

COUNCIL MEETING MINUTES

April 4, 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 4, 2018 at 6:00 p.m. in Council Chambers Safety Service Complex in Niles, Ohio.

President Steffey asked for a moment of silence in honor of the passing of Weathersfield Fire Chief Randy Pugh, who lost his battle with cancer.

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-NP, Marchese-P, Mientkiewicz-P, Kearney-P, Steffey-P

It was moved by Marchese, seconded by Kearney to excuse Mr. Cantola from the meeting.
Motion carried.

It was moved by Marchese, seconded by Profato to accept the Minutes from the March 20th meeting and place them on file.

Motion carried.

REPORTS AND COMMUNICATIONS

FROM – Letter from Citizen, Ruth Lilley

It was moved by Mientkiewicz, seconded by Marchese to accept the report and place it on file. Ms. Marchese asked Mayor Scarnecchia and Service Director Stredney if any meetings have been set up with this citizen. Service Director Stredney responded that the Mayor has responded to her and there is a copy of his letter attached. Mr. Crowley has also spoken to the citizen a couple of times. President Steffey also pointed out that Senator Sean O' Brien has responded to Mrs. Lilley.

Motion carried.

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL

(Public comments began at 2:50 into the recording)

MaryAnn Miller: 209 Cherry Ave. Mrs. Miller presented council with the plaque that hangs in the SCOPE building across the street. This plaque was put up when the building was dedicated. The plaque reads that is for benefit of area senior citizens. She understands that someone wants to take the senior center building. Service Director Stredney mentioned this at a meeting last Thursday. He mentioned that they may be moving the SCOPE center. Mr. Stredney explained that the question was asked to him and he explained that the seniors were already moved at that time. He said everything is a possibility since we have to put money into that building. The Senior Center was temporarily moved to the Wellness Center at that time.

Mrs. Miller understood that they were moved but they have now been sent back to the building. She asked if they would be taken away permanently. Service Director Stredney said no. It was asked that they look at that in conjunction with other city buildings. Mrs. Miller passed out the April schedule for the SCOPE Center. She stated there are a lot of activities and she doesn't think the Wellness Center could handle the activities. She doesn't know why they want to move them or where they want to move them to. She is appreciative that they found a spot for them while the firemen were living there. She does not feel that it is fair to the people who use the wellness center or to the people who use SCOPE to move them. She asked that they take into the consideration the age of the people who use SCOPE. The people who use the facility are 70, 80, 90 years old. The distance they would need to travel inside the wellness center is not good for them.

They thought the SCOPE Center and Wellness Center were two different entities. Service Director Stredney explained that this is not a new idea. This has been discussed since he was on council and Mr. Vivolo had conversations with Mrs. Swift. Mrs. Miller feels that they should be talking to the members of SCOPE about this. Service Director Stredney stated he had no problem talking to the members about this. He said there have always been rumors and it has been out there, at least the last two or three years. Mrs. Miller wants to know what the status of the SCOPE Center is and if they plan on moving them. Service Director Stredney said it's open and everyone is back. Mayor Scarnecchia said we never know tomorrow. Being in that 70 range, he is very proud of the seniors. They have done a lot to take care of them and they will continue to take care of seniors. Nothing is written in stone and they are trying to do what's best for the city, both financially and in appearance.

Mrs. Miller also brought up the trip to Columbus that Mr. McNaughton and Mr. Profato went on to secure funds and they paid for the trip themselves and secured \$200,000.00. She wants to know if the money was for the city. She wants to know what they went down there for. President Steffey told Mrs. Miller that he has given her quite a bit of leniency but asked that Mrs. Miller direct her questions to him. This is not a question and answer session. It is a comment section.

Mrs. Miller told President Steffey that she thought the \$200,000.00 they secured was for the city of Niles. And now she understands that they gave the money to the Eastern Gateway Community College, who then in turn gave it to the Scrappers. She was under the impression they went to funds for Niles. President Steffey said they did. Niles owns the stadium. They signed a new 15 year lease to stay here in Niles. This is all part of the advocacy that they achieved. Mrs. Miller asked for the date that Council approved this. President Steffey said there was no legislation on this. Ms. Marchese stated she also had a question on this after she read an article in the newspaper on this. She was concerned with the money going there in the first place if we owned the building. She has no idea why it would go through them and not stay with the city.

Mr. Profato explained that we were one of 35 accepted since there were 800-900. He explained that they were lobbying through Youngstown State and Coach Tressel was involved also. Our advocacy was for the Scrappers. Mrs. Miller doesn't understand why we didn't get any of the money. Ms. Marchese believes we did. She is a Scrappers fan but she doesn't understand where Eastgate fit into it. Mr. Profato explained that a lot of schools play their games there. Niles benefits because the Scrappers employees about 185 employees so that is tax revenue. And the events that they host there bring revenue into the city as well.

Mr. McNaughton wanted to explain to Mrs. Miller that every community across the state that received money from this capital budget, there had to be a state orientated purpose behind it. That was the one and only necessity when you apply for this type of capital improvement. So Eastern Gateway and Youngstown State use that facility and are state institutions. That was state purpose. Moving forward as far as future advocacies for the city, we should already be thinking what can we do. He wanted to stress that in order to receive even one dime of that budget, there had to a state purpose behind it.

Louise Wilson: 400 Belmont Ave. Mrs. Wilson presented the Mayor with signed papers from members of the SCOPE Center that they do not want to leave. She said that you have athletic people over there that run. That's not for the seniors. They don't belong there. You can't expect the seniors to adjust to them and you can't expect them to adjust to the seniors. She has about 56-57 signatures of people who do not want to leave SCOPE. President Steffey thanked Mrs. Wilson for her comment.

George Kuriatnyk: 1206 Mason St. Mr. Kuriatnyk stated that he still doesn't get the \$200,000.00 thing. There are too many unanswered questions. If Youngstown and Gateway plan there, do they pay the city? President Steffey said he did not know. He will get the answer for him. Mr. Kuriatnyk asked if he could get the answer now and President Steffey said he can't get it now but he will get it for him.

Mr. Kuriatnyk asked the Mayor about the water department video that was posted. He wants to know what was going to be done about it. President Steffey asked him to please address him. Mr. Kuriatnyk said he is here to get answers. President Steffey again stated that this a comment section and not a question and answer. He expressed that we definitely want to hear his comments so we can look into things further and try and get things corrected. Mr. Kuriatnyk asked when the issue with the water department that is leaking like crazy is going to addressed.

People are going to get hurt. President Steffey understands that and there is a major problem there and this is a number one priority at this point to get those workers out of that building.

Mr. Kuriatnyk stated this has been going on for years, ever since President Steffey was on council. President Steffey reminded Mr. Kuriatnyk that he was only on council two years. Mr. Kuriatnyk said it has been going on for years. The two years he was councilman and he did nothing. President Steffey told Mr. Kuriatnyk that he is not going to impugn anyone's integrity and for that he is asking that Mr. Kuriatnyk's time be up. Mr. Kuriatnyk said he can't do that and he is in violation. President Steffey explained that he can and he asked Chief Holland to remove Mr. Kuriatnyk from the meeting.

COUNCIL COMMITTEE REPORTS

None

Mr. Mientkiewicz moved that city council adjourn into executive sessions pursuant to Ohio Revised Code section 121.22 to discuss Public Contracts.

Council adjourned at 6:16 P.M.
Council reconvened at 6:38 P.M.

ORDINANCES AND RESOLUTIONS

(Legislation began at 16:11 into recording)

RESOLUTION NO. _____ (Draft No. 32-18)

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

It was moved by Mientkiewicz, seconded by McNaughton to give a 3rd reading to this Draft No. 32-18.

YEAS: 6 NAYS: 0

It was moved by Mientkiewicz, seconded by McNaughton to adopt this Draft No. 32-18.

YEAS: 6 NAYS: 0

This Draft No. 32-18 has been adopted on the 4th day of April 2018.

ORDINANCE NO. _____ (Draft No. 38-18)

AN ORDINANCE CREATING THE PAYROLL CLEARING FUND, FUND NUMBER 665; AND DECLARING AN EMERGENCY

Mr. Mientkiewicz explained that this draft received its first reading at the last meeting because Auditor Merlo was waiting on clarification from the State. The state auditors have given the ok on this fund.

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

Ms. Marchese wanted to make sure that this was about certain payroll deductions out of employee's checks that have to go through clearing. Mr. Mientkiewicz confirmed that this is a holding fund.

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by Mientkiewicz, seconded by Kearney to adopt this Draft No. 38-18.

YEAS: 6 NAYS: 0

This Draft No. 38-18 has been adopted on the 4th day of April 2018.

RESOLUTION NO. _____ (Draft No. 39-18)

A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED GENERAL FUND TO THE GENERAL FUND COUNCIL CONTRACTED LABOR ACCOUNT; AND DECLARING AN EMERGENCY

Mr. Mientkiewicz explained this is for Walter Drane who maintains the city's ordinances. This is for the yearly invoice.

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

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by McNaughton, seconded by Kearney to adopt this Draft No. 39-18.

YEAS: 6 NAYS: 0

This Draft No. 39-18 has been adopted on the 4th day of April 2018.

RESOLUTION NO. _____ (Draft No. 40-18)

A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED GENERAL FUND 101 TO THE GENERAL FUND MISCELLANEOUS ACCOUNT; AND DECLARING AN EMERGENCY

Mr. Mientkiewicz stated that this was talked about in the finance meeting. This is not an additional appropriation. This is another holding fund for RITA for accounting purposes. Ms. Marchese wanted to know if this was something that would have to be paid every quarter.

Service director Stredney explained that the old Treasurer elected not to set it up this way and the new Treasurer has decided to put the fees that RITA is collecting on the books. Every disbursement that they make to the city, they keep their fee. The former Treasurer elected not to book it into the system. Our current Treasurer wants us to book it.

Mr. McNaughton asked Treasurer Telago if this is more for transparency. Treasurer Telago said yes.

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

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by Mientkiewicz, seconded by McNaughton to adopt this Draft No. 40-18.

YEAS: 6 NAYS: 0

This Draft No. 40- 18 has been adopted on the 4th day of April 2018.

RESOLUTION NO. ____ (Draft No. 41-18)

A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED GENERAL FUND 101 TO THE GENERAL FUND MISCELLANEOUS TRANSFER ACCOUNT; AND DECLARING AN EMERGENCY

Mr. Mientkiewicz stated this is for the street resurfacing program that has been suspended for some time. After discussing with Auditor Merlo, they came up with giving an additional \$200,000.00 for street resurfacing. This is a responsible and conservative number that will be added to the \$130,000.00 that was budgeted for.

Ms. Marchese thanked Mr. Robertson for all of his hard work he has put into this project. She didn't understand the ordinances. She thought it was going to be \$470,000.00 not \$400,000.00. She stated that Mr. Mientkiewicz cleared this up for her earlier.

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

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by Mientkiewicz, seconded by McNaughton to adopt this Draft No. 41-18.

YEAS: 6 NAYS: 0

This Draft No. 41- 18 has been adopted on the 4th day of April 2018.

RESOLUTION NO. ____ (Draft No. 42-18)

A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED CAPITAL PROJECTS FUND 401 TO THE CAPITAL PROJECTS STREET RESURFACING ACCOUNT; AND DECLARING AN EMERGENCY

Mr. Mientkiewicz explained that this is in conjunction with the previous draft to transfer the money to the appropriate fund.

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

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by Mientkiewicz, seconded by Lastic to adopt this Draft No. 42-18.

YEAS: 6 NAYS: 0

This Draft No. 42- 18 has been adopted on the 4th day of April 2018.

RESOLUTION NO. _____ (Draft No. 43-18)

A RESOLUTION APPROVING APPROPRIATIONS AND A TRANSFER OF FUNDS TO THE PARK FUND ACCOUNT; AND DECLARING AN EMERGENCY

Mr. Mientkiewicz stated that this is not an additional appropriation. It is transferring the funds to the park from the Wellness Center so it will be in one fund. President Steffey said since it is one fund, the money that was subsidized is being returned to the general fund.

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

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by Mientkiewicz, seconded by Kearney to adopt this Draft No. 43-18.

YEAS: 6 NAYS: 0

This Draft No. 43-18 has been adopted on the 4th day of April 2018.

RESOLUTION NO. ____ (Draft No. 44-18)

A RESOLUTION ACCEPTING THE \$1,000.00 GRANT TO THE FIRE DEPARTMENT AND FOR APPROVING APPROPRIATIONS AND A TRANSFER OF FUNDS TO THE FIRE DEPARTMENT ACCOUNT; AND DECLARING AN EMERGENCY

Mr. Mientkiewicz informed council that the Fire Department has already received this grant money that was deposited into the general fund. They are now transferring it to the Fire Department operational account.

Ms. Marchese asked the Chief to thank his men for doing a good job on this grant.

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

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by McNaughton, seconded by Profato to adopt this Draft No. 44-18.

YEAS: 6 NAYS: 0

This Draft No. 44- 18 has been adopted on the 4th day of April 2018.

RESOLUTION NO. ____ (Draft No. 45-18)

A RESOLUTION AUTHORIZING THE CITY OF NILES TO AUTHORIZE THE TRUMBULL COUNTY ENGINEER TO DEVELOP AND ADVERTISE BID SPECIFICATIONS FOR THE CITY OF NILES 2018 STREET RESURFACING PROGRAM; AND, DECLARING AN EMERGENCY

Mr. Mientkiewicz explained that this legislation for the street resurfacing program that was just funded. It is their desire to bid this through Trumbull County so that they bid collectively with other municipalities throughout the county. It is the cities hope to get a bulk deal with the streets and the city would be able to maybe do extra streets.

Ms. Marchese asked the Mayor if we have ever done this before through the county. Service Director Stredney explained that Mr. Robertson will be doing most of the work. They will be adding our projects to the list and then bid them out. Ms. Marchese questions how will the city know if this will save us money versus the city doing the bidding ourselves. Service Director Stredney stated once Mr. Robertson gets the numbers back, the city will sign our contract separately. Council will have legislation to appropriate the funds for final approval, based on Mr.

Robertson's recommendations. For example, if the city can save 5%-10% on the cost then the city can add extra streets that are listed as an alternate on Mr. Robertson's list.

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

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by McNaughton, seconded by Lastic to adopt this Draft No. 45-18.

YEAS: 6 NAYS: 0

This Draft No. 45- 18 has been adopted on the 4th day of April 2018.

MISCELLANEOUS REMARKS

(Miscellaneous remarks began at 32:50 into recording)

Mayor Scarnecchia wanted to point out that Sam's Club has been very generous in donating money to the city. Last year, they awarded money for the Fire department to purchase new mattresses. The Mayor is requesting that Council ask the Clerk to send a thank you letter, on behalf of council and the city on Niles, to Sam's Club.

Service Director Stredney promised Mr. Burke that he would invite Council down the Wellness Center for a gymnastics show this weekend. Mr. Burke had extended an offer to Council previously about this. Mr. Burke is asking for volunteers to go down and help out at the event. Service Director Stredney will be there as well volunteering.

Mr. Crowley updated Council on the progress on the housing department since the hiring of Mr. Pezzano as the part time housing inspector. Mr. Pezzano is going out 2 months prior to issuing the dwelling permits. He has completed 55 exterior inspections so far and we are seeing results. He wanted to thank council for funding that position.

Treasurer Telago informed Council that last week his department went through 3 full days of SSI training. He thanked Council for approving this. President Steffey said that the progression continues and we need real numbers.

Ms. Marchese has concerns about the water department and where they are at. She states Council needs to get together and meet with the administration. Mayor Scarnecchia asked if she was

referring to the issue on Fenton Street. Ms. Marchese clarifies that she is talking about the water department across the street from the city building. Ms. Marchese stated that her and President Steffey went to Hyde/Fenton yesterday to see the issue on that street. President Steffey confirms there is a major issue there. To him, it seems that the grate sits too high and no water is draining into it. There is attention needed at this location. He would like to see a collaborative effort between the at-large members and Ms. Marchese and Mr. Catanzarite because this needs to be addressed. He hopes this can happen the next committee meeting. Mayor Scarnecchia does agree that action needs taken on that street because it does look like a canal when it rains.

Ms. Marchese circles back to the water department building issue and suggested working on a plan to get those employees out of there. Service Director Stredney states that Council has been informed that they are looking but they will still need Council to work with the administration on a funding plan. Whether the city builds, buys or repairs, it's a lot of money. Ms. Marchese feels the building will cost too much to repair and should be demolished. Service Director Stredney agrees that is what the consensus is so now they have to decide on building or buying. President Steffey points out that architect also believes that building is not worth repairing and the city needs to act fast.

Mr. Mientkiewicz asked Chief Holland if the city has a vest policy in place. He references the report that was released in the newspaper in regards to Officer Leo from Girard. He wants to make sure that our officers are safe. He does not want what happened in Girard to happen here. Chief Holland assured Council that when he took over permanently, they revamped and reviewed all of the policies and procedures at the Police Department. They do have a mandatory wear policy for vests. Mr. Mientkiewicz pointed out that last year the city did purchase new vests for the officers. Chief Holland confirmed the city received a grant from the federal government that covered half of the cost of the vests. A majority of the officers received a new vest last year.

Mr. Mientkiewicz questioned Treasurer Telago if he is working with the State to update the Ohio on-line checkbook. Treasurer Telago was not sure at this point. He was not sure what this report was. Mr. Mientkiewicz mentioned that the city started using it about a year or year and a half ago but it was never updated. He asked if Treasurer Telago would look into that to keep things transparent. We are one of the only cities that are not updated on that.

Mr. Mientkiewicz commended Treasurer Telago on the progress his office is making with the reconciliation. Treasurer Telago said it took the office 5 days to reconcile the month of February with the State's excel file. Now they have completed the SSI training, they will run them parallel to see which one works best.

ADJOURN

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

Nicole Bacak
Nicole Bacak, Clerk of Council

Barry Steffey, Jr.
BARRY STEFFEY, JR., President of Council