

COUNCIL MEETING MINUTES
December 5, 2018

Audio recording of full meeting will be available on line on the city's website

Niles City Council held its regular meeting on December 5, 2018 at 6:00 p.m. in Council Chambers Safety Service Complex in Niles, Ohio.

President Steffey had a moment of silence for the passing of our 41st President George Bush and for the passing of resident Wanda Burns.

The meeting was called to order by Council President Barry Steffey Jr., and the Clerk, Nicole Bacak, called the roll:

Lastic- P, McNaughton-P, Profato-P, Cantola-P, Marchese-P, Smith- P, Kearney-P, Steffey-P

It was moved by McNaughton seconded by Lastic to accept the Minutes from the November 20th meeting and place them on file.

Motion carried.

REPORTS AND COMMUNICATIONS

FROM – Auditor's Office

Statement of Cash from Revenue and Expense- October 2018

It was moved by Smith, seconded by Kearney to accept and place it on file.

Motion carried.

FROM – Auditor's Office

Check Report by Check Number- October 2018

It was moved by Smith, seconded by Kearney to accept and place it on file.

Motion carried.

FROM – Mayor's Office

Overtime Report - November 2018

Mayor Mientkiewicz said they are watching the Street department and the Water department.

Mayor Mientkiewicz said the only overtime right now is call outs. Mr. McNaughton said everything is looking a lot better than it did months ago. He wanted to give credit to the department heads and the city workers for these numbers being as low as they are.

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

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL

(Public remarks began at 4:05 into recording)

Paul Davis: 44 Hartzell Ave. Niles, Ohio. Mr. Davis asked where the proposed dog park was being placed in the park. President Steffey explained it be where the two small unused baseball fields are in Waddell Park. Mr. Davis said those are fields are unused due to a poorly run youth league baseball. He has been up at council before numerous times about this. Back in 1952, pony league baseball was brought to Niles. About the same time, little league baseball was brought here as well. He was one of the first players in the league.

After many years of baseball being gone, his group brought the pony league and little league baseball back. They had approximately 750-800 kids participating in their youth league. They used both of those fields President Steffey is talking about. Thanks to Carmen Vivolo, who was Recreation Director then, they rebuilt those fields and invested quite a bit of money in them. Unfortunately now, people aren't going to pay the kind of money they are charging for a shirt and a hat. So, they are going to the soccer fields.

So, with all of the time and money invested to build up the youth leagues up and to build the fields up in the 5-6 years he was out there, with a stroke a pen council has wiped it out. The vote was 7-0. There is plenty of land if they want to have a dog park. They don't have to ruin two ball fields. Mr. Davis wants to know what we are doing for our youth. We will take care of the dogs but not the children.

Ms. Marchese said this is the first she has heard this is going there and she has questioned it herself numerous times. Mayor Mientkiewicz said it has been talked about multiple times. Ms. Marchese wants to know what will happen with the children's playground. Ms. Marchese wants to know why it has to be right next to the children's play area. Mr. Davis stated it is going there to support the Wellness Center. It can go over across the street instead of ruining the baseball fields. They can bring back youth baseball. Mr. Davis says this is sad.

COUNCIL COMMITTEE REPORTS

None

ORDINANCES AND RESOLUTIONS

(Legislation began at 9:55 into recording)

RESOLUTION NO. ____ (Draft No. 136-18)

A RESOLUTION IN SUPPORT OF GENERAL MOTORS LORDSTOWN FACILITY

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

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by McNaughton, seconded by Cantola to adopt this Draft No. 136-18.

YEAS: 7 NAYS: 0

This Draft No. 136- 18 has been adopted on the 5th day of December 2018.

RESOLUTION NO. ____ (Draft No. 137-18)

A RESOLUTION AUTHORIZING THE SERVICE DIRECTOR TO ISSUE A REQUEST FOR QUALIFICATIONS TO PROVIDE ENGINEERING SERVICES FOR PROJECTS INVOLVING WATER AND SANITARY SEWER CONSTRUCTION AND/OR TREATMENT FOR 2019; AND DECLARING AN EMERGENCY

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

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Lastic, seconded by Cantola to adopt this Draft No. 137-18.

YEAS: 7 NAYS: 0

This Draft No. 137- 18 has been adopted on the 5th day of December 2018.

RESOLUTION NO. _____ (Draft No. 138-18)

A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED PARK FUND 221 TO THE PARK DEPARTMENT CONTRACTED LABOR ACCOUNT; AND DECLARING AN EMERGENCY

Ms. Smith explained that these are two emergency repairs. One is for Stevens Park to the concession stand and the other is for the women's and family bathroom at the Wellness Center. These were discussed at the finance meeting. Mayor Mientkiewicz stated that Steven's park concession stand is completed already. The city will also be reimbursed the insurance money for the Stevens Park damage.

Ms. Marchese asked if money from the levy can be set aside to do repairs at the Wellness Center when this stuff comes up. Auditor Merlo said yes if they want to appropriate additional funds, yes they can. Ms. Marchese wants to know if they can take it out of the levy. Auditor Merlo explained that the operations of the park are more than the levy.

It was moved by Smith, seconded by Kearney to suspend the rule requiring three readings.

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Smith, seconded by Kearney to adopt this Draft No. 138-18.

YEAS: 7 NAYS: 0

This Draft No. 138- 18 has been adopted on the 5th day of December 2018.

ORDINANCE NO. _____ (Draft No. 139-18)

AN ORDINANCE AMENDING ORDINANCE NO. 25-18, KNOWN AS THE AUTHORIZED STRENGTH ORDINANCE, AND DECLARING AN EMERGENCY

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

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Kearney, seconded by Lastic to adopt this Draft No. 139-18.

YEAS: 7 NAYS: 0

This Draft No. 139- 18 has been adopted on the 5th day of December 2018.

ORDINANCE NO. _____ (Draft No. 140-18)

AN ORDINANCE UPDATING COMPENSATION SOURCES ONLY FOR THE POSITIONS OF MAYOR, PRESIDENT OF COUNCIL, WARD COUNCIL MEMBERS AND COUNCIL MEMBERS AT LARGE, THE LAW DIRECTOR, THE AUDITOR AND THE TREASURER FOR 2019; AND, DECLARING AN EMERGENCY

It was put on the record that this is not a raise for any of these positions by President Steffey and Ms. Marchese. It just changes the funding sources.

It was moved by Smith, seconded by Kearney to suspend the rule requiring three readings.

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by McNaughton, seconded by Lastic to adopt this Draft No. 140-18.

YEAS: 7 NAYS: 0

This Draft No. 140- 18 has been adopted on the 5th day of December 2018.

ORDINANCE NO. _____ (Draft No. 141-18)

AN ORDINANCE AMENDING SECTION 1157.13 OF THE NILES CODIFIED ORDINANCES;

Ms. Marchese explained this ordinance is about steel roofs on homes, garages and sheds.

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

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Kearney, seconded by McNaughton to adopt this Draft No. 141-18.

YEAS: 7 NAYS: 0

This Draft No. 141- 18 has been adopted on the 5th day of December 2018.

ORDINANCE NO. ____ (Draft No. 142-18)

AN ORDINANCE AMENDING SECTION 1407.11 OF THE NILES CODIFIED ORDINANCES;

Ms. Marchese stated that this ordinance is reference to tarps. Citizens are using tarps on windows and roofs. This will help our building and zoning department.

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

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Lastic, seconded by Smith to adopt this Draft No. 142-18.

YEAS: 7 NAYS: 0

This Draft No. 142- 18 has been adopted on the 5th day of December 2018.

ORDINANCE NO. ____ (Draft No. 143-18)

AN ORDINANCE ACCEPTING AND REFERRING THE PETITION FOR AMENDING ZONING MAP FILED BY DOMINIC D'URSO, TRUSTEE FOR PERMANENT PARCEL NO.: 25-361150 TO THE PLANNING COMMISSION.

Ms. Marchese explained that this needs to be referred to the Planning Commission.

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

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Smith, seconded by Cantola to adopt this Draft No. 143-18.

YEAS: 7 NAYS: 0

This Draft No. 143- 18 has been adopted on the 5th day of December 2018.

ORDINANCE NO. ____ (Draft No. 144-18)

AN ORDINANCE AMENDING SECTION 351.14 OF THE NILES CODIFIED ORDINANCES;

Ms. Marchese asked for a first reading on this ordinance. This ordinance deals with equipment in residential areas.

It was moved by Marchese, seconded by Kearney to give a first reading to this draft.

YEAS: 7 NAYS: 0

This Draft No. 144- 18 has received its 1st reading on the 5th day of December 2018.

RESOLUTION NO. ____ (Draft No. 145-18)

A RESOLUTION ACCEPTING THE PROPERTY ASSESSMENT FOR LAND TO BE PURCHASED FOR THE WATER DEPARTMENT; AND, DECLARING AN EMERGENCY

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

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Kearney, seconded by McNaughton to adopt this Draft No. 145-18.

YEAS: 7 NAYS: 0

This Draft No. 145- 18 has been adopted on the 5th day of December 2018.

RESOLUTION NO. ____ (Draft No. 146-18)

A RESOLUTION ACCEPTING THE PROPERTY APPRAISAL FOR LAND TO BE PURCHASED FOR THE WATER DEPARTMENT; AND, DECLARING AN EMERGENCY

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

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Kearney, seconded by Marchese to adopt this Draft No. 146-18.

YEAS: 7 NAYS: 0

This Draft No. 146- 18 has been adopted on the 5th day of December 2018.

ORDINANCE NO. ____ (Draft No. 147-18)

AN ORDINANCE AUTHORIZING THE MAYOR AND/OR SERVICE DIRECTOR TO ENTER INTO CONTRACT FOR THE PURCHASE OF PROPERTY FOR USE BY THE WATER DEPARTMENT; AND DECLARING AN EMERGENCY

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

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by McNaughton, seconded by Marchese to adopt this Draft No. 147-18.

YEAS: 7 NAYS: 0

This Draft No. 147- 18 has been adopted on the 5th day of December 2018.

MISCELLANEOUS REMARKS

(Miscellaneous remarks began at 25:03 into recording)

Mayor Mientkiewicz expressed his appreciation to everyone involved on the water department project. This became a concern about two years ago and this has been a concern of the fiscal commission and the can got kicked down the road. For the last five months, he appreciates everyone getting on board and coming together to move this project forward. The employees are excited about this transition.

Auditor Merlo updated council on the asset management project. Auditor Merlo did receive a preliminary report today. They should be completed by the end of next week. They did send all of the property appraisals and what those values are. The administration, department heads and himself are looking at those and making sure those are correct.

Mr. McNaughton asked when this is complete, when might we be able to formally apply for release from fiscal emergency. Auditor Merlo and Mayor Mientkiewicz said we will find out at the Fiscal Commission meeting on December 20th. Auditor Merlo said once everything is finalized, he will send the report to council and put it on the record.

Mr. Catanzarite thanked council on behalf of the water department, for getting the building for them. It is long overdue. He appreciates the work they have done. He deferred the rest of his time to Dr. Neopolitan from MVSD. Dr. Neopolitan gave an update to council on interviews that they are conducting for class four operators and they are splitting up their chief engineer into two positions. They have a lot of projects coming up. A lot of things happened there over that last few months but they have things under control. Mr. McNaughton thanked him for coming and giving the update. He was the one who asked for someone from MVSD to come and give an update.

Mr. Pezzano thanked council for passing the resolution about GM, as he is a former retiree from General Motors.

Mr. McNaughton wanted to thank Dr. Neopolitan for showing up to council this evening. He wanted to echo the statements of Mayor Mientkiewicz about the water department. He is glad that we are finally investing in our people and in our infrastructure. We are continuing to update our buildings and making it safe for our workers. They didn't become decrepit two years ago. They have been for quite some time. He is very proud to be part of this crew that has taken on the responsibility to do the right thing by our people and by our residents. This is long overdue. This has been a lot of work done by the administration.


Ms. Marchese is also glad that the workers are getting out of that building. She is not happy where the dog park is going. She would like to see everyone sit down and reevaluate this. She knows the germs and problems they have had at Mosquito Lake. Mayor Mientkiewicz said there is another option. He has been talking to Mr. Burke about another option. Ms. Marchese doesn't

think they can have the dog park that close to where the children are. She doesn't think it is a good idea to have it that close to the play area.

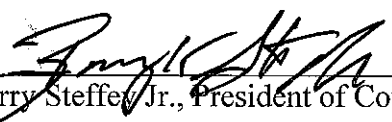
Mr. Kearney wanted everyone to know that the only reason he is wearing an Ohio State jacket is because he lost a bet to Ms. Marchese. Go Blue.

ADJOURN

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



Nicole Bacak, Clerk of Council



Harry Steffer, Jr., President of Council