park Board does not have to hold an open public forum, and they do not answer to the Mayor and they pretty much made any decision and all decisions they didn't have to report to anyone. Our research shows that this is all completely false. According to the Ohio Revised Code that I have here, Article 755.24: The Park Board shall hold meetings at least once a month and shall adopt rules and regulations of its business. Under article 755.03: Meetings are open to the public. At this point we do not know which is more upsetting, and lack of creditability that has been brought to the surface of this

administration or their lack of knowledge of the law. Because you are either lying or you do not know the law. Why would you, Mr. Mayor, tell Beth and I to move forward with a project and give us a deadline of August 10th, when you knew full well that you were setting us up to fail? You, as well as other elected officials and administration knew from the first meeting with us that the grant was not in place. It was not completed. That information was never shared with us or any committee member. But, with one phone call to the State of Ohio, it is crystal clear to us all. In conclusion, with our most recent information regarding the grant and other organizational issues, the August 10th meeting is moot. We would like to give a similar deadline and ask you, Mr. Mayor, to request a meeting with you, at least one member of the Park Board, Giovanna Merlo, Ed Stredney, and Kevin Robertson and no one else. And we would like this meeting to take place before the next City Council meeting. Once you pick a time and place, we will construct a full agenda regarding this situation and present it in a professional manner. Attendance on our side will be Aimee Cantola, Beth Francis, Al Cantola, and at least three or four other important members of our committee and our attorney. The meeting will have to be held at 7:00 P.M. or after on a weeknight because a few of our committee members, in charge of research and development, work full time jobs and their attendance is crucial. So we have someone who is an experienced grant writer and if, Mr. Mayor, will allow us to work with your office through Kevin or whoever else, we will complete this grant and Niles will not lose the money or have to pay it back for lack of completion. The answer to the administration is no. We are not going away despite your best efforts. The citizens of Niles want to take back their community and we're starting with the pool. It is about quality of life.

Mayor Scarnecchia: May I answer?

President Marino: Thanks.

Mayor Scarnecchia: May I answer?

Aimee Cantola: Sure.

President Marino: Sure.

Mayor Scarnecchia: Aimee, the last meeting we had.

Aimee Cantola: Right.

Mayor Scarnecchia: If you recall, what was the last thing we said? We didn't deny you Kevin's work or anybody's work. The last thing we said you were to come with us and you were going to put together what you think the finances would be. Is that not correct?

Aimee Cantola: No that's not, that's totally correct. What I want to know is the letter that is March 31st that says this grant hasn't been completed because there's a 40 page application that needed to be done in order to get the money.

Mayor Scarnecchia: Did we see that letter?

President Marino: Ma'am, you can't. There's no comments from the audience.

Mr. Robertson: What's that Mayor?

Mayor Scarnecchia: Kevin, did that letter come to us?

Mr. Robertson: Yeah. We've had that letter for quite some time now.

Aimee Cantola: Since March.

Mayor Scarnecchia: And that letter.

Mr. Robertson: But until we have a plan moving forward, we couldn't fill out that paperwork.

Mayor Scarnecchia: You are. You are.

Aimee Cantola: So, there's no grant. There's no money.

Mayor Scarnecchia: You are ready to fill it out, right?

Ms. Marchese: You've got to be kidding me.

Mr. Robertson: We need to determine the scope of work and what we're going to do with it before I can fill it out.

Mayor Scarnecchia: Alright.

Aimee Cantola: And that's why I can't move forward on the pool because the grant doesn't say for the swimming pool. It says nothing. Nothing's on there.

Mr. Robertson: It's dedicated to the swimming pool right now.

Aimee Cantola: Right.

Mr. Robertson: But to

Aimee Cantola: But it's not filled out and sent back to Mary.

Mr. Robertson: No.

Ms. Marchese: Wait a minute. Wait a minute. Wait a minute. That that.

Aimee Cantola: I don't have anything else.

President Marino: Well regarding the grant, they're not going to release the money until they know what the scope of work is.

Aimee Cantola: Right.

President Marino: So this is what comes first, the chicken or the egg? I get that. And I understand why the State would want that. So as I see it, the administration has to provide you with direction on what to put in there. And then the controlling board from the State will release the money for us to move forward with the project. So

Aimee Cantola: So, I have run around.

President Marino: Well

Aimee Cantola: Beth has run around.

President Marino: Well Aimee

Aimee Cantola: We've done all of this.

President Marino: Well Aimee to be perfectly honest, we're way over time here.

Aimee Cantola: I know. I'm sorry.

President Marino: But nonetheless, No. Jimmy, myself, Jimmy DePasquale, myself and I forget who all else was out there. Long time ago.

Ms. Marchese: Yup.

President Marino: Had a walk through and had scope work put together and I don't know where it went from there. So, the first step regarding the State of Ohio would be you need to get a scope of work put together. And whatever else is required in there. So, whenever you get together with the administration.

Aimee Cantola: Can we set up a meeting, Mayor?

President Marino: Well.

Mayor Scarnecchia: Please call the office tomorrow.

President Marino: Okay, go ahead Ed.

Aimee Cantola: You're going to answer because the secretary's not there?

Mr. Stredney: We're going to request City Council because we're going to eventually have to have them appropriate the money and.

President Marino: Well

Mr. Stredney: And they're eventually going to have to say.

Ms. Marchese: Wait a minute. Wait a minute.

President Marino: I think.

Ms. Marchese: You know what. I talked to that lady and I have public grounds and that that grant came under the last the last administration, which you were on council, but okay fine. I want to know one and for all, do we have to do these appropriations? John said the same thing. I am calling a public grounds meeting to see where all of council comes.

Mr. Stredney: It.

Ms. Marchese: I'm just talking to them so we know that all council's on board. Yes, we want that pool open. Or do we not want to do anything with the building and tie them into the Wellness Center like I've said on numerous times.

Mr. Stredney: If we fill this application out and go get the money for the pool, \$67,500, at that point in time council will have to appropriate the money to allow us to go fix the pool.

Ms. Marchese: Right. But she said

Mr. Stredney: And if council.

Ms. Marchese: The lady in Columbus stated that if question and give you give her so much what you need, they'll send the city of check for \$20,000 so you can go start that.

Auditor Merlo: Which needs appropriated by City Council in order for me to write a check.

President Marino: So to rewind, we need a plan first.

Auditor Merlo: Correct.

President Marino: Once you get a plan, Kevin can complete that application, send it to the State and the State will release the money. They're not going to release the money and just say.

Ms. Marchese: Correct.

President Marino: Wink wink, here you go. Good luck with the \$67,000.

Ms. Marchese: She even said they'll include life guards with that.

President Marino: Well, I'm not going to get into. I don't know what. Without me reading it, I'm not going to venture into that.

Ms. Marchese: Yes.

President Marino: We have a citizen of the public request a meeting with the administration. Aimee, you're going to call the Mayor's office and set that up with the parties that were requested. Linda, if you want to have a public grounds meeting.

Ms. Marchese: Yes, I am.

President Marino: By rule, you are permitted to do that at any time as long as you meet the Ohio Sunshine Law.

Ms. Marchese: Yes.

Mr. Lastic: And they ought to get the report that you walked through. Have someone.

President Marino: Well, we did that last summer I think it was.

Mr. Lastic: Last Summer.

Ms. Marchese: Yup.

Mr. Lastic: That should be around somewhere.

Aimee Cantola: I have those estimates if that's what you're talking about.

President Marino: I think you were on this Kevin too.

Mr. Robertson: Yes.

President Marino: Yes ma'am. You want to step forward. Your name and address. Come on up.

Nancy Marscio: I'm a resident of Niles. I live at 19 South Rhodes Ave. I'm on the committee to save the pool. With that being said, I have been in contact with the woman at the State. And within an hour conversation with her, I have been enlightened beyond beyond anything that's happened in the last few months with Aimee and Beth and the Mayor and all the other city employees with all due respect. I do have knowledge of grant writing. And according to Mary at the State, we are permitted to be involved in the writing of the grant. In the past administration, the request was for the pool. So right now, she would like that you just do step one, which is to complete the grant. Which we have given. We have a copy of the grant. She gave it to us. You can just sit down and complete the grant. We would love to work with you, Kevin, the Mayor, whoever to go over the grant and to start that. That's step one. That's before you go get quotes. That's before you get anything. But also, in the law of the grant, if you start to use the money and then you don't complete it, then you have to pay back the money that you've used and the money that's left. Because that's the way a grant is. So, you can start but you have not, you've had this grant. You have a letter, a follow up letter, from Mary on March 13th telling all of you in

power that you know, what are you doing, here's what you need to do. We will help you through the grant. I'm willing to help do all research. I'll contact and also work with the City of Niles because I feel as a resident of Niles that this is important to me. I know you have other issues. I know you're in fiscal emergency. But these things are all another issue. Right now, we want to sit down with the Mayor and the people we need to sit down with and have an organized and professional meeting. And that's all we want to do. And we want to move forward with the grant. Thank you.

President Marino: Thank you ma'am. Anyone else? John.

Ms. Marchese: Mayor? Oh, okay. I had a question for the Mayor.

President Marino: You can go ahead and ask Linda because he's coming up.

Ms. Marchese: Mayor, I have a question. Did you know that paperwork had to be completed?

Mayor Scarnecchia: No.

Ms. Marchese: Kevin, did you know that paperwork.

Mr. Robertson: Yes, but the paperwork didn't have to be completed at that point in time. We had the opportunity to change that grant. We had the opportunity to fill out the paperwork in order to move forward with the pool. It did not need done right away.

Ms. Marchese: Am I missing something? It seems.

Mr. Robertson: To clear everything up, it's not grant writing. We don't have a grant writer in the city. We never have.

Ms. Marchese: I understand that. But I that.

Mr. Papalas: We have had a grant writer.

Ms. Marchese: Yeah.

President Marino: No comments from the audience.

Ms. Marchese: But that grant, okay whatever you want, it's not called a grant and if I had my paperwork I'd see the title that she gave it. But no matter what, it was done for the pool. So, if there was paperwork to follow it's been almost a year. Why didn't anybody put something down? We're going to start fixing cracks. We're going to start painting. We need chemicals. We need lifeguards. Why wasn't something done?

Mr. Robertson: Because we.

Ms. Marchese: I mean it seems more like to me that you're talking more about moving this and I brought this up in the meeting. Taking the grant and using it somewhere else, or the money, the money rather than use it for the pool. You're not going to know how much it's going to make if we don't give these people a chance that are busting their rear ends for this. We've got to try.

Mayor Scarnecchia: Councilwoman, we realize that and they're working hard.

Ms. Marchese: Yes they are.

Mayor Scarnecchia: And they're devoted. We've been in many meetings but you've got to remember too. We all were asking. We want a plan from them that they said they would supply telling us giving us expenses. So, we can see what we're talking about. We can't just do something and say well we'll see what it is.

Ms. Marchese: Mayor, I understand that. We've had almost a whole year and this isn't nothing new. Before they came along, I talked about opening that pool. I've mentioned it numerous times. So you.

Mayor Scarnecchia: We've talked about splash pads. We talked about.

Ms. Marchese: No, I did talk about that but I also said there was a difference between a having a swimming pool for the older kids and adults and a splash pad for younger children.

Mayor Scarnecchia: Okay.

Ms. Marchese: So let's not mix up the two.

Mayor Scarnecchia: Well we talked about a lot.

Ms. Marchese: But wait a minute. Right. I'm not saying yes we have. And you pushed for the splash pad from previous ideas that I had. But now, we're talking about a pool. We've know the grant's been there. It's been given. We had Senators, and State Representatives fighting for that to give that to Niles to help us out. Why wasn't there a plan put together to say, like I've said numerous times forget that building right now, we're talking about opening the pool. How much will it cost just to open that pool?

Mayor Scarnecchia: How come... how come we we have to have a plan to open it or else we have to give the money back.

Ms. Marchese: January, February, March, April, May, June, July, August. 8 months. We don't have no plan.

Mayor Scarnecchia: No. The committee was going to give us one.

(Inaudible)

President Marino: Ladies and gentlemen, with all due respect Mayor, the plan should emanate from the administration. With that said, I would... I don't want any comments from the audience and that's the last time I'm going to say that. The next person is going to have to be leave. Please. The plans should emanate from the administration in concert with the Park Board. I don't know about all of these legal machinations in Ohio Revised Code and all this stuff. Public meetings mean one thing to you and they mean something different to me so. It's neither here nor there. The plan should be in concert with the Park Board. And after the plan's put together, you can meet in groups and present it to council for consideration for appropriations, because it's a budget issue. And it's a general fund budget issue.

Mr. Papalas: Absolutely. A general fund subsidy.

Ms. Marchese: Thank you.

President Marino: So.

Mr. Papalas: That would have to go into that pool.

President Marino: So all of that needs to be considered in a comprehensive manner. Not just year one, but its implication and impact years two, three, four, five on our five year forecast. So with that said, Aimee you're going to call the Mayor and you folks are going to do what you need to do.

Mr. Mientkiewicz: Mr. President, just one quick comment for Kevin. Kevin, in your professional opinion if we were to obtain that grant \$67,000 for pool purposes and we spent it on pool repairs but financial obligations required us to not open the pool, what would the likelihood of us going back for more money or future grants through that entity?

Mr. Robertson: Not good at all.

Mr. Mientkiewicz: Not good at all.

Ms. Marchese: That's right.

Mr. Robertson: If we would

Ms. Marchese: We'd lose it.

Mr. Robertson: If we would say we're going to use \$67,500 on the pool, put into a pool and never open the pool, it doesn't look good for the city.

Ms. Marchese: Plus you'd have to pay it back.

President Marino: Well there again, those are all great questions and the financial implications as well as the structure implications all need to be considered, the ongoing operational costs, etc. So, that's what I'd be looking for as a member of council. Saying it all grants is and then hearing

from John on the financial ramifications to the general fund. Because Steve is right, it is a subsidized enterprise for the general fund so. Thanks for your patience Mr. Rosine.

Dave Rosine: I live at 313 Walnut Street. That's the third ward. And actually I'm not here to complain or holler at anyone today. Actually, I'm here to show a little appreciation. I am head of the committee, the grounds committee, in the maintenance committee down at the Niles Historical Society, which is the Ward Thomas House. And I'd like to thank the Mayor for some of the support he's given us this year, Service Director when we did a clean-up this year. Jeff Crowley donates his time. Jim Newbrough, the light department, the tree department, we appreciate what they do for us. You know, I come down here, I make an appointment, I talk to these guys. And they try to make time to help us out when we need it. So, what I'm really here for today is I'm also ahead of this Heritage Day event coming up on Saturday. And you I know I hear things thrown around like pride and tradition. You know if you went through these school systems in Niles, that's something that's engrained in you. And that doesn't mean that stops after you graduate high school or whatever. So that means you're taking pride in your community, tradition and keeping up and go to these festivals and these things happen every year. What I'm here today to actually cordially invite our public officials to stop down here on Saturday and show some support to the community. There's a lot of good things going on in this town. I understand there's a lot of, you know, problems too and hopefully we may all not agree on different things but what we have in common that we all are from Niles. And we all have one thing that we'd like to see happen and that's what's best for Niles. So, hopefully we can straighten this ship here in Niles and work that out but that's not why I'm here for any political reasons. I'm just here to invite city council, all my councilmen. I know you guys. I've sat in your classroom, Steve. And you know, Mike. I know you, Ed and this is the things that you engraved in us or at least in me that I take seriously. You know I don't wear this stuff just because I have it. I either got my work clothes on or I got my Niles stuff on. I take pride in my community. It may not be perfect right now but let's try. Work at it. So, I invite you down there Saturday. I hope to see everyone. Thank you for your time.

Mr. Mientkiewicz: What time is that Dave?

Dave Rosine: 12:00 P.M.- 5:00 P.M.

Mr. Mientkiewicz: At the Thomas House?

Dave Rosie: At the Thomas House.

Mr. Papalas: Thanks Dave.

President Marino: Maryann, did you want to talk? You had your hand up. And then Beth. Anyone else want to speak this evening? And then Mark, Paul and then George will be last. Alright.

MaryAnn Miller: 209 Cherry Ave. I know I don't want to keep harping on the same thing but you know what, Mr. Mayor, you've asked three times tonight that our committee should submit a budget to you. We would love to do that. But you can't submit a budget if you don't know what

you have. And we have right now 5 feet of muck in the bottom of that pool. We have asked you. We've asked anybody we've had a meeting with. Can we get somebody from the city to come out and suck that out of there? So that we can have someone come in. We have people that will come in and appraise it. Tell us what needs done but we can't do it when you have 5 feet of muck in there. I asked about don't we have a new big sucker truck or whatever it was to suck that stuff out. And I was told we're not using that new truck for that. Well, do you have an old one that does it? I mean, we have to do something. Where are you going to start if you can't even? I can't get you a budget if I can't see the bottom of the pool.

President Marino: Maryann, can I interrupt for a second? Aimee mentioned you're going to put together an agenda for your meeting.

MaryAnn Miller: Right.

President Marino: When you schedule this.

MaryAnn Miller: Right.

President Marino: Annotate all of those things that are your expectations for cooperation from the City on that document. Memorialize it in writing when you meet with them so there's comprehensiveness to it moving forward.

MaryAnn Miller: But he wants the budget at that meeting.

Mayor Scarnecchia: I don't want a budget. I wanted a plan.

President Marino: Well before we... you're not going to get a plan at that meeting. You're going to have to put your agenda together where areas are needed for support from the City and what your ideas are moving forward. Based on that, you can then move forward toward putting together a budget.

MaryAnn Miller: Thank you for the cooperation.

President Marino: Thanks MaryAnn.

MaryAnn Miller: Thank you.

President Marino: Beth. Then Mark.

Beth Francis: 358 West Park. I just want to say that when I got these petitions out, I would have never have thought it went this far. And I just want to say, and that gentlemen kind of put the mark on it, that when you have a passion you kinda run with it. And when I got the petitions and I kinda seen the residents of Niles kinda want the passion of the pool, I ran with it. So, I kinda would like everybody when we found out that the grant wasn't finished I kinda, was kinda, we kinda all bursted our bubble. So I'm hoping that we can all work, move forward from this and

start from the beginning and work together and move forward with this and start all over and work together, Mayor. And start from point A and get this ball rolling. Thank you.

President Marino: Thanks. Just to reiterate make sure that plan when it's done has operational costs.

Beth Francis: Yes.

President Marino: Moving forward. Full total absolute costs.

Beth Francis: We have been doing everything they ask us.

President Marino: Okay.

Beth Francis: Everybody. Getting our ducks in a row.

President Marino: Good.

Beth Francis: (inaudible)

President Marino: Okay. Mark.

Mark Joseph: Thank you sir. Give me just a second. I apologize. I'm getting better I promise. Mark Joseph, 1227 North Road. Niles, Ohio. You mentioned it earlier, a civic lesson. Here's another one to add to your civic lesson. I loved it and I love our roller coaster relationship. 100

President Marino: I get to see Mark where I work also.

Mark Joseph: I know it's terrible.

President Marino: He comes to our meetings there as well.

Mark Joseph: The first number is 100. 100 years. Does anybody know what that means? The library. The memorial. 100 years today or this year, this year. We haven't done, I haven't seen the city do anything for that. That's number 1. Number 2: 13. 13 presidents. I believe maybe 12 maybe 14 but I think it's 13. There are only 13 cities in this country that can say they've had a president born there, and I believe he was born here unless I'm wrong, that have been elected twice. What do we have to show that? I appreciate the fact that we had the hot dog king guy on the second of July, the festival. What a great idea. Terrific little party. I don't see us doing anything for this guy. He's only been a president twice. There's only 13 cities in this country that can say that. And we don't care. We don't bring that up. Our kids don't even learn it. I don't get it. I just don't understand it. And it's simple. And don't tell me about fiscal responsibility because that would cost nothing. And trust me, if you want me to do it I'll show you how to do it. You brought up a great point. And you bring up great points periodically and I love it. But, you mentioned to this gentleman in a previous meeting that working with the businesses that you want to promote businesses and you want to work with businesses. You need to think about this

pool as a business. The thing is a cash cow. I don't care about the numbers that I've heard because at one point I heard \$47,000 was lost in three months. That means that it lost, the pool lost \$100.00 an hour if it was open for 90 days. You tell me how that's feasible. I don't see how that's feasible when no extra work was done on that pool. So don't throw these numbers at me if you can't tell me how many people came in through the gate, how many people spent money at the concession stand, and how many days it was open. You know, we can't come up with this stuff if you don't give us that stuff and you can't give us that stuff. We've asked for it. So I appreciate you bringing that point up, I do. But it's a business and it needs to be thought of as a business. There's money that sits there that we squabble over. You brought up a great point and you asked Kevin, a grant writer, and I don't know if he's written any grants or not. I don't know. None of my business. But my question for you sir is why didn't you ask that woman that does connect with Columbus and is a professional is a grant writer and has written multiple grants? Why didn't you ask her the same question?

Mr. Mientkiewicz: I don't know her.

Mark Joseph: Well who cares.

Mr. Mientkiewicz: I've never met her until today.

Mark Joseph: Who cares? Who cares if you know her or not? She's still a.

Mr. Mientkiewicz: I've never met her sir!

President Marino: Steve.

Mark Joseph: Who cares?

President Marino: Mark. Steve.

Mr. Mientkiewicz: I would gladly entertain her.

President Marino: Mark, over here. Up here.

Mr. Mientkiewicz: Her candor after council. When do you want me to ask that? I'm asking Kevin, the person that I know who's dealing with this situation.

Mark Joseph: Mr. Marino, I won't respond to that. I won't respond to it. I'm sorry sir.

President Marino: Here's the, this is... well nobody's going to. This is how this works. We don't engage the audience during council meetings. Kevin is a city official. Kevin is the administrator in that department so as a member of council, we're going to go to our administrator and seek clarification from him before we engage a citizen. That's not to say that this public does not have much to offer. But we have paid employees to manage departments and all of our expectation is that they're going to go to work and they're going to work hard on behalf of all of us every day. That's the expectation, Mark. They don't work for me. They work for these two.

Mark Joseph: They well.

President Marino: So, well they don't work for me. They work for these two. So, the expectation is that he has a handle on this. That's why councilman Mientkiewicz directed the questions to him and that's where we would expect a member of question to direct questions. Not to somebody in the audience. The audience that's just not, as long I sit here, that just is not going to be the case.

Mark Joseph: It's not proper protocol.

President Marino: Well it's just not going to be the case so.

Mr. Mientkiewicz: And I apologize for raising my voice.

Mark Joseph: No no no.

President Marino: So.

Mark Joseph: I stirred the pot. I apologize to you. I do

President Marino: Alright.

Mark Joseph: But let me ask you this sir.

President Marino: Mark, you have about 30 seconds left.

Mark Joseph: Let me ask you this real quick. Can you please talk with her afterwards? And can you ask her those same questions? Is that possible?

Mr. Mientkiewicz: It is possible.

Mark Joseph: I'd appreciate it if offer if you provide that.

President Marino: Questions are to be directed to the chair but okay.

Mark Joseph: Oh.

President Marino: Anything else?

Mark Joseph: I don't know. I guess the last thing is you know, we've been Aimee, Amiee, BethAnn, these ladies have been fighting like hell to try to get something to get this business running. And we've provided as much as we can, we've overcome a lot of obstacles. I don't know how many of you are going on the 3rd to meet Mr. Burke. If you don't, that kinda explains things for me. But what I haven't heard.

President Marino: You know Mark, now with all due respect, some of us do work.

Mark Joseph: Oh no no.

President Marino: So.

Mark Joseph: Fair is fair.

President Marino: Fair enough.

Mark Joseph: Fair is fair. The last thing I have and the one thing I haven't heard is I haven't heard we understand the situation. We understand your situation, how can we help? I have not heard those words come out of any of you. How can we help? You throw obstacles but none of you say how can we help? That's all they want.

President Marino: Okay your time is up.

Mark Joseph: I'm sorry. I'll go.

President Marino: Nope, your time's up. However, I would take exception to that.

Mark Joseph: Fair enough.

President Marino: Because the chair asked that they put together an agenda of items that they're seeking cooperation from the city on. And I'm not speaking for myself in this chair; I'm speaking for the city. So when Aimee and that group and you too.

Mark Joseph: I'm part of it.

President Marino: Put together that agenda and in your request for assistance, that in my mind is this council saying we're.

Mark Joseph: That's when the door opens.

President Marino: We're cooperating.

Mark Joseph: That's when the door opens.

President Marino: Well it's always open but that is how it starts. Okay?

Mark Joseph: Fair enough.

President Marino: Thanks Mark. Paul.

Mark Joseph: Once again, I apologize for the adversarial approach but thank you so much for your time.

President Marino: Thanks. Paul.

Paul Davis: Good afternoon. First of all, I'd like to speak about my displeasure with council being on vacation. With us being in fiscal emergency, I know we need vacations but then we hold special meetings during the time and pass legislation that wasn't intended to be at the special meeting. We've gone through this before and it happened. And it's going to happen again and it's not right. Second of all, I heard discussions about flags offending people and this offending people and that offending people. I've never been offended by a flag. This was at the previous.

President Marino: Okay. Roundtable.

Paul Davis: Match. What I am offended by is going passed our underpasses and they're overgrown with weeds. Who's responsible? The Railroad?

President Marino: I believe. I don't know.

Paul Davis: Does anyone know? Can we get find out who's to cut these weeds down? We're talking about making our, my councilman says we want to attract things to this city and make it beautiful. That's ugly. I go passed them 4 times a day and it is ugly. The same thing with our sidewalks. Some of our sidewalks doesn't cost any money to get a shovel and get this grass off the sidewalk. Completely covered. There are sidewalks in this town completely covered with grass. Okay. Several meetings, maybe 3, or 4 or 5, I brought up about the MVSD. Asking if someone in our administration would talk to them and see if they could give our city a break; not to the consumer, but to the city to benefit our water department. I think I got all kinds of answers I don't know what they were. But here I read where now they've got \$5.2 million I believe it is that they can pass out. Is that a correct figure?

President Marino: \$5 million.

Paul Davis: \$5 million. Okay \$5 million. That would indicate to me that you folks have been overcharged if they have that laying in a pot somewhere that they can give back, which I doubt it's ever coming back, but they said they would give it back. Would that indicate to you that maybe they overcharged us a little bit? So if our water department had that \$5 million in it right now, how well would it look?

President Marino: Well we're not eligible for the full 5, we're eligible for 1.2. What would that be?

Paul Davis: Well I think that's over a period of time, isn't it?

President Marino: We're eligible for 1.2.

Paul Davis: Never anymore?

President Marino: At this particular moment in time, I believe the rebate is \$1.2 million, which is now in the hands of the court of jurisdiction. That would make the water department whole, Paul.

Paul Davis: Skip all the courts and everything and the fact that.

President Marino: That would make it whole.

Paul Davis: The court brought up the same point that I'm trying to make right now about the consumer. Our water department would be functioning very well if we had that \$5 million, correct?

President Marino: Yes

Paul Davis: Yet have we ever gone, have we asked the MVSD what's the cost of doing business?

President Marino: Well interestingly enough, when Councilman McNaughton was newly elected, him and I did go meet with representatives of the MVSD. Did we not, Mr. McNaughton?

Mr. McNaughton: Yes Council President Marino.

President Marino: And we absolutely did have these types of conversations. And we did discuss rebates and we did discuss rates.

Paul Davis: And.

President Marino: And my comment at the time was that if you're going to give a rebate, that's great. We're entitled to that. However; you're going to give us a rebate and then turn around and raise the rates in two or three years, that just is not going to fly. Additionally Mr. Papalas was here, Mr. Lastic was here, we learned about the sums of money they were sitting from the auditors of state. Mr. Pyer shared. I believe, Steve, you were in that meeting.

Mr. Papalas: Performance audit.

Mr. Lastic: Yes.

President Marino: Shared with us that they were sitting on \$21 million, I believe, at the time.

Mr. Lastic: \$21 million.

President Marino: We immediately reached out to them and said you're sitting on \$21 million. We were told at that time those dollars are for improvements in a restricted accounts. So, Steve and I go back to State Auditors. They say those aren't restricted accounts. Is this 100% accurate?

Mr. Papalas: Yes it is.

President Marino: So to insinuate that we are asleep at the switch.

Paul Davis: Oh no no no.

President Marino: I'm just. That's my interpretation of how I'm interpreting this conversation. That is just not the case.

Paul Davis: Oh no.

President Marino: Some may be in this room, this person sitting here I can assure you is not asleep at the switch.

Paul Davis: Maybe.

President Marino: So Ryan and I did have those conversations.

Paul Davis: Maybe it goes beyond your pay grade. Maybe it goes beyond Mr. McNaughton's pay grade. Maybe it goes to legal counsel. Maybe we should be finding out money they're allowed to sit on. Maybe they're taking our monies and they don't deserve them.

President Marino: Well they hire.

Paul Davis: First of all, they're charging us more water than what the audit showed our sister city, Painesville, they're almost double what Painesville's paying.

President Marino: We had, we discussed all of that, Paul. I can assure you that we discussed that and moving forward I would like to think that those discussions will continue relative to rates, rate structure and the way in which Niles, Youngstown and McDonald are charged bulked water. I speak beyond that because it's beyond my pay grade. But I can assure that if I have an opinion or viewpoint, it will be shared.

Paul Davis: I think something has to be done. We're being overcharged to the point where they can return \$5 million over a period of 3 years or whatever, we're being overcharged.

President Marino: Well, I want to assure everybody in this room and whoever is watching at home at Ryan McNaughton and I went and met with a representative and had those very discussions. And I forget how long ago was that a year and a half?

Mr. McNaughton: February of last year.

President Marino: Of last year. So, these discussions have been ongoing relative to this matter.

Paul Davis: Do they have to admit to us what their cost of doing business is?

President Marino: It would be on a financial statement. It would be on their audits.

Paul Davis: Well let's, It would be interesting to find out. And compared to what we're being charged.

President Marino: Paul, we didn't know they were sitting on \$21 million until the State Auditors told us.

Paul Davis: That's not what I just asked.

President Marino: Well you're asking what their fiscal health is what you're asking in a roundabout way.

Paul Davis: I'm asking what their cost of doing business is versus what they charge us.

President Marino: You're asking about the fiscal health of the district.

Paul Davis: Right.

President Marino: Is what you're asking.

Paul Davis: Exactly.

President Marino: For the second time.

Paul Davis: Right.

President Marino: In order to do that, you look at their financial statements. I'm not a CPA. I would rely on Giovanna Merlo and the State Auditors to queue me in to page 65 line 36, which by the way is why the water department ended up \$1.5 million in debt because nobody in this room knew that that had occurred because it was on page 37 line 18 and it was never pointed out to any of us until Mr. Papalas and I asked for the State Auditors to come in and they gladly pointed it out to us. So I, we are doing our due diligence. You might not agree with us.

Paul Davis: I didn't say I disagree with you, Bob.

President Marino: I get. Well what I'm saying is that you might not agree with the potions we take, but rest assured we're working hard on your behalf and trying to do what's right.

Paul Davis: Thank you.

President Marino: Thanks sir.

Paul Davis: One quick item. I hope, this is quick. I hope that the audit is considering the closing of Fairhaven. I don't know what that brings in, Janet, but it's June of next year. June of next year.

President Marino: Okay.

Paul Davis: Thank you.

President Marino: Thanks. George. That's for income tax purposes.

George Kuriatnyk: I had an agenda too but every time I come in here it's like a circus. Everything changes. The thing about the signs, it just goes back to the ordinances. No ordinances in this city is enforced just that's why everything gets screwed up. It just don't happen. And Linda, with that you said you took those minutes for that meeting.

Ms. Marchese: Yes.

George Kuriatnyk: I would like to see them after if you could please.

Ms. Marchese: Yes.

President Marino: Well.

Ms. Marchese: If you can read my writing.

President Marino: You will not. They have to be finalized.

Ms. Marchese: Yes.

President Marino: And turned into the clerk of council.

George Kuriatnyk: Okay.

Ms. Marchese: Yes.

President Marino: And you can get them from the clerk.

George Kuriatnyk: Okay and Tom, I got a question for you. You had a meeting Monday at 10:30 A.M. with RITA, right?

Mayor Scarnecchia: Right.

George Kuriatnyk: And they finally came here to the city of Niles.

Mayor Scarnecchia: Right.

George Kuriatnyk: And I asked how's come you didn't do that before so we can all get a clear understanding. Why now bring them in here? That's what I'm trying to understand.

Mayor Scarnecchia: Because it's been passed by, it's in the plan. It's been passed.

George Kuriatnyk: I know that. I'm just asking why now.

Mayor Scarnecchia: By City Council. And we're here to sign the contract now.

George Kuriatnyk: And when we had needed a treasurer, you said you recommended Janet. Was a great person, da da da.

Mayor Scarnecchia: Right.

George Kuriatnyk: Worked for the city and everything.

Mayor Scarnecchia: She did that before. Yes.

George Kuriatnyk: And yet Monday, you never even asked her to attend the meeting.

Mayor Scarnecchia: She was in Cleveland.

George Kuriatnyk: That's right because the meeting was at 10:30 A.M.

Mayor Scarnecchia: I told her.

George Kuriatnyk: And you never called her until an hour before the meeting. Okay.

Mayor Scarnecchia: I know she was in.

George Kuriatnyk: Now I'm pretty, I'm pretty sure that meeting was scheduled before Monday at 9:00 A.M. Yes or No? Yes.

Mayor Scarnecchia: It was scheduled with RITA.

George Kuriatnyk: Okay.

Mayor Scarnecchia: But I had planned. I called her Monday morning.

George Kuriatnyk: Right. An hour before.

Mayor Scarnecchia: So. What are you getting at, Geo?

George Kuriatnyk: It's the way you guys are running the city.

Mayor Scarnecchia: The way we run the city. Can you do better? In two years put your, you can take out the petition.

George Kuriatnyk: I'm going to. I'm going to be running against the man up there.

Mayor Scarnecchia: And you can run for Mayor.

George Kuriatnyk: You know you are. Come on. You know you are. I'm going after you boy. You and me. Taking the gloves off. Okay, Mr. Marino.

President Marino: I don't wear kevlar on my back, George.

(Audience laughter. Inaudible)

George Kuriatnyk: I know you get upset with everybody coming up here.

President Marino: I do not get upset.

George Kuriatnyk: I know you do but you know what.

President Marino: No, I don't.

George Kuriatnyk: It's because other people don't do their jobs is why we come up here and Steve gets upset because their getting bombarded with questions and phones. And it's not actually them, it's the departments. It's the city not doing their jobs. And that's why everybody gets.

President Marino: I want to be clear. I do not get upset. My voice may elevate. It may.

George Kuriatnyk: Mine too.

President Marino: And you know, human emotion is something that's I think a good quality to have because it shows that we all care. I enjoy people coming to City Council. It shows that people are interested in the community. What I don't like is complaining without merit. There's another word you can insert in there.

George Kuriatnyk: Okay now without merit. When we try and ask questions at council, once it gets a little too heated for them, we got to then come back to you and talk to you because they don't give us answers. And then we got to make up our own answers on Niles News 2, which you all read, you'll read and you'll know it all comes true. So any time anybody wants to question me, I give you all the evidence I want. I could put it right on that TV and we could all have a little sit down. We can never get no answers when we come up here to council. And your council, the meeting, the rules say we have public remarks to ask council members and we never get to because it upsets them.

President Marino: You are permitted to ask questions, you're correct.

George Kuriatnyk: Can I ask Mr. Papalas what he said earlier?

President Marino: Council. Council. Council. No. Council's

George Kuriatnyk: There you go.

President Marino: Wait. Council is not compelled to answer. They're not compelled.

George Kuriatnyk: And they don't.

President Marino: But they're not.

George Kuriatnyk: They don't

President Marino: They're not compelled to answer. They can take your comments, your criticisms, your suggestions under advisement and make informed decisions based off of those and moving forward. Keep in mind, these folks over here legislate.

George Kuriatnyk: I understand that.

President Marino: These folks over are the ones that are to carry out.

George Kuriatnyk: I know that. I understand that.

President Marino: Well so.

George Kuriatnyk: I understand that. Can I? I understand. I hear what you're saying.

President Marino: Go ahead.

George Kuriatnyk: You start talking, kinda confuses me. But I'm good now. You already did. Okay now listen.

President Marino: It worked. No I'm kidding.

George Kuriatnyk: Yeah it did. It did. Now I'm upset, okay. October 15, 2015 at the special meeting that was called at 10:18 A.M. about the park levy that was supposed to be passed, it was for the pool. Now, I'm going to bring this up real quick. It was for the pool. The park levy passed, we want the money for the pool. We, there's our budget. We want the money for the pool. I can give you the meetings to show you. It was for the pool. Okay, it was for the pool. I think you know that.

Mayor Scarnecchia: 2015?

George Kuriatnyk: Yeah when Carmen had.

Mayor Scarnecchia: We weren't in office yet.

George Kuriatnyk: 15, 16... well it still goes. It don't matter if you were in office or not. Jeez.

President Marino: You have a minute, George.

George Kuriatnyk: Oh my god. I'm glad you brought up about the Sunshine Laws because let me tell ya, I've read them 6 times. And I'm glad you said that. Mr. Frank, I didn't mean to get a little testy back here but I just okay. It also states that in a public meeting if a public official, which is one of these, hands a note to another public official, that meeting becomes void. That's one of the Sunshine Laws. It becomes void. And the reason why I haven't brought it yet because in that meeting they approved to buy some equipment and I wanted to wait until they bought that equipment, which they did. Now, when I go back to it that meeting's void and those contracts should be void. You probably know that though, right Ed?

President Marino: We'll have to talk to our. I want. Without our law director here, we're not going to get into legal interpretations because it's Terry Swauger's responsibility to provide us with guidance on legal matters.

George Kuriatnyk: I know.

President Marino: I'll give you one more question and then you're time's up. You done?

George Kuriatnyk: No, yeah.

President Marino: Okay thank you.

COUNCIL COMMITTEE REPORTS

None

ORDINANCES AND RESOLUTIONS

ORDINANCE NO. _____(Draft No. 97-17)

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

A motion was made by McNaughton, seconded by Mientkiewicz to amend the ordinance to change the language to be changed to add State purchasing.

President Marino: John, hang on a second, can you make sure that you communicate with Sherry that the ordinance needs to be amended. Without Terry Swauger here, I want to make sure this is done correctly so. The motion will read to amend 97-17 from current language to state purchasing.

Auditor Merlo: So an ordinance authoring the service director to purchase through state purchasing the following items.

(inaudible)

President Marino: You got to speak up Andy.

Mr. Catanzarite: We did speak to Mr. Stredney and I were in Mr. Swauger's office last Friday, Thursday or Friday, to clarify this. He thought he would have it done before he left town. It's not like he's not aware of it though. But it's unfortunate it didn't get changed in time.

President Marino: You're giving this a second reading or you're intending council to suspend the rules?

Mr. Mientkiewicz: Second reading.

President Marino: Second reading?

Ms. Marchese: Second reading.

President Marino: Okay so we'll have it by.

Mr. Papalas: I'm... did the law director state that his opinion we cannot amend after a second reading? What if we just table this?

President Marino: I'm nervous about this because I don't want purchase to be in there at this particular moment in time until we know what the costs are. Because I want to make sure that we're living within the budget. And if you authorize him to spend the money, Giovanna we've had the experience with previous administrations, where the money's been authorized and it got spent. So, in order to keep control on the purse strings in these appropriations, I think that's the best way to go.

Auditor Merlo: Table it?

Ms. Marchese: You want to table it?

President Marino: Ryan, you okay? You want to make a motion to table?

Mr. Papalas: He also started if you table, that's the same as defeating it.

President Marino: But council can bring.

Mr. Papalas: So take purchase out of there.

President Marino: Council can bring back an ordinance at any time.

Mr. Papalas: Yeah. Okay. Let's do it. We'll table it and do what he says.

It was moved by McNaughton, seconded by Papalas to table this Draft No. 97-17.
Motion carried.

This Draft No. 97-17 has been tabled on the 2nd day of August 2017.

President Marino: I would assume the same will be for 98-17.

Ms. Marchese: Correct.

ORDINANCE NO. _____(Draft No. 98-17)

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

It was moved by McNaughton, seconded by Papalas to table this Draft No. 97-17.
Motion carried.

This Draft No. 98-17 has been tabled on the 2nd day of August 2017.

RESOLUTION NO. _____(Draft No. 104-17)

A RESOLUTION APPROPRIATING FUNDS FROM THE UNAPPROPRIATED IMPOUND/TOWING FEE FUND TO THE IMPOUND/TOWING FEE EQUIPMENT PURCHASES AND CONTRACTED LABOR ACCOUNTS; AND, DECLARING AN EMERGENCY

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

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by Papalas seconded by Pezzano to adopt this Draft No. 104-17.

YEAS: 6 NAYS: 0

This Draft No. 104-17 has been adopted on the 2nd day of August 2017.

RESOLUTION NO. _____(Draft No. 105-17)

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

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

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by Papalas, seconded by Lastic to adopt this Draft No. 105-17.

Mr. Papalas: Mr. Chairman, these funds are being used for the housing of prisoners from the years 2012-2014. It's part of an agreement that was recently forged.

Ms. Marchese: I know we're paid up to date up to that time paying Trumbull County back right? For those years?

Mr. Papalas: Yes.

Ms. Marchese: Okay.

President Marino: I know there was an article in the paper we have a procedure in place moving forward to stay on top of this for budgeting purposes. I know you were talking.

President Marino: Do have a procedure in place for budgeting purposes moving forward.

Auditor Merlo: Yes, there's still going to be (inaudible) our legal team and their legal team with the new contract so to speak.

President Marino: The contract will be date certain moving forward.

Auditor Merlo: They're still working it out. I don't know what those terms are going to be.

President Marino: There's nothing.

Auditor Merlo: It will be brought to City Council for appropriations.

President Marino: For additional appropriations?

Auditor Merlo: Correct.

President Marino: General fund additional appropriations. Keep that in the back of your minds.

Ms. Marchese: Right. So who.

Mr. Papalas: But we're brought up to date through 14.

Auditor Merlo: Through 14.

Ms. Marchese: So what about these three years?

Mr. Papalas: Up through a new contract? We're going to have a new contract. A new agreement.

Mr. Stredney: We met with them. The price that we got here is for 2012, 13 and 14. And then we've met again and started talking about from the end of 14 to the current and what would be the future. So, this is just for 12, 13 and 14. This bill was given to the city.

Ms. Marchese: Right.

Mr. Stredney: Prior to just now.

Ms. Marchese: Right. What about 15,16 and 17? I mean. Well, are we going to go on like every three years to pay it? Or how's that going to be done? Or per year?

Mr. Stredney: We are negotiating that with the through the legal department and the Sherriff's legal department.

Mr. Papalas: So, we have issues pending.

Mr. Stredney: Yes.

Mr. Papalas: Alright.

Mr. Stredney: But.

Mr. Papalas: That's all. As long as we're in discussions, legal discussions, it's fine.

President Marino: But there's no appropriation for consideration regarding.

Auditor Merlo: For further than what that is through 14.

President Marino: Those additional dollars that will be asked to cover this will be general fund dollars.

Mr. Lastic: Forthcoming?

President Marino: Forthcoming yes. Okay.

YEAS: 6 NAYS: 0

This Draft No. 105-17 has been adopted on the 2nd day of August 2017.

RESOLUTION NO. _____(Draft No. 106-17)

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

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

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by Papalas, seconded by Lastic to adopt this Draft No. 106-17.

YEAS: 6 NAYS: 0

This Draft No. 106-17 has been adopted on the 2nd day of August 2017.

RESOLUTION NO. _____(Draft No. 107-17)

A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED CEMETERY FUND TO THE CONTRACTED LABOR ACCOUNT IN THE CEMETERY DEPARTMENT; AND, DECLARING AN EMERGENCY

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

Mr. Papalas: Mr. Chairman, this pays for architectural services for the roof.

Ms. Marchese: In the cemetery.

Mr. Papalas: And brick repair.

Ms. Marchese: No, this is for the chapel isn't it? 107-17

Mr. Papalas: 106-17?

Ms. Marchese: No, we're on 107-17. It's for the chapel at the cemetery.

Mr. Papalas: Okay. Sorry folks.

Ms. Marchese: The other one's for the brick.

President Marino: This is the insurance claim.

Ms. Marchese: Yeah 106-17.

Mr. Papalas: Yeah okay. Okay.

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by McNaughton, seconded by Pezzano to adopt this Draft No. 107-17.

YEAS: 6 NAYS: 0

This Draft No. 107-17 has been adopted on the 2nd day of August 2017.

ORDINANCE NO. _____(Draft No. 108-17)

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS FOR FIRE HYDRANTS; AND, DECLARING AN EMERGENCY

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

Mr. Papalas: For 12 fire hydrants.

Mr. Lastic: Right.

Ms. Marchese: Do we have a price on that too?

Mr. Lastic: We will.

Mr. Papalas: Well we don't know yet until we go out for bid.

Ms. Marchese: Oh that's right. Sorry about that.

Mr. Papalas: That's alright.

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by Lastic, seconded by Pezzano to adopt this Draft No. 108-17.

YEAS: 6 NAYS: 0

This Draft No. 108-17 has been adopted on the 2nd day of August 2017.

RESOLUTION NO. _____(Draft No. 109-17)

A RESOLUTION AUTHORIZING THE MAYOR TO FILE AN APPLICATION WITH THE OHIO PUBLIC WORKS COMMISSION FOR A PROGRAM YEAR 2017 OHIO

PUBLIC WORKS COMMISSION PROGRAM, FUNDING 2017; AND DECLARING AN EMERGENCY

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

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by Lastic, seconded by McNaughton to adopt this Draft No. 109-17.

YEAS: 6 NAYS: 0

This Draft No. 109-17 has been adopted on the 2nd day of August 2017.

ORDINANCE NO. ____ (Draft No. 110-17)

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO CONTRACT FOR ELECTRIC, WATER AND SEWER RATE STUDY; AND, DECLARING AN EMERGENCY

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

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by Papalas, seconded by Lastic to adopt this Draft No. 110-17.

YEAS: 6 NAYS: 0

This Draft No. 110-17 has been adopted on the 2nd day of August 2017.

RESOLUTION NO. ____ (Draft No. 111-17)

A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED ELECTRIC, WATER AND SEWER FUNDS FOR A UTILITY RATE STUDY; AND, DECLARING AN EMERGENCY

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

Mr. Mientkiewicz: Quick comment and just for the record, Mayor this does not mean by any means at this point rates are to be raised.

Mayor Scarnecchia: Not at all.

Mr. Mientkiewicz: And other municipalities go through the same process with their rate studies periodically to.

Mayor Scarnecchia: Right. It's a study to see where we stand.

Ms. Marchese: So, they'll be taking \$13,334 out of the water, the sewer and the light department.

Mayor Scarnecchia: The three enterprise. Right.

Ms. Marchese: All of the enterprise funds. Okay.

President Marino: Who's doing it? Have you selected a firm?

Mr. Stredney: It's utility... Utility financial services. And some of the stuff you know, like the light department, the last time it was done was 7 years ago. It's now going to be mandated for water funds. It's coming down next year so we'll be a little bit ahead of the curve. So this is stuff that has to be done. We should have been doing it in a system every 5 years.

Ms. Marchese: What do these studies actually consist of, Ed?

Mr. Stredney: They're about a 12 week, 10-12 week, study and they take a look at your past couple of years. What is the administration and council's intent for the next couple of years? What kind of projects are we looking at doing? They compare us to other like municipalities.

Ms. Marchese: Okay.

Mr. Stredney: And try to give you a financial gauge so you can help. It's also another gauge to help the auditor determine their budgets for the next 5 years.

President Marino: I would be interested when you engage these folks on at what point when an unencumbered fund balance reaches a certain dollar amount, that there be some relief for the rate payers.

Mr. Stredney: If you remember, when we did the light department way back years ago, this is the same company that stepped in did that. And that's when that fuel adjustment thing came into.

President Marino: But I also remember years ago when the light department had an extraordinary sum of money, we're able to give holidays to residents in December whatnot. So I would want to

make sure that we have specified at what point with an unencumbered fund balance in those 3 enterprise accounts, is there a trigger for relief for the rate payers. Additionally, I'd be interested in their capitol assets and capitol purchasing to make sure that's accounted for as well. So, you're engaging these folks, not me so that's why I want it on the record that those things are dually discussed because you can also go hog wild spending money. As we all know. We don't need a history lesson in that. I just want make sure those things are covered. Thanks.

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by Papalas, seconded by Lastic to adopt this Draft No. 111-17.

YEAS: 6 NAYS: 0

This Draft No. 111-17 has been adopted on the 2nd day of August 2017.

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

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

Mr. Mientkiewicz: Janet, what's the terms of this contract?

Treasurer Rizer- Jones: As far as?

Mr. Mientkiewicz: Yearly/ Monthly payments.

Treasurer Rizer- Jones: The lease says \$660.00 a month.

Mr. Mientkiewicz: \$660.00 a month?

Treasurer Rizer- Jones: Biweekly pick-up for the size of the vault we are requiring. (inaudible)

Ms. Marchese: Biweekly?

Treasurer Rizer- Jones: Biweekly.

Ms. Marchese: If we're going to be paying that why I mean, I know the court does their own thing, but why isn't everybody's money being picked up through this? It's not done that way or

what? I mean, wouldn't it be if they're going to have Brinks in the city picking the money, wouldn't it be easy to hit all these places so it's all done.

Treasurer Rizer- Jones: No.

President Marino: You have to ask Janet.

Ms. Marchese: Oh, I'm sorry.

Treasurer Rizer- Jones: It gets deposited in our office. We're the ones who make the deposits.

Ms. Marchese: Oh okay. Alright.

Treasurer Rizer- Jones: So, that's why.

Mr. Mientkiewicz: But not the courts?

Ms. Marchese: But not the courts, right?

Treasurer Rizer- Jones: The court most of their cash they collect on their own. They do make deposits with the city but they write checks so.

Ms. Marchese: Are they all doing it the same way?

President Marino: Is that in accordance with our depository policies?

Treasurer Rizer-Jones: It is.

President Marino: The court?

Treasurer Rizer-Jones: I mean, the court is a.

President Marino: I know. You can't meddle with the court. I get it. Yeah. A lot of power in this chair up here from 9-5. Okay.

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

YEAS: 6 NAYS: 0

This Draft No. 112-17 has received its first reading on the 2nd day of August 2017.

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

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

It was moved by McNaughton, seconded by no one to suspend the rule requiring three readings.

President Marino: Motion dies due to lack of a second in the opinion of the chair.

It was moved by McNaughton, seconded by Mientkiewicz to give a first reading to Draft No. 113-17.

Ms. Marchese: Yes, exactly what is all of this money going to John?

Auditor Merlo: It's grant money that the city's going to receive.

Ms. Marchese: Okay.

Auditor Merlo: That we have to show on our financials that we've received the money and we spend it.

Ms. Marchese: Okay.

Auditor Merlo: So it's no. It's just grant money.

Ms. Marchese: Just goes in.

Auditor Merlo: It goes in and it goes out.

Mr. McNaughton: We just delayed this for a month for no reason.

Ms. Marchese: Oh.

Auditor Merlo: On all of our audits in the past, prior to me, the city has been cited for receiving money for grant money and not showing where it's been spent.

Ms. Marchese: Okay gotcha.

Auditor Merlo: So last year we started doing that and every time a grant comes up or anything like that, we bring this to you guys so the money can be appropriated and we can show the expenditure out who's getting paid. So that's what we do.

Ms. Marchese: Okay thank you.

President Marino: It's in the audits. Previous audits.

Mr. Papalas: Well, the ordinance isn't very clear on that. That's why we all hesitated to vote. Not your fault but I think another paragraph should have been.

Auditor Merlo: I understand that.

Mr. Papalas: Put in there.

YEAS: 6 NAYS: 0

This Draft No. 113-17 has received its first reading on the 2nd day of August 2017.

MISCELLANEOUS REMARKS

President Marino: Andy, have we gotten specific dollar amount on the repairs to the Sewer Treatment Plant due to the water line break that was left unattended or unaddressed for three days?

Mr. Catanzarite: The total bill with that was rolled in with some other stuff they rolled in. \$499,000.

President Marino: It was a half million dollar repair?

Mr. Catanzarite: Yes.

Mr. Papalas: Where's that at? Which part?

President Marino: I asked about the water line break that was left attended for 3 days at the Waste Water Treatment Plant.

Mr. Papalas: Oh.

President Marino: It caused significant damage and ended up costing us \$500,000.

Mr. Papalas: Due to poor judgment in leadership.

Mr. Mientkiewicz: Andy.

Mr. Papalas: Not you Andy. You weren't here.

Mr. Mientkiewicz: Andy, was it, I was under the impression that \$499,000 was just for the temporary work to be, that was completed.

Mr. Catanzarite: This was charge order number 5 this went with all of that work.

Mr. Mientkiewicz: So that was for everything?

Mr. Catanzarite: Yes.

Mr. Mientkiewicz: And nothing more in the future as far as everything related to that break. It's all been fixed.

President Marino: Also on Ravenwood, what are we doing with that water line?

Mr. Stredney: We approved through board of control today so as soon as the contractor does the work, it will be done.

President Marino: Okay Andy because you are the superintendent of water, moving forward, something like that should never ever occur in the future. When there's a water line, it needs to be addressed judicially. And I know there was a question about whose line is it. Well, you know, that poor fellow was put through needless aggravation. So, I'm glad that it's getting fixed all be it it took too long. Thanks.

Auditor Merlo: Yeah just a brief one. I notified you guys all yesterday. We got notification that the 2016 audit has been completed and finalized. It is public record now. It is on the State Auditor site. It was published yesterday so it's out there for anyone who wants to read it. It's there. It's quite lengthy. I did want to thank everyone in the past year that has helped with getting things off that audit. Department heads, administration, chiefs, we got a lot of things accomplished last year within that audit. My staff as well did a tremendous job last year. I think the city went from 12 findings and are down to 2. The 2 things that we're going to try and rectify in the next coming years. One of things that I'm going to need is, we're going to look for a RFP for asset management. So, I would like to see if council as a whole could sponsor that at the next council meeting so we could start seeing what costs we're going to be looking at to get that completed. And that is one of findings that has always been out there that hasn't come off. So, I just wanted to thank everybody for that and to let everybody know it's out there.

Mr. Mientkiewicz: That asset management, John, that's no surprise. We've been discussing that as a whole for the better part of a year.

Auditor Merlo: Correct.

Mr. Mientkiewicz: A year and half now so that's. We knew that was coming.

President Marino: Keep in mind.

Auditor Merlo: My goal is to try and get that off of there.

President Marino: We can't be released from fiscal emergency until all items on the audit are rectified. So right now there's a positive 5 year fund balance. The next step would be, Quinton wasn't clear on that, but there's a lot of other things going on. But we need to make sure we have clean audits to be released. So I would implore you to address those items if not this year, next year for sure so that you can be released from fiscal emergency. Also let the record reflect that Niles City Council did have its citizens participate in the post audit conference meetings so we are engaging the public in our business. So Sherry was involved in that. Thanks John.

Mr. Crowley: Just real quick. We have an update from Trumbull Neighborhood Partners, TNP. They're going to be tearing down some more homes thanks to the survey we did last year. They will go up to 7 homes this year. A house on Sheridan, I'm sorry on Holford and on Ward and I hope to have a couple more. So, 7 homes tore down at no cost to the city.

President Marino: Jeff, since I'm long winded wind bag up here tonight, have we changed the policy, and I don't know if this is the Mayor or you, when the department heads are driving around and they observe zoning violations have you issued the directive that they are to address those when they see them. Or do they have to wait for a complaint to address them? I would again ask the administration to consider reversing the previous administration's philosophy on that that they have to receive a complaint to address it. I think that would. Yeah because if he drives and see things and then gets 8 million texts from all of us. I know you do, Jeff.

Mr. Crowley: Yeah first I've heard that. I wish I would have known that.

President Marino: Well the individual, Tony, answers to the Mayor and he is very clear and I don't disagree with him. We disagree on things, but this I don't. The position has been he has to receive a complaint and then he'll go out. So I respect that if that's the direction of the individual he works for. I would just respectfully request that that be changed. If he observes a violation, he stops and he gets out and he goes and takes care of it. There's much to be done in this city. Thanks Mayor. I appreciate your consideration sir. Anything else, Jeff?

Mr. Crowley: That's it.

President Marino: The lights look good. Red lights and street lights. Thank the men for the work. I appreciate it.

Mr. Newbrough: It took us awhile to get those installed but we had to get the right product. I wouldn't do it without the right product.

President Marino: I appreciate it.

Mr. Newbrough: Thank you very much.

President Marino: And make sure you let everybody know that we, it doesn't go unnoticed. We appreciate that. It's a step in the right direction.

Treasurer Rizer-Jones: I just wanted to let everyone know as of today we've collected \$196,000 and change in delinquent collections and we're ahead \$1,006,000 for the year.

Ms. Marchese: Great job.

President Marino: Thank you.

Mr. Catanzarite: Yeah just real briefly. I do apologize for the delays on the water. We have pretty much got up on the restorations from all of the water breaks from winter to spring. We got put a better game plan together in the last couple of weeks. We'll be putting a hydrant in on Carle Street next week as well. Summit's been taken care of. I'm happy to say the project at the sewage plant is moving along. We have a few pieces of the new equipment are up and running. We are expected to start running new plant, part of it, in December/January. So far we're still on line to do that. And again, it is open to any council members that would like to come down. (Inaudible) If you want to come down, I can't stop you but it is pretty torn up. There's a lot of boards with nails and rebar and wire laying around so it's not the safest place to go right now. But if anybody would like to come down, please call and I'll make arrangements to show you around.

President Marino: Have you called Mrs. Stahl on Carle Street and told her.

Mr. Catanzarite: They were up and talked to her yesterday.

President Marino: Great.

Mr. Catanzarite: It's been marked.

President Marino: Alright great. What day next week is this going in?

Mr. Catanzarite: It's scheduled for next week. We have a couple a week. We have one on Ohltown we're taking care of first.

President Marino: Okay.

Mr. Lastic: Ed, is the final closing of Route 46 out there? It's been a month

Mr. Stredney: As far as I know, when Mr. Holloway presented to City Council, this was the two valves at the two locations. So this is the final one.

Mr. Lastic: Hopefully this is done.

Mr. Stredney: Yeah and they said they should be reopen by Friday. They held true to their 3 days on the other project so I believe that they'll hold true on this one.

President Marino: The issue today was paving. Vernal was out on Third Street and they were working on in the traffic, because I was coming back from Canfield hung up in that wonderful debacle.

Mr. Lastic: I was getting calls.

President Marino: 3 cars in the same lane, going in the same direction. Something to be hold. I believe I texted you fellows on that during my frustration.

Ms. Marchese: You should have been on Summit.

Mr. Stredney: You did.

Mr. Papalas: I have some comments. A big deal of this, Dr. Marinio, you were part of this, Ed, Mike, we've always supported quality of life issues. For example, the bike trail and we can thank Mark Hess for a good deal of that. We've also in the past going way back to the first fiscal emergency, I think I'm probably the only one here who was part of that and went through it. And George, you were a police officer at the time and you were among those who of course we're trying to protect you know what your police department what they needed so they could be safe. We went through all of those debates and so on. And so you witnessed all of that.

Mr. Kaniclides: Yes.

Mr. Papalas: We were friends then and remain so today. Although sometimes people.

Mr. Kaniclides: Easy.

Mr. Papalas: At any rate.

Mr. Kaniclides: It was fun.

Mr. Papalas: Yes. We finally got the pool rebuilt. People were very unhappy because when it was rebuilt it was made smaller than the original pool. I think we had a grant for \$250,000. It took a while to get that because the auditors at the time were very strict. It was a different set up then they are. They seem to be today. And even after we opened that pool, we subsidized it and we subsidized it every single year. It never made money. It was never a cash cow. It never will never be a cash cow. Nobody's pool is a cash cow. You can laugh and nod your head or whatever. It was never a cash cow. It has to be subsidized. It has to be. And so, whatever you do in the future with this, just remember we have to subsidize it and every cent of that comes out of the general fund. When we subsidize prisoner sustenance whatever they want to call it, for the jail, we don't know what that expense will be in the future. So, remember that also. Then of course we've read the article. We know the letter concerning certain people who may have payments coming to them. I don't believe for a second that they should but we don't know where that's going to be in the future, do we? And so, we need to be careful. That general fund isn't completely solvent. It's still delicate. And if something goes wrong, if one thing goes wrong, We're going to start making big cuts again. And where do we make those cuts? Where do you

think we're going to start making those cute? You've cut everywhere else. We just have put ourselves in the footing where we have a full complement of policemen and firemen. We're worried about keeping their equipment updated, aren't we chief? Both chiefs. Do we want to see that go by the wayside? This is like déjà vu. It goes clear back to the 1980's but then we had a council that more or less went in the same direction. Most of the time. I hope we do the same today. I've done my research on Youngstown's swimming pool. Mr. Burke I think he's a very very good employee over there. He knows his stuff. He's helpful. He's a good man. If you haven't met him, when you do tomorrow, I think he's going to be a pleasure and a privilege for you to meet. But just remember, some of us have things to consider with this budget. We hear from you but everywhere I go in the public and I talk about the budget or people ask me questions, I get a different opinion from most of those folks. Most of those folks share my feelings that the general fund is still delicate and they don't want anything going on that will jeopardize their police and fire and neither do I. I have I want to switch gears now if I may. We seem to have issues that don't get covered right away and one of them deals with the water line break on what I call Belmont Ave extension and McDonald-Ohltown Rd. Ed, I've talked to you about this. Mr. Catanzarite, you weren't here at the last meeting when I brought it up. These are the photographs. The water runs day and night. And it has, and I thought for three months, others who live over there say four. The thing is water is running. The last time the service director let it run like that, there was significant damage to road ways in two locations. So, where are we exactly now that we have everybody in the room? You're responsible for that department, correct?

Mr. Catanzarite: Yes sir. We are addressing it. There is a fixed (inaudible). There are fiber optics, cable, telephone, gas lines. Everything imaginable in that area. We've talked to a contractor to try and come in and dig it with a track hoe, rather than a backhoe because it will dig smoother and cleaner. And that is on schedule for the next couple of weeks to try and get it done as well.

Mr. Papalas: Why wasn't that done months ago?

Mr. Catanzarite: I can't answer that.

Mr. Papalas: Well, why wasn't it done months ago, Ed?

Mr. Stredney: Well, Mr. Papalas to be honest with you until we talked about 2 weeks ago, when I believe it first came to my attention, I've asked for it to be oops last week we started getting into it. I think it was possibly done Friday or Saturday by oops when we started looking into getting some specialty contractors. Wouldn't want to call for the different power equipment or whatever they're going to need to do it. Why wasn't it done months ago?

Mr. Papalas: I'm sure that Weathersfield will tell you that they've contacted the city about this.

Mr. Stredney: That they probably did. I talked to them.

Mr. Papalas: A while back.

Mr. Stredney: I've reached out and talked to them and I've shared my thoughts with yourself over a conversation we had this past week. And I think we'll be talking with several members of council to make some changes moving forward, but right now we're just trying to get these problems addressed. And then we'll figure out other answers how to address other issues.

Mr. Papalas: Andy, I've always, you know, had great respect for you but when things like this go on, other issues that we've been talking about. People are in here talking about the most basic service is drinking water. You know, it leads us to start thinking about possible problems that go beyond dirty water. We can't have these delays.

Mr. Catanzarite: But also' we're trying to run the department on a shoestring. We're short people; we have a backhoe that doesn't work, our (inaudible) month and a half (inaudible) for that shut off. Okay we're getting to them as quick as we can. Sometimes it's just a shot. You let some things run and take. We can only fix what we can get to. Okay. I know that's not what you want to hear. I know that's what nobody wants to hear. We are fixing them as fast we can.

Mr. Papalas: Well if we can't do it with what we have, then we better look to discussions on contracting out. There's no other way of doing this.

Mr. Catanzarite: We have (inaudible) but we are looking.

President Marino: Steve does bring up a good point.

Mr. Papalas: Pardon me.

President Marino: You bring up a good point. In these circumstances, this is twice now we've heard there's underground utilities, fiber optics, etc. If the sophistication of the repair exceeds the capabilities of our department, we should immediately go out and obtain services from a company that can do that and get it repaired, such as AP O'Horo to name one, or others so that, how long did you say that's been running? 4 months?

Mr. Papalas: I thought 3, they said 4.

Ms. Marchese: 4.

President Marino: So.

Mr. Papalas: Somebody's paying for that water, right?

President Marino: I think from the administrative stand point and so that we're all clear on this because it might require future appropriations in contracted labor, I think that in an emergency situation regarding water and the repair seems to keep (inaudible) of our staff, we've got to get water lines fixed.

Mr. Stredney: We agree 100% Mr. President and to address short term and long term needs we are looking at long term. I've sat and talked with the Mayor, Giovanna, Kevin, Andy about being

aggressive about future equipment purchases, water line replacement programs, several council members I've shared my thoughts with you. The short term it's... Mr. Papalas, I've shared some of my thoughts with you.

Mr. Papalas: Yeah, we've talked about it.

Mr. Stredney: We're addressing these. I don't want nobody to leave this room thinking that we're not putting things in priorities. And I'll be the first one to tell you; not everybody likes the answers sometimes they get. But, we're trying to prioritize them. We are going to be coming back for contracted labor for money in the water probably at our next council meeting in September. Because we are tapping it out, farming it out/contracting out whatever the terminology for services that we can't do in house because we don't have the equipment so.

Mr. Papalas: Alright.

Mr. Stredney: And there's probably no good reason why this has been gone so long except that this the situation that we are now in. We're going to address it and make.

Mr. Papalas: It can't happen. Can't keep happening.

Mr. Stredney: Make the change and corrections so this don't happen.

Mr. Papalas: Can't be policy. We can't have those policies. And what about Stepney Street where we have sink holes and a woman's hurt her leg over this. Have we moved on this? Now that's how long that I brought that up? Yeah.

Ms. Marchese: Mr. Papalas, I'm going to give an up to date because there's a couple more houses. I've got calls back there.

Mr. Papalas: Okay, I'll leave it in your hands.

Ms. Marchese: And I intended to give all of council tonight pictures that I took so they'll understand more.

Mr. Papalas: That's good. Alright. That's fine. Stop right there. I'll leave it with you and you guys will wish I had that taken care of it. I know what's going to happen.

President Marino: Alright.

Ms. Marchese: Alright. Enough Steve, come on.

President Marino: Alright.

Mr. Papalas: You can do the job, that's what I am saying.

Ms. Marchese: Exactly, I go there. I went there. I took those pictures.

President Marino: Alright.

Ms. Marchese: If you would have seen what I was in today, you wouldn't have believe it.

President Marino: Okay, Is that it Steve?

Mr. Papalas: Yup.

Mr. McNaughton: First off, I want to congratulate the work Chief Holland and you guys are doing with the drug task force. It is my hope and expectation that not only do we continue to fund that but look to get even more aggressive. Because clearly, it's starting to pay dividends. So I know there's been a couple big announcements this week and on behalf of the residents, a couple of people have reached out to me, thank you for the work you guys are doing. I look forward to see what we can do in the future with that. I do want to say one thing, it was brought up earlier that we don't provide answers. Folks, this isn't the only venue that we can be asked questions. Some of us have our own Facebook page, we have email, we have phone numbers, we hold town halls. Many folks in here attend and you get all your answers to the questions you are asking. We are open. We are accessible. Please ask. We do our best to answer your questions. That's our job. We are advocates. You may not always like the answers. We sometimes might not like to hear what comes our way, but that's part of the gig. We treat you with respect and I know there's dozen of residents in this town who will back that up, I personally respond as quickly as possible. I have a 12 hour rule, not a 24 hour rule. I respond as quickly as possible and I know my colleagues do as well. Ask us. We're here for you. I couldn't have said it better myself. We have to make up our own answers on a certain site. The place reads like fan fiction sometimes with the lies, slander and defamation of character. Talk to us personally. We're here for you. I promise. And the last thing I want to do is I want thank my colleagues and I want to thank many members here in the community who reached out to me in the past week. My wife had our son, he came 5 weeks early. And the first 24-36 hours were very dicey and I truly want to say and some of you are in this room... when it looked pretty tough.

Ms. Marchese: Pray.

Mr. McNaughton: My words will not properly do justice to what it meant to me to read what you wrote and shared. So, you know, we're old doing this so if he was full term it would have been dicey. So, from the bottom of my heart and the bottom of my wife's heart, thank you all for reaching out. It got me through the first 36 hours and I can't thank you enough.

Ms. Marchese: Yes. As Mr. Papalas started to say, today I got another bigger piece to the puzzle that not only this problem back there just didn't start. It started with Mr. William's property, the old Marsico house around the bend back in that area. In the ravine, there's a humongous pipe that he has contacted, as a matter of fact our past Mayor, you're (inaudible) a little bit this time.

Mr. Papalas: Marsico on Hillcrest?

Ms. Marchese: Yes. Our past Mayor was out there and looked at it and along said he brought it up to somebody, you guys on council I guess, and Ed he brought it up to you when you were the past councilmen also. The wear and tear and the whole pipe is broken in. I mean it's about 100 feet away. He has it videoed during a time another when they redid Robbins Ave, this is like a puzzle coming together. It's amazing. As they did Robbins, they put redid the streets and put the sewers in, then apparently a certain gentlemen down on the corner of South Rhodes and that was getting too much flooding. So they went in and they put another pipe in. All that water is coming in. It's flowing so hard and so fast that it knocked the pipe out. So, I'm urging Andy and Ed, you were there but now you won't even believe this, it knocked the pipe out. Instead of the pipe going this way and there's a whole cement wall built over this pipe. It leads all the way underground right to the back of (inaudible) and our old safety director's house. The fence is all eroding. She's got deep holes. I will pick up the pictures because their photo thing went down. There's a massive problem and it's back in there and Andy, I guess you were out there one time he said.

Mr. Catanzarite: We had talked about this and actually it had to be Mr. Papalas and these are the kind of issues we discussed that.

Ms. Marchese: Well Mr. Williams said everybody tells him they're there, I'll be back, we've got to do something. And then he never sees anybody again. And then he said one person told him this is going to be really hard to get some equipment back there. He has a huge drive, it takes you almost right back to it. It definitely needs to be dug out. But his patio and his yard is all sinking. A pipe underground is leading; I would say if I kept walking, there's more homes that are going to sink. There's more a breakage back there. There's got to be another pipe back there though. For what's happening on the other side of Rhodes down to Stepney, there has to be more. Because all those, all those other ones are all, I've got pictures all them. I mean I walked it, we were back there. It's a major problem going around and once you see this other one, Ed, I was not expecting that or I would have asked you to come.

Mr. Stredney: These are two different issues. The one on.

Ms. Marchese: No, I think they're one.

Mr. Stredney: No, they're two separate. We've had people look at both sides. There's no pipe that runs the length of that. The one over on the Marsico side.

Mr. Papalas: It's a separate ravine.

Mr. Stredney: Yes. We understand what happened. We got the drawings from 10-20 years ago that were fail or faulty.

Ms. Marchese: It started caving in. Have you been back there recently?

Mr. Stredney: Yeah.

Mr. Lastic: (inaudible) separate water line.

Ms. Marchese: Well no, you got to remember, when they put I guess when they put another piping in right on the corner.

Mr. Lastic: The side.

Ms. Marchese: Of South Rhodes and Stepney, that's what he said caused more problems. He'd love all of council to come. Anyone else, he'd love to take them back and show you. He's just tired of getting the runaround.

President Marino: Kevin, have you been up there too?

Mr. Robertson: I haven't.

Ms. Marchese: No, actually this all just came up today. This afternoon. So, I haven't had a chance to get to anybody.

President Marino: Well my instincts tell me... go ahead Andy.

Mr. Catanzarite: If I could, I started to say I was up at the County building one day. Mr. Papalas and I talked about this. I think this is an issue, in my opinion; this is an issue that's going to take some engineering which we really do not have an engineer on staff. If Mr. Stredney approves, maybe we could reach out to the County and see if they could possibly give us some advice and try to give us some direction. Those pipes are deep. It's like a 36 or 42 inch pipe, if that needs to be dug out for some I've never seen an easement where the houses are ten feet apart there's a pipe 30 feet down. There's no access to it. This could be something that may have to be lined. You're not talking a simple fix here. So if we could maybe reach out to the County for their (inaudible).

Ms. Marchese: Yeah there's numerous ones you can see them. It's

President Marino: Okay so moving forward, Ed are you and Kevin and Andy going to reach out to.

Mr. Stredney: Yeah.

President Marino: Mr. Shaffer at the engineer's office and get some guidance. Giovanna, if there's dollars required to fix this, its general fund isn't it.

Auditor Merlo: It's a sewer line right?

Mr. Stredney: Sewer lines.

President Marino: It's sanitary sewer?

Mr. Stredney: These are all storm drains.

Auditor Merlo: Water.

Mr. Stredney: They're storm drains going into two or three different ravines. We've already started on some of them. Some of the other ones, we're just kind of working our way around. But these are all storm drains, one or two run all way from Robbins the other ones are coming off of different side streets dumping into the ravine.

President Marino: So, we're permitted to use sewer money to repair storm water.

Mr. Stredney: I haven't verified that yet but I would assume so. We've talked with Mr. Shaffer on one project already and.

President Marino: I get there's going to dollars required.

Ms. Marchese: That's the one.

President Marino: I don't need to see it. Linda. I want to make sure that if there's dollars required because I couldn't have said it any better than Steve, that general fund is in a very delicate position right now. We need to really really pay attention to it so if it's going to require dollars we need to make sure that we're all aware of where this is going to go. So, could you get some guidance for us, John?

Auditor Merlo: I will.

President Marino: Thank you. Alright so you good with what they're going to do now, Linda?

Ms. Marchese: Yes, I am.

President Marino: Thank you for your patience with me. Anything else?

Ms. Marchese: That will be all.

President Marino: Thanks Linda.

Mr. Mientkiewicz: I think we should start down here because you guys said everything I was going to say. You know, I know tonight tempers were a little bit escalated. You know I want to be sure that myself and all my colleagues are listening to the words of everyone here in the audience. And we understand and recognize your passion for the pool and whatever else you may bring to the table. But we also do have a passion, as an elected officials and I think all of us are in the same boat when we say one of our top passions is moving this city forward fiscally. And you know, it's not easy when we're trying take something that's so indebted and bring it back to it once was. You know, decisions have to be made, difficult decisions. We've been saying this for the last two years. It's not going to make everyone happy. It's not going to make our people happy. It's not going to the public happy but I think the decisions we make are in best interest of the tax paying citizens of Niles. You know and we, in my opinion, are doing a pretty

good job of prioritizing. You know there's roads that need to be paved, buildings you know. How much general fund money did we speak of here in the last 15 minutes? And like Mr. Marino and Mr. Papalas have mentioned, the general fund is in no it's not out of the woods. And you know, there's a lot of issues that still need addressed in the future. A lot of issues that are hanging over our heads. So as speaking for myself, again I have priorities and fiscal responsibilities to the citizens of Niles that are going to take precedence over other things. And again, I would just ask that you respect those priorities, those passions, those ideas that we have as council just as we do your ideas, your passions and so on. So with that, Mr. Pezzano.

Mr Pezzano: Yeah and I agree with Mr. Mientkiewicz. Mr. Stredney, I want to appreciate the fact that you tried set this meeting up with that first meeting prior to this, the signs and banners. But we will follow up with Mr. Swauger and pretty much dissect that ordinance. And also appreciate the fact that you took an hour out of your day yesterday with me. We got some stuff done, Mr. Crowley. However also is I want to thank Mr. Nick Altobelli also. We finished up the Summerberry project pretty much right, Kevin. We're done with that. And he did a great job down there. He got all the sidewalks in and everything's good. They got the grass seed put in. I believe some of the residents were complaining about the grass not coming up yet. But everything's got to settle. They have to water the grass seed also. But thank you.


President Marino: Before we adjourn, we return to our regular meeting schedule so our next regularly scheduled council meeting will be September 6th and our meetings will be the first and third Wednesdays of the month moving forward.

ADJOURN

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



Nicole Bacak, Clerk of Council



ROBERT MARINO, JR., President of Council