

**COUNCIL MEETING MINUTES**  
**January 9, 2019**

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

Niles City Council held its regular meeting on January 9, 2019 at 6:00 p.m. in Council Chambers Safety Service Complex in Niles, Ohio.

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 Marchese seconded by Cantola to accept the Minutes from the December 20<sup>th</sup> meeting and place them on file.

Motion carried.

**REPORTS AND COMMUNICATIONS**

**FROM** – Mayor's Office

Overtime Report- December 2018

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

Motion carried.

**FROM** – Niles Municipal Court

Probation Report for 2018

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

Motion carried.

**FROM** – Niles Municipal Court

Annual Court Report for 2018

It was moved by Marchese, seconded by Lastic to accept and place it on file.

Motion carried.

## **MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL**

(Public remarks began at 2:12 into recording)

Lois Nickel: 3327 Curtis. Mrs. Nickel is back to see if there is any opt out for the water meter program. President Steffey said they have not since the last meeting. The city has changed Law Directors and the new Law Director is going to do some research. President Steffey would like to set up a meeting in a couple of weeks.

Mrs. Nickel said she called the Mayor's office yesterday and she was told by the secretary that they did come up with an opt out but they would have to pay a fine every month. But they didn't have the price set yet. President Steffey said he was not aware of that. He spoke to the Law Director and he is looking for some resolution from him. She has been receiving letters in the mail saying if she doesn't schedule, her service will be interrupted and she doesn't know what to do. President Steffey told her to just sit and wait. He asked for her number so they can schedule a meeting.

## **COUNCIL COMMITTEE REPORTS**

None

## **ORDINANCES AND RESOLUTIONS**

(Legislation began at 04:10 into recording)

Ms. Smith made a motion to adjourn into executive session pursuant to Ohio Revised Code 121.22 G1 and G6 for the sole purpose to consider compensation a public employee and details relative to security arrangements in emergency response protocols for public body or a public office.

Motion made by Smith, seconded by Marchese to adjourn into executive session.  
Motion carried.

Council adjourned into executive session at 6:05 P.M.  
Council reconvened from executive session at 7: 06 P.M.

It was moved by Profato, seconded by Marchese to add Draft No. 10-19 to the agenda.

**YEAS: 7    NAYS: 0**

Motion carried.

**ORDINANCE NO. \_\_\_\_\_ ( Draft No. 144-18)**

**AN ORDINANCE AMENDING SECTION 351.14 OF THE NILES CODIFIED ORDINANCES;**

It was moved by Profato, seconded by Cantola to give a third reading this Draft No. 144-18.

**YEAS: 7    NAYS: 0**

It was moved by Marchese, seconded by Cantola to adopt this Draft No. 144-18.

**YEAS: 7    NAYS: 0**

This Draft No. 144- 18 has been adopted on the 9th day of January 2019.

**RESOLUTION NO. \_\_\_\_\_ ( Draft No. 01-19)**

**A RESOLUTION AUTHORIZING THE SALE BY INTERNET AUCTION OF CERTAIN OBSOLETE ITEMS NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE BY THE CITY; AND, DECLARING AN EMERGENCY**

It was moved by Smith, 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. 01-19.

**YEAS: 7    NAYS: 0**

This Draft No. 01- 19 has been adopted on the 9th day of January 2019.

**ORDINANCE NO. \_\_\_\_\_ ( Draft No. 02-19)**

**AN ORDINANCE AUTHORIZING THE PURCHASE OF NEW POLICE CRUISERS THROUGH THE STATE OF OHIO COOPERATIVE PURCHASING PROGRAM FOR THE 2019 CALENDAR YEAR; AND, DECLARING AN EMERGENCY**

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 Smith, seconded by Kearney to adopt this Draft No. 02-19.

**YEAS: 7 NAYS: 0**

This Draft No. 02- 19 has been adopted on the 9th day of January 2019.

**RESOLUTION NO. \_\_\_\_\_( Draft No. 03-19)**

**A RESOLUTION AUTHORIZING THE SALE BY INTERNET AUCTION OF CERTAIN OBSOLETE VEHICLES NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE BY THE CITY; AND, DECLARING AN EMERGENCY**

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 Cantola, seconded by Profato to adopt this Draft No. 03-19.

**YEAS: 7 NAYS: 0**

This Draft No. 03- 19 has been adopted on the 9th day of January 2019.

**ORDINANCE NO. \_\_\_\_\_( Draft No. 04-19)**

**AN ORDINANCE AMENDING ORDINANCE 41-18, THE PURCHASING POLICY FOR THE CITY; AND, DECLARING AN EMERGENCY**

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

**YEAS: 7    NAYS: 0**

Rules are suspended.

It was moved by Cantola, seconded by Profato to adopt this Draft No. 04-19.

**YEAS: 7    NAYS: 0**

This Draft No. 04- 19 has been adopted on the 9th day of January 2019.

**ORDINANCE NO. \_\_\_\_ ( Draft No. 05-19)**

**AN ORDINANCE AMENDING ORDINANCE NO. 34-18, KNOWN AS THE  
AUTHORIZED STRENGTH ORDINANCE, AND DECLARING AN EMERGENCY**

It was moved by Smith, seconded by Cantola to table this Draft No. 05-19.

**YEAS: 7    NAYS: 0**

This Draft No. 05- 19 has been tabled on the 9th day of January 2019.

**ORDINANCE NO. \_\_\_\_ ( Draft No. 06-19)**

**AN ORDINANCE AMENDING ORDINANCE NO. 12-14 ADOPTING A CAPITAL  
ASSET POLICY AND PROCEDURES MANUAL; AND DECLARING AN  
EMERGENCY**

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

**YEAS: 7    NAYS: 0**

Rules are suspended.

It was moved by Cantola, seconded by Lastic to adopt this Draft No. 06-19.

**YEAS: 7    NAYS: 0**

This Draft No. 06- 19 has been adopted on the 9th day of January 2019.

**RESOLUTION NO. \_\_\_\_\_( Draft No. 07-19)**

**A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED CAPITAL PROJECTS FUND TO THE CAPITAL PROJECTS GRANT ACCOUNT AND AN APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED WATER FUND TO THE WATER GRANTS ACCOUNT FOR THE MORNINGSIDE, EMMET & CASSANDRA WATERLINE PROJECT; AND DECLARING AN EMERGENCY**

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 Kearney, seconded by McNaughton to adopt this Draft No. 07-19.

**YEAS: 7    NAYS: 0**

This Draft No. 07- 19 has been adopted on the 9th day of January 2019.

**ORDINANCE NO. \_\_\_\_\_( Draft No. 08-19)**

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

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 McNaughton, seconded by Lastic to adopt this Draft No. 08-19.

**YEAS: 7    NAYS: 0**

This Draft No. 08- 19 has been adopted on the 9th day of January 2019.

**ORDINANCE NO. \_\_\_\_ ( Draft No. 09-19)**

**TO APPROVE THE FORM AND APPROVE CONSENT TO AUTHORIZE THE DIRECTOR OF TRANSPORTATION FOR THE BRIDGE INSPECTION PROGRAM SERVICES; AND, DECLARING AN EMERGENCY**

Ms. Marchese asked Auditor Merlo asked if this is a renewal. She knows nothing about it. Mr. Kearney said his name is on this legislation but he was never asked about it. Mayor Mientkiewicz explained that this is for the yearly bridge inspections for ODOT. Auditor Merlo said it has nothing to do with finance so he was not sure.

Mr. Kearney asked to be notified about this moving forward. He did not get a phone call about sponsorship. President Steffey agreed and said that he should be notified and agree to sponsorship.

It was moved by Profato, seconded by Cantola 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. 09-19.

**YEAS: 7    NAYS: 0**

This Draft No. 09- 19 has been adopted on the 9th day of January 2019.

**RESOLUTION NO. \_\_\_\_ ( Draft No. 10-19)**

**A RESOLUTION APPROVING THE “NILES CITY IT DISASTER RECOVERY PLAN” AND THE “PAYROLL POLICY – INTERNAL”**

It was moved by Cantola, seconded by Profato 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. 10-19.

**YEAS: 7    NAYS: 0**

This Draft No. 10- 19 has been adopted on the 9th day of January 2019.

**MISCELLANEOUS REMARKS**

(Miscellaneous remarks began at 19:19 into recording)

Law Director Zuzolo stated he is happy to be here. President Steffey welcomed him aboard.


Mr. Profato wanted to commend the Police Chief and wanted to congratulate him on the national policemen holiday.

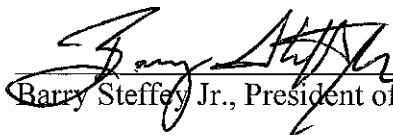
Ms. Marchese called a Safety Committee Meeting for Tuesday @ 5:30 P.M. in the lower level conference room of the city administration building.

Mr. Kearney also congratulated the Chief on a good job.

**ADJOURN**

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

  
\_\_\_\_\_  
Nicole Bacak, Clerk of Council

  
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Barry Steffey Jr., President of Council