

COUNCIL MEETING MINUTES

October 2, 2019

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

Niles City Council held its regular meeting on October 2, 2019 at 6:00 p.m. in Council Chambers Safety Service Complex in Niles, Ohio.

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

Lastic- P, McNaughton-P, Profato-P, Cantola-P, Marchese-P, Smith- P, Kearney-NP, Marino-P

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

It was moved by Marchese, seconded by Smith to accept the Minutes from the September 18th meeting and place them on file.

Motion carried.

REPORTS AND COMMUNICATIONS

FROM – Treasurer's Office

Interest Report for Earnings for 2019

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

Motion carried.

FROM – Treasurer's Office

3rd Quarter RITA collections through 9/18/2019.

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

Motion carried.

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL

(Public comments began at 2:02 into recording)

NONE

It was moved by Smith, seconded by Profato to adjourn into executive session pursuant to ORC section 121.22 for consideration of compensation for elected officials and pending litigation.

YEAS: 6 NAYS: 0

Motion carried.

Council adjourned into executive session at 6:03 P.M.
Council reconvened from executive session at 6:39 P.M.

COUNCIL COMMITTEE REPORTS

Meeting Minutes from the following council committee meetings:
Finance Committee Meeting Minutes- 9/11/2019

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

ORDINANCES AND RESOLUTIONS

(Legislation began at 3:43 into recording)

RESOLUTION NO. _____ (Draft No. 150-19)

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 Lastic to suspend the rule requiring three readings.

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by Lastic, seconded by Smith to adopt this Draft No. 150-19.

YEAS: 6 NAYS: 0

This Draft No. 150- 19 has been adopted on the 2nd day of October 2019.

RESOLUTION NO. _____(Draft No. 151-19)

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 McNaughton to suspend the rule requiring three readings.

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by Lastic, seconded by Marchese to adopt this Draft No. 151-19.

YEAS: 6 NAYS: 0

This Draft No. 151- 19 has been adopted on the 2nd day of October 2019.

ORDINANCE NO. _____(Draft No. 152-19)

AN ORDINANCE ACCEPTING AND REFERRING THE PETITION FOR AMENDING ZONING MAP FILED BY OUR LADY OF MOUNT CARMEL PARISH FOR PERMANENT PARCEL NOS.: 25-099361, 25-529876, 25-593200, 25-440700, 25-462900, 25-725300, 25-101260, AND 25-100850 TO THE PLANNING COMMISSION.

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

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by Cantola, seconded by Smith to adopt this Draft No. 152-19.

YEAS: 6 NAYS: 0

This Draft No.152- 19 has been adopted on the 2nd day of October 2019.

RESOLUTION NO. ____ (Draft No. 153-19)

A RESOLUTION AUTHORIZING THE MAYOR and/or SERVICE DIRECTOR and/or AUDITOR TO ENTER INTO EXTENSION AGREEMENT TO EXISTING CONTRACT WITH JULIAN & GRUBE FOR ANNUAL AUDIT; AND DECLARING AN EMERGENCY

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

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by Cantola, seconded by Lastic to adopt this Draft No. 153-19.

YEAS: 6 NAYS: 0

This Draft No. 153- 19 has been adopted on the 2nd day of October 2019.

RESOLUTION NO. ____ (Draft No. 154-19)

A RESOLUTION ACCEPTING THE \$95,238.09 GRANT TO THE FIRE DEPARTMENT FROM ASSISTANCE TO FIREFIGHTERS AND FOR APPROVING APPROPRIATIONS AND A TRANSFER OF FUNDS TO THE FIRE DEPARTMENT ACCOUNT; AND DECLARING AN EMERGENCY

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

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by Smith, seconded by Cantola to adopt this Draft No. 154-19.

YEAS: 6 NAYS: 0

This Draft No. 154- 19 has been adopted on the 2nd day of October 2019.

ORDINANCE NO. ____ (Draft No. 155-19)

AN ORDINANCE ACCEPTING THE PARK PLACE – PHASE 3 FROM HOME AND LAND DEVELOPERS, LLC FOR THE PARK PLACE VILLAS PROJECT; AND, DECLARING AN EMERGENCY

Law Director Zuzolo stated that a request has been made to postpone this draft to a date certain time of the next scheduled council meeting.

It was moved by Profato, seconded by Cantola to postpone the reading of this draft to the next council meeting on October 16, 2019.

YEAS: 5 NAYS: 0 ABSTAIN: 1 (Lastic)

This Draft No. 155- 19 has been postponed until October 16, 2019 on the 2nd day of October 2019.

RESOLUTION NO. ____ (Draft No. 156-19)

A RESOLUTION AUTHORIZING THE CHANGE ORDER FOR THE NILES SAFETY SERVICES BUILDING PHASE 2 AND THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED GENERAL FUND TO THE GENERAL FUND CONTRACTED LABOR ACCOUNT; AND, DECLARING AN EMERGENCY

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

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by McNaughton, seconded by Smith to adopt this Draft No. 156-19.

YEAS: 7 NAYS: 0

This Draft No. 156- 19 has been adopted on the 2nd day of October 2019.

ORDINANCE NO. ____ (Draft No. 157-19)

AN ORDINANCE UPDATING COMPENSATION AND BENEFITS, FOR THE POSITIONS OF MAYOR, PRESIDENT OF COUNCIL, THE LAW DIRECTOR, THE AUDITOR AND THE TREASURER FOR JANUARY 1, 2020; AND, DECLARING AN EMERGENCY

It was moved by Smith, seconded by Lastic to amend this draft for the caption to include the words Council Members and Council at Large Members and to strike the word continue in section 6.

YEAS: 6 NAYS: 0

Motion carried.

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

YEAS: 3 NAYS: 3 (McNaughton, Profato, Marchese)

Since there was a tie, a vote goes to the President of Council. President Marino votes Yea.

YEAS: 4 NAYS: 3 (McNaughton, Profato, Marchese)

Rules are not suspended.

It was moved by Cantola, seconded by Smith to give a first reading to this Draft No. 157-19.

YEAS: 4 NAYS: 2 (McNaughton and Profato)

This Draft No. 157- 19 has received its first reading the 2nd day of October 2019.

MISCELLANEOUS REMARKS

(Miscellaneous remarks began at 13:42 into recording)

President Marino stated that this week he was in Columbus for meetings and items come up from the FBI and various security officials regarding cyber crimes and targeting of local governments and municipalities. He wants to know if we have certain protocols in place with our banking institutions regarding this matter.

Auditor Merlo responded that he knows last year the Treasurer's office attended a training on cyber security with our banking institution. President Marino respectfully suggested that tomorrow morning someone reach out to our banking institution and get a security protocol in place. In this training, it was shared with them on what happened with the Aurora City Schools.

They were able to hack into their banking accounts. By luck, they had protocols in place and contacted the FBI about what happened. The FBI shared with them that normally this happens on a Friday afternoon late in the day and within the first 48 hours you can possibly get your money back. After that, it is harder to do. He wants to make sure that the city is ahead of this. President Marino does have some phone numbers if they choose to talk to guys from his training.

Mayor Mientkiewicz announced that Trick or Treat hours will be on October 31st from 5:30 P.M. – 7:30 P.M. Mayor Mientkiewicz also recognized Chief Danielson and the Fire Department, especially John Stevens for the work they did on securing the grant from the Assistance to Firefighters.

Chief Danielson wanted to update council that they have started the process in the bay area. They are working on painting and on the floor so this will stop the leaking in the Police Department. They should be able to put the trucks back in hopefully by the end of next week.

Mr. Catanzarite wanted inform Council that the McKees project is well underway. He updated Mr. Cantola that next Monday, they will be on Second Street. He also said that the road will be closed during this time. Mr. Catanzarite announced the open house and dedication for the new WWTP. It will be held on October, 26th from 9:00 AM- 12:00 PM. This will be open to the public so anyone is welcome to attend.

Mr. Catanzarite said Mr. Becker from OWDA was at the facility today. He did a walk through inspection on where the money was spent. He felt the city did a very good job on what they did to the plant, as far as where the money went and what we got for our money. They do have one issue with pumps in the plant and hopefully that will be corrected within the next couple of weeks. Mr. Catanzarite hopes that all of the council members that have not been able to come to the plant are able to attend the open house.

President Marino asked Mr. Catanzarite if he has coordinated with Ms. Ford on the water loss study. Mr. Catanzarite said he has and their numbers are conflicting very bad. He would like to meet with Ms. Ford and Auditor Merlo when she returns and sit down and figure this out. They might be using different methods on obtaining the information but the numbers are not matching. President Marino asked when he gets it to share with council.

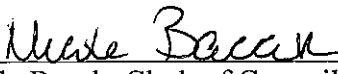
Mr. Crowley updated council that there were two houses demoed this week in the city. One on North Road and the other was on North Chestnut. He wanted to thank the land bank and Trumbull Neighborhood Partners for their support with this.

Mr. McNaughton wanted to commend Treasurer Telago on the interest the city is now earning. The results are astounding. Since Treasurer Telago has taken office, we have gone from \$5100.00 to being on pace to hit \$469,000.00. He also wanted to thank the Police Chief and his department for quick responses in regards to the school season and the busses. The bus drivers are trying to take care of the kids so he thanks anyone who helps report issues. Lastly, he wanted to touch on the last piece of legislation. There are a lot of things in it that he supports and some things that he does not. That explains his vote.


Ms. Marchese said the residents on Russell wanted to thank the Light Department for coming out and helping them. They wanted to express their thanks. She also wanted to thank the Police and Fire Departments for everything they do.

ADJOURN

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



Nicole Bacak, Clerk of Council



Robert Marino Jr., President of Council