

COUNCIL MEETING MINUTES

April 18, 2018

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

Niles City Council held its regular meeting on April 18, 2018 at 6:00 p.m. in Council Chambers Safety Service Complex in Niles, Ohio.

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

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

It was moved by Marchese, seconded by Profato to accept the Minutes from the April 4th meeting and place them on file.

Motion carried.

REPORTS AND COMMUNICATIONS

FROM – Auditor's Office

State of Cash from Revenue and Expense- March 2018

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

Motion carried.

FROM – Auditor's Office

Check Report by Check Number- March 2018

Ms. Marchese had a question about the checks for Time Warner Cable. Auditor Merlo explained those checks are for the internet services and phone services. Ms. Marchese also asked if Time Warner pays the city to use our poles. Auditor Merlo stated they pay the city a franchise fee per the Ohio Revised Code but he does not know anything about payment for use of the poles.

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

Motion carried.

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL

(Public comments began at 2:56 into the recording)

Wanda Burns: 1740 Warner Court Mineral Ridge, Ohio 44444. Ms. Burns stated that she was a social event and another person at her table stated that her cousin was just hired at Niles. She asked what department but the person did not know. So, Ms. Burns pulled up the internet on her phone and noticed there were no job postings listed. A couple of days later, she followed up on it and there were still no job listings. A few days after that is when 7 job listings went up. She remembers sometime in late 2016 or 2017, council passed a policy around a hiring procedure. She wants to know if that procedure was followed.

President Steffey stated he does not know the name or the position that she is speaking of. He has spoken to the Mayor and Service Director extensively about making sure that we live up to the policy. The policy is a five day posting on the website after it was offered to the city employees. They can bump into that. If no one from the city bids within five days, then it goes to the public for five days. Also, a key component to that is that all interviews are done in person. We need to have a consistent approach to hiring. President Steffey said he would be happy to meet with her after the meeting and get the name of the person that Ms. Burns was speaking of and work to see if the policy was followed.

Ms. Marchese said she also questioned, and she is sure other councilmen have too, if everyone is given a fair interview. Most places they are and then they are narrowed down, and then narrowed down until they find the person who fits the job perfectly. Ms. Marchese commented that she has suggested that as employees, like they did at Packard, they deserve the right to have a referral.

Ms. Burns said that tomorrow she will make some calls and she will be back at the next council meeting with dates, facts and position. She thinks they all will find out that someone was hired or promised a job before it ever hit the website.

Mayor Scarnecchia told Ms. Burns that for every interview they have three people in there. They are following council's procedures.

Dave Spencer: 632 Peffer St. Niles, Ohio. He wanted to thank Ms. Marchese for coming out to his house on Monday. For the last 10 years, himself and his neighbors have had sewage flooding in their basements. It is 4-5 houses at the corner of Thomas and Peffer. Ms. Marchese brought out the Sewer Engineer and another gentleman. Mr. Spencer gave them ideas on what he thought the issue was. He said over the last couple of years it is getting worse. He is getting tired of having to clean his basement all of the time. He has had his line replaced, and has put in back up preventers in his drains. When the city employees left Monday, he was under the impression that they would be back with a camera. It is now Wednesday, and no one has been back. Who does he need to ask to find out what is happening?

President Steffey asked Ms. Marchese who was out to see Mr. Spencer. Ms. Marchese said that she has mentioned this before on council and her two problem areas are High and Pepper. She happened to see Mr. Catanzarite and his worker, Mr. Barrell and they both came down to talk to Mr. Spencer. They talked about the new pipe that was put in that goes until Thomas Street. They did ask for a camera and Mr. Catanzarite did say that he would be back. He was going to go back and consult with Glenn and get back to Mr. Spencer.

Mr. Spencer stated that he has bought a pump that has a water sensing switch so as soon as the water at the lowest point gets up to $\frac{3}{4}$ inch, it automatically turns on. It pumps 3000 gallons an hour. Mr. Spencer said it ran Sunday night from 9:00 P.M. to 6:30 A.M. He does not know how many thousand gallons of raw sewage he pumped out onto the road.

Service Director Stredney injected that himself, President Steffey and Mr. Robertson went to that intersection about 3-4 weeks ago. They are looking at different options. Mr. Spencer said if they are looking at what is happening on the road that is a separate issue. Service Director Stredney did confirm that no one got the camera the other day. The camera works best when the system isn't full. Mr. Spencer does not believe that the system is full.

Service Director Stredney stated that the problem is not on his street. The problem, even by Mr. Spencer's admission, is down the road. Mr. Spencer says it is from the new sewer line that was put in. He doesn't know if they messed it when they installed it or the line collapsed. Or there was a house that was torn down and maybe they capped it. Either way, he keeps saying this and no one is listening to him. He doesn't know why him and the 4-5 other people around him are the only ones having an issue. Service Director Stredney did assure Mr. Spencer that they are looking into it as well as working on other smaller projects similar to this.

President Steffey said that if Mr. Catanzarite said he was going to go out there with the camera, then he needs to go there. Mr. Spencer agrees and feels that is the simplest thing to do. It doesn't cost anything to send him there during working hours. Ms. Marchese also mentioned the neighbor across the street who has pictures of the sewage that came into this basement as well. President Steffey is confident that Service Director Stredney and the Mayor will get with the Water/Sewer Supervisor to get this taken care of. Mr. Spencer is just disappointed that no one has come back and he feels that he is being swept under the rug. President Steffey assured him that was not the case.

Paul Davis: 44 Hartzell Ave. Niles, Ohio. Mr. Davis wants to know how confident the city is that the water meters that have been laying around for 5-10 years will be accurate. He wants a guarantee since he is paying the bill. Service Director Stredney said NECO took several meters back to their testing facility and has certified that the ones they took are still true and accurate. The meters are under warranty. Mr. Davis wants to be sure that the accuracy is under warranty. Mr. Davis mentioned how the Trumbull County Auditor checks every single gas pump in the county. He trusts the gas company more than this company doing the meters.

Mr. Davis believes the city has purchased a little over 6000- 6500 meters. President Steffey believes that is close the number. Mr. Davis said that the water and light department told him the city has 16,000 accounts. Service Director Stredney clarified that the city does not have 16,000

water customers. The city has roughly 17,000 light customers, including those that we sell to outside the city. But for water, that number is significantly lower. He thinks the number is somewhere around 7000-8000. The city has already installed the commercial meters so the only thing left to install is the residential, which is approximately 6000 water meters.

Mr. Davis asked if we still have to buy 6000 meters. Service Director Stredney said no they just need to be installed. There are no more meters to buy. Mr. Davis mentioned a previous council meeting where it was discussed that it will cost \$495,000.00 to have them installed. He doesn't understand that if the city only purchased 6500 and we have 8000 customers, where are we going to get the other meters. Service Director Stredney explained that commercial water meters are included in that number as well. Those meters have already installed. The city only has about 6000 residential meters left to be installed. We do not have to buy any more meters.

Mr. Davis wanted to know the number of water customers the city has. Ms. Ford said it is somewhere over 8000. Mr. Davis questions why we only bought 6500. Service Director Stredney said he will get Mr. Davis the exact numbers. Service Director Stredney explained there are no more meters left to buy. There is about 6000 residential left to install. Mr. Davis said he is having trouble with the math. Service Director Stredney said he will get the numbers and give him a call. Mr. Davis said he doesn't need a call. He just wants him to state it at the next council meeting. Service Director Stredney said he will still call him.

Gary Kaszowski: 737 West St. Niles. At the 5 way intersection where West and George come together, there is vehicle that parks in the intersection. He has spoken to the police department, the Mayor's office and several patrolmen when he sees them about this. The vehicle is there all night long. Most of the time, the car is facing the right direction but when it's not it shines lights in people's eyes. There have been several close calls with it. He wants to know what is going to be done about it.

President Steffey did confirm with Chief Holland that there are parking restrictions that aren't weather related. You are not allowed to park in the street from 2:00 A.M. - 6:00 A.M. Mr. Kaszowski said he cannot find anything in Niles laws or State of Ohio that you can park in an intersection. President Steffey said he is not familiar with that. He knows you cannot park too close to a stop sign because you can impede the ability to have vision each way. Law Director Swauger stated that Niles codified ordinance 351.03 prohibits parking within an intersection.

Mr. Kaszowski said that he has talked to him. The Mayor asked if he is talking about the truck. Mr. Kaszowski confirmed it is the truck. He called last Saturday because it was there and no one could get around it and when he talked to Dispatch, she asked if it was the white van again. And he said yes. Chief Holland said the vehicle has been ticketed. Mr. Kaszowski said it is still there now and it was there this morning when he went to work at 4:30 A.M. Chief Holland stated he will have it checked the next 4-5 days and they will issue a ticket every day if they have to. He knows it has been ticketed.

Ms. Marchese asked if it can be towed. Chief Holland said it can be towed during the snow ban but he will check on it. He believes you have to have 4-5 unpaid tickets on a vehicle before it can be towed. Mr. Kaszowski said he does know there is a pass people can get if you have people

visiting to park in the street. But this has been going on for months. President Steffey agreed that this isn't something that needs a pass. This is just a pattern of activity. Mr. Kaszowski says that when the kids come home from school that intersection is a little speedy sometimes. President Steffey thanked him for coming and said he knows the Chief will watch this and continue to have his officers follow up on this.

James Sheely: 31 Belmont Ave. Mr. Sheely wanted to know if there was any truth to what he has heard about the city selling the senior center. Mayor Scarnecchia told Mr. Sheely that was a rumor. Mr. Sheely just wanted to make sure that was a rumor. He understands they had to be moved to the wellness center briefly due to the safety building. President Steffey agreed that the seniors were very patient when they were dislocated from their building. At the last meeting, there was a petition with 57-67 signatures on it and that matters. Mr. Sheely agrees that does matter. The seniors do deserve their own space. President Steffey agreed. He felt the seniors expressed themselves very well in their petition.

COUNCIL COMMITTEE REPORTS

None

President Steffey informed everyone that at the end of the meeting, council will be going into executive session. There will be no council action to follow.

ORDINANCES AND RESOLUTIONS

(Legislation began at 23:18 into recording)

RESOLUTION NO. ____ (Draft No. 35-18)

A RESOLUTION AUTHORIZING THE CITY OF NILES TO ENTER INTO AGREEMENT FOR THE ESTABLISHMENT OF THE TRUMBULL COUNTY COUNCIL OF GOVERNMENTS; AND DECLARING AN EMERGENCY

It was moved by Profato, seconded by Cantola to give a 1st reading to this Draft No. 35-18.

YEAS: 7 NAYS: 0

This Draft No. 35-18 has received its first reading on the 18th day of April 2018.

ORDINANCE NO. ____ (Draft No. 46-18)

A RESOLUTION HONORING SAM'S CLUB FOR THE GRANTS GIVEN TO THE NILES FIRE DEPARTMENT

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

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Mientkiewicz, seconded by Kearney to adopt this Draft No. 46-18.

YEAS: 7 NAYS: 0

This Draft No. 46-18 has been adopted on the 18th day of April 2018.

ORDINANCE NO. ____ (Draft No. 47-18)

AN ORDINANCE APPROVING THE RECODIFICATION, EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF NILES, OHIO, AND THE DECLARING OF AN EMERGENCY.

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

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Mientkiewicz, seconded by Lastic to adopt this Draft No. 47-18.

YEAS: 7 NAYS: 0

This Draft No. 47-18 has been adopted on the 18th day of April 2018.

RESOLUTION NO. _____(Draft No. 48-18)

A RESOLUTION AUTHORIZING THE SUBMISSION OF GRANT APPLICATIONS FOR FY 2018 GRANTS UNDER THE CDBG COMMUNITY DEVELOPMENT ALLOCATION AND CRITICAL INFRASTRUCTURE PROGRAMS; AND, DECLARING AN EMERGENCY

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

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by McNaughton, seconded by Lastic to adopt this Draft No. 48-18.

YEAS: 7 NAYS: 0

This Draft No. 48- 18 has been adopted on the 18th day of April 2018.

RESOLUTION NO. _____(Draft No. 49-18)

A RESOLUTION APPROPRIATING FUNDS FROM THE UNAPPROPRIATED PARK FUND 221 TO THE PARK FUND BANK SERVICE CHARGES ACCOUNT; AND, DECLARING AN EMERGENCY

Mr. Mientkiewicz clarified that this is for accounting purposes.

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

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Mientkiewicz, seconded by Lastic to adopt this Draft No. 49-18.

YEAS: 7 NAYS: 0

This Draft No. 49- 18 has been adopted on the 18th day of April 2018.

RESOLUTION NO. _____(Draft No. 50-18)

A RESOLUTION AUTHORIZING THE LINE ITEM TRANSFER OF FUNDS FROM THE GENERAL FUND INCOME TAX BUDGET FROM WAGES ACCOUNT TO PERS ACCOUNT; AND DECLARING AN EMERGENCY

Mr. Mientkiewicz asked Auditor Merlo if this will be the last transaction for the income tax department since there is no longer that department. Auditor Merlo did confirm.

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

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Mientkiewicz, seconded by Profato to adopt this Draft No. 50-18.

YEAS: 7 NAYS: 0

This Draft No. 50- 18 has been adopted on the 18th day of April 2018.

ORDINANCE NO. _____(Draft No. 51-18)

AN ORDINANCE AUTHORIZING THE MAYOR and/or SERVICE DIRECTOR TO ISSUE A REQUEST FOR PROPOSALS FOR THE IMPLEMENTATION OF CITY ASSET MANAGEMENT; AND, DECLARING AN EMERGENCY

Mr. Mientkiewicz stated this is just for RFP. The city needs to have this completed in order to be released from fiscal emergency. Law Director Swauger stated this will be advertised for 14 days but can go up to 28 days, if they chose to.

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

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Mientkiewicz, seconded by Cantola to adopt this Draft No. 51-18.

YEAS: 7 NAYS: 0

This Draft No. 51-18 has been adopted on the 18th day of April 2018.

ORDINANCE NO. _____ (Draft No. 52-18)

AN ORDINANCE AMENDING CODIFIED ORDINANCE NO. 763.02, “OUTSIDE SALES, STORAGE AND DISPLAYS”

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

YEAS: 4 NAYS: 3 (McNaughton, Cantola, and Mientkiewicz)

Rules are not suspended.

It was moved by Marchese, seconded by Cantola to give a 1st reading to this Draft No. 52-18.

YEAS: 5 NAYS: 2 (McNaughton, and Mientkiewicz)

This Draft No. 52- 18 has received its first reading on the 18th day of April 2018.

Ms. Marchese states that since this has been on hold and she has had meetings, she would like to have extra meetings to get this settled. Law Director Swauger said she would have call a special meeting under their rules. The Mayor or any 3 members of council can call a special meeting. You must provide at least 24 hour written notice. Ms. Marchese doesn't have a problem waiting but she feels that since we have had them on hold, she would like to speed it up. Law Director Swauger stated that Ms. Marchese along with any 2 other members of council can call a special meeting as long as proper notice is sent out.

RESOLUTION NO. _____ (Draft No. 53-18)

A RESOLUTION AUTHORIZING THE SAFETY DIRECTOR TO ENTER INTO AN ADDENDUM TO THE CONTRACT BETWEEN THE CITY OF NILES AND THE NILES CITY SCHOOL DISTRICT FOR THE SCHOOL RESOURCE OFFICER 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 Mientkiewicz, seconded by Lastic to adopt this Draft No. 53-18.

YEAS: 7 NAYS: 0

This Draft No. 53- 18 has been adopted on the 18th day of April 2018.

RESOLUTION NO. _____ (Draft No. 54-18)

A RESOLUTION AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR THE OHIO PUBLIC WORKS COMMISSION WATER LINE REPLACEMENT PROJECT 2017; AND DECLARING AN EMERGENCY

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

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Lastic, seconded by Profato to adopt this Draft No. 54-18.

YEAS: 7 NAYS: 0

This Draft No. 54- 18 has been adopted on the 18th day of April 2018.

MISCELLANEOUS REMARKS

(Miscellaneous remarks began at 36:38 into recording)

Service Director Stredney wanted to inform everyone that the city will begin the cutouts on North Road and several others soon as long as the weather cooperates. If not, it will start next week. 3rd, 5th, and North Road are three of the heaviest traveled roads that will be addressed.

Chief Holland announced that on last December 11th, Lieutenant Adkins talked a suicidal male down from the radio tower in Stevens Park. He was intending to jump. For this, Lieutenant Adkins was nominated for Ohio Crisis Intervention Team Officer of the Year. Chief Holland was just notified that Lieutenant Adkins received the award for Ohio. He will be going to Columbus at the end of May to receive this award. Lieutenant Adkins beat out 87 other nominees. Ms. Marchese would like to have a recommendation sent to him on behalf Council and the Mayor.

Mr. Burke wanted to remind everyone that next weekend, April 27th- 28th is the Niles Relay for Life at the Wellness Center. After that from 1:00 P.M.- 4:00 P.M. at the baseball field, there is a pitch, hit and run competition.

Treasurer Telago informed Council the books have been reconciled for March. And he had a short meeting with the auditors. We are progressing.

Mr. Lastic said it was great to see the street sweeper out.

Mr. Cantola had a question about his concerns with the water building. He was out and missed the last council meeting. He has concerns with the water building and the employees being in it. He also has concerns with the recovery plan. If there is something that council needs to do to benefit that plan, he wants to make sure there aren't three quick meetings to try and pass it through.

Mr. Cantola has some concerns with the vehicles on Ohio.gov and they are being managed on the site. He believes there are ethic issues that need to be addressed in the city through the administration. He doesn't feel it is a good plan that someone can sell the vehicles, being in charge of the posting and bidding, purchasing them and then re-selling them within four days. It is not ethical and it does not look good for the city.

Law Director Swauger told Mr. Cantola that unfortunately when items are put up for public bidding you cannot control who you sell it to. Mr. Cantola said he doesn't disagree but there is an ethical problem. Law Director Swauger agrees that it looks bad. His point is that if we put it up for public bid, we can't restrict who bids on them. We can't bar people from bidding on them. We are prohibited from doing that.

Mr. Cantola said he's not disagreeing with barring who bids on them, but the same individual that is responsible for those bids coming in is the same person purchasing the vehicle. We did

this with an electric truck. We traded it in and got nothing for it. These are his tax dollars. He has a lot of concerns with this. He understands Law Director Swauger's position and he can take it in another direction but this is not ethical for the city to continue in the same direction. It shouldn't be that every city employee is bidding on a vehicle so they can resell it. Why are we even using Ohio.Gov?

Law Director Swauger explains that per the Ohio Revised Code requires that bid the process out. The other option would be that we hire an auction service for the City of Niles and we would have our own public auctions. It would require us to advertise them, list them and pay the fees for the auctioneer. Mr. Cantola asked Law Director Swauger if in his eyes, as a lawyer, that this looks good for the city. Law Director Swauger said no he doesn't think it looks good. He agrees it looks bad. Mr. Cantola asked what his legal advice is to our administration and council so that we don't continue to allow Niles to look bad in his direction. How would he manage us out of this? Law Director Swauger said he doesn't know because there is no real way to manage yourself out of public bidding. Anyone in the country can bid on what you put up for auction. Every city employee could show up to bid on something if they chose to do so. You can't tell them no.

Mr. Mientkiewicz stated that he has the same concerns that Mr. Cantola has and he has talked to the Law Director also. He would feel more comfortable if city employee's names were not present on gov deals. He would prefer it to be someone in the administration or auditor, this way it keeps the city employees out of it. He doesn't know why city employees are the ones putting things on gov deals and why they are the contact person. It is nothing against those people, but he would feel more comfortable someone in the administration or the auditor being the contact person. President Steffey agreed.

Ms. Marchese said she doesn't look at that stuff and is surprised hearing this. She agrees that it does not look good and we need to take a new approach. Mr. Cantola stated we know what's going on. Employees are talking, not just to council, but to other citizens in the city. One van is gone and never made it gov.deals to be sold, the other one has been brought into the shop. It's the one that the administration came to council on and said it doesn't run. The vehicle goes into the maintenance department, it's repaired. It's not only repaired on our time and our tax dollars to do it. But then it is delivered by the same person's name that is on that gov.deals and a second employee follows him in the company truck to deliver the vehicle to the gentleman's house who purchased it from him. And he is sure this is all being done on our dime. This is his tax dollar dime. Mr. Cantola stated is not ethical and he does not care what the Law Director says. People have sent him pictures and he has names. This is an administration problem and this needs to be corrected now because he isn't going to jail for situations that are being mishandled by the city.

Service Director Stredney informed council that in January they passed legislation for the city to sell those two vans. Both vans that were sold, they did have approval for. And the administration has asked council, since approximately October of last year, for an all-inclusive auto and fuel policy from our Law Director's office. They have asked for legislation. We have two different policies. There is one from the Mayor's office and one from city council and they don't match and they don't cover everything. Other than asking council for the legislation, he doesn't know what else the administration can do.

Mr. Cantola said the first thing he would do from an administration stand point is walk the building. The vehicles being worked on, tires being put on and things being done. Service Director Stredney said he can guarantee that was not done in that garage because he is in that garage every day. Mr. Cantola says he has pictures. President Steffey said this should be handled elsewhere. Law Director Swauger asked for the pictures. President Steffey said we will move forward and talk about this in committee meetings. Council speaks with its ordinances and votes. He agrees there is not a transparent look and we can follow up and address this issue in a committee meeting. Not everyone has been privy to the pictures or information that Mr. Cantola has.

Mr. Cantola said this isn't the first time. He chased around the electric truck and we traded it in for nothing. We gave it away for a \$300,000.000 truck we purchased and he was ready to digest that. But he isn't going to continue to. He doesn't know where the first van went and this was the second one. But the city is obviously doing whatever they want to do. President Steffey said he would like to give the benefit of the doubt until there's no room to give the benefit of the doubt. President Steffey trusts our Law Director to guide us. It's not up to him to create ordinances. It is up to city council. Council acts and the Law Director directs them through it and it's not his position to strengthen or weaken any ordinances. It's up to council. The employee's name shouldn't be on there. It has to be handled in a committee meeting.

Ms. Marchese stated something is bothering her. There have been lengthy discussions about the sidewalks and to see pictures of workers on main state routes blowing gravel and grass off of them, she has a problem. Council passed ordinances that sidewalks are the homeowner's responsibility. And now we are cleaning them off. She knows that Mr. Mientkiewicz has complained about the parks needing help. Mr. Burke has come for money. She doesn't know why these guys aren't put in the parks or cemetery to cut grass. Why are they blowing gravel? President Steffey asked for clarification that city workers were blowing gravel off of sidewalks.

Ms. Marchese said it was a private business on 46 that is up for sale at Giant Eagle. Another one was up further. President Steffey asked if she has communicated with the Service Director on this and Ms. Marchese stated she has not. She just found out about it. President Steffey advised her to talk to the Service Director and share this with him at another time. Right now isn't the time. She should have called him today and asked questions.

Service Director Stredney explained that from the viaduct down to McDonalds to about Cedar Street, this is something that the city has done for many years. And also State Street for the senior citizens. They clean off the sidewalks. Ms. Marchese said this is nothing again the Service Director, she doesn't understand why if we have so much grounds and help they need, those are privately owned businesses and we are taking our paid employees to do work there.

Service Director Stredney stated that council also asked him to snow blow these same sidewalks. So if he is going to snow blow them, he is going to go ahead and sweep them. He was asked by council to do this. Ms. Marchese doesn't have a problem with the viaduct but she is talking about Robbins Ave. She understands some of that section but not all of it. Service Director Stredney said they stop somewhere around the Cedar Street area. Ms. Marchese doesn't understand that.

You have businesses there and they should be cleaning their own sidewalks. Service Director Stredney said he can order them not to do anymore sidewalks. They will not snow blow either.

Ms. Marchese again mentioned the leaves that are an issue and the twigs that need cleaned up. She knows there is help needed at the cemetery. She is not taking anything away from the Service Director and understands its past practice, but she doesn't understand why we don't put our people somewhere else where we can use them. Service Director Stredney feels he is doing a fairly good job under the Mayor's direction. He won't snow blow or anything and that's including in front of the library and those business. He can't pick or choose so it's either all or nothing. The city has been doing this for a number of years. Ms. Marchese is talking about private homeowners. Other than the areas mentioned, Service Director Stredney is not sure where else they do.

President Steffey said business owners should be responsible. There are areas like beneath the railroad trestles and should be done. Service Director Stredney said that area is actually owned by a private business so the city should not be cleaning it. It is not owned by the city. The city does clean it because there are a lot of people who walk up and down Robbins. We have done it for years. President Steffey suggested that this might be an ordinance that needs cleaned up, if that is the will of council.

Mr. Cantola feels this is a priority type thing. He isn't saying we should or shouldn't. We obviously should if we have done it in the past. All he is saying is the timing. Walking through the parks and having branches all over the ground and last year's leaves all over, it's a priority thing. Ms. Marchese said what bothers her is that they have had such lengthy discussions about sidewalks in the past. Mr. Papalas was very strict and very vocal about the sidewalks. Law Director Swauger clarifies that ordinance deals with the maintenance and repair of sidewalks. We do not have an ordinance regarding the cleaning or clearing of sidewalks. The only ordinances we have deal with the repair of sidewalks if they are damage. Council would need to address this.

Mr. Kearney asked Service Director Stredney if when the cutout on North Road starts, if they will be cleaning up all of the overfill that is lined up in the street. Service Director Stredney said yes. It will probably take a couple passes with the street sweeper to get it but yes. That is the first one they will do. As soon as they get a two hour gap, they will close North Road and take care of it.

Mr. Mientkiewicz moved to adjourn into executive session under ORC 121.22.

Law Director Swauger informed Mr. Mientkiewicz that he had to state the reason for the executive session which is for the purpose of purchasing property for public purposes the sale of property at competitive bidding, or the sale or other disposition of unneeded, obsolete, or unfit-for-use property.

It was moved by Mr. Mientkiewicz, seconded by Marchese, to adjourn into executive session under ORC 121.22 for the purchase or sell of private property.
Motion Carried.

Council adjourned into executive session at 7:04 P.M.

Council reconvened from executive session at 7:39 P.M.

ADJOURN

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



Nicole Bacak, Clerk of Council



BARRY STEFFEY, JR., President of Council