

COUNCIL MEETING MINUTES

April 3, 2019

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

Niles City Council held its regular meeting on April 3, 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-NP, Smith- P, Kearney-P, Steffey-P

It was moved by Profato seconded by Kearney to excuse Ms.Marchese from the meeting.
Motion carried.

It was moved by McNaughton seconded by Smith to accept the Minutes from the March 20th meeting and place them on file.
Motion carried.

REPORTS AND COMMUNICATIONS

None

Mr. Catanzarite wanted to give council a quick update on the Waste Water Treatment Plant. Once they broke ground and started the work, they initially thought they would complete the project early. However, they did hit some snags. It was a 3 year project with a completion date of November 2018, but they were granted a 120 day extension which we hit last week. This project was mandated by the EPA.

Mr. Catanzarite gave an explanation about the expansion of the plant and the new addition to the plant called biological nutrient removal, which removes the ammonia and phosphate out of the water. The city was able to build a more futuristic plant.

Mr. Catanzarite stated that he is third superintendent involved with this plant. He feels that this is a state of the art facility around here and will enhance our project for many, many years. They put in underground piping for future tanks if needed, that way they do not have to tear anything up. He feels they took the time and did the right things for future expansions.

Mr. Catanzarite provided council with a list of items that have been repurposed. He wanted to make sure that they understood that nothing has been torn out. They are reusing those items and the plant still cost the city \$35 million to build. If they would have started from scratch, it would have been around \$60 million. The plant has gone from 13 million gallons a day to 20 million gallons a day due to the expansion. Every pump has been replaced in the plant, which some of them can cost up to \$80,000-\$100,000 a piece. The plant is very close to being finished.

They had \$3 million in contingency funds set aside. They did go through most of this but Mr. Catanzarite thinks they have approximately \$400,000.00 left. There are still a few items they need to purchase for the plant like backup equipment for the plant. Mayor Mientkiewicz wanted Mr. Catanzarite to touch on the contingency funds because they would ultimately lead to a savings of tax payers' dollars. There was an issue with change order #5 with a water line break which cost the city \$500,000.00. The city is trying to wrap that up and unfortunately the city is probably going to be responsible for another \$100,000.00. Mayor Mientkiewicz knows that council was always watching those contingency funds to make sure that they were spent correctly. Like Mr. Catanzarite said, we will have approximately \$400,000.00 left. However, if there would have been a little more oversight at the time, we would have saved another \$600,000.00.

Mr. McNaughton stated he has toured the facility about a half a dozen times since this started, and the science and math behind all of it is mesmerizing. It may look like a waste water treatment plant but the level of intricacy there is mind blowing. He would encourage everyone to go down there and take a tour if they have not yet. Mr. Catanzarite and his staff are very proud of this facility. It is a top notch facility.

Ms. Smith asked Mr. Catanzarite what the shelf life of the new facility is and he replied that originally when this was brought to council, we were looking at a 30 year loan. When the city went to OWDA to get the interest rate, we had to go to a 20 year loan. Equipment isn't made as well as it was well years ago. That is why it is only 20 years. We will continue to build up our rainy day fund to replace those things because equipment will fail at around 15-20 years. Mr. Catanzarite said the people own the plant, he doesn't. He is just responsible for running it. His job is to oversee it and make sure we are maintaining it.

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL

(Public comments began at 13:20 into recording)

Joyce Cunningham: 1443 Hillcrest Ave. Niles, Oh. Mrs. Cunningham has been trying for several years to get the street in front of her condo paved. She has talked to numerous people at Shepard of the Valley, because the street goes back to their apartments. She has been that they have made attempts to reach out to people but have not gotten a response back. Last year, she spoke with Mr. Robertson, who is the city engineer, about this issue. He did call her back and told her that Hillcrest is a private road and it is an easement to the Shepard of the Valley apartments. The

approximate cost to repair this road would be \$600-\$700. Mr. Robertson thinks that the citizens should go in with Shepard and pay to have the road repaved. Mrs. Cunningham said there is no way. They are seniors in the condo and they cannot do this.

Mrs. Cunningham has spoken to Ms. Marchese about this issue and Ms. Marchese suggested that she come to the council meeting and bring this up. Mrs. Cunningham said they did come down this morning and put cold patch in the holes because they are so deep but that will not last. President Steffey agreed and said with the weather breaking they were just trying to take advantage of the opportunity. Mrs. Cunningham said she doesn't know what else to do. President Steffey asked Mrs. Cunningham to give them her phone number after the meeting. He would be able to contact her and see if there is anything they can do to help her. He doesn't want to overpromise but he would like the opportunity to look at the situation.

James Sheely: 31 Belmont Ave. Niles, Oh. Mr. Sheely wanted to direct his comments to Police Chief Holland and his police force. He thinks the city has a wonderful police force and he thinks people need to show them appreciation. Mr. Sheely pointed out that we know there are things going on across the country and some things have happened and sometimes you cannot do a whole lot about them. It is out of your control. Mr. Sheely has two nephews that are police officers and every morning they put on their uniform and badge and go out there. They don't know if they are going home to their wives and children. These guys do this every day and it is a highly stressful job.

Mr. Sheely just wants to let the police officers know that the City of Niles appreciates them and everything they do and we support them and are behind them. In light of the things, there are some people who demonize our police force and that's not the case. There are always a few bad apples that will spoil the bunch and make things look bad but for the most part, that's not the case. They are out there to do a job and serve the public. Mr. Sheely believes that our police force does it very well. He said maybe when you see our officers out, maybe you should go up to them and shake their hand and thank them.

President Steffey thanked Mr. Sheely for his comments. When talking about our safety forces, President Steffey said ours are the best. He agrees with Mr. Sheely and thanked him for pointing that out this evening.

It was moved by Smith, seconded McNaughton, to adjourn into executive session pursuant to Ohio Revised Code 121.22, Section D4- to review negotiations regarding the AFSCME contract.

YEAS: 6 NAYS: 0

Motion carried.

Council adjourned into executive session at 6:20 P.M.
Council resumed from executive session at 7:13 P.M.

COUNCIL COMMITTEE REPORTS

None

ORDINANCES AND RESOLUTIONS

(Legislation began at 20:05 into recording)

RESOLUTION NO. ____ (Draft No. 50-19)

A RESOLUTION APPROVING THE LABOR AGREEMENT BETWEEN THE CITY AND THE AFSCME BARGAINING UNIT; AND, DECLARING AN EMERGENCY

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

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by McNaughton, seconded by Cantola to adopt this Draft No. 50-19.

YEAS: 6 NAYS: 0

This Draft No. 50- 19 has been adopted on the 3rd day of April 2019.

RESOLUTION NO. ____ (Draft No. 51-19)

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

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 Kearney to adopt this Draft No. 51-19.

YEAS: 6 NAYS: 0

This Draft No. 51- 19 has been adopted on the 3rd day of April 2019.

ORDINANCE NO. ____ (Draft No. 52-19)

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO CONTRACT FOR THE LEASING OF A NEW LAWN MOWER FOR THE CEMETERY DEPARTMENT; AND, DECLARING AN EMERGENCY

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

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by Smith, seconded by Kearney to adopt this Draft No. 52-19.

YEAS: 6 NAYS: 0

This Draft No. 52- 19 has been adopted on the 3rd day of April 2019.

RESOLUTION NO. ____ (Draft No. 53-19)

A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED FUNDS TO THE FOLLOWING FUND ACCOUNTS; AND, DECLARING AN EMERGENCY

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

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by Smith, seconded by Kearney to adopt this Draft No. 53-19.

YEAS: 6 NAYS: 0

This Draft No. 53- 19 has been adopted on the 3rd day of April 2019.

ORDINANCE NO. ____ (Draft No. 54-19)

**AN ORDINANCE APPROVING THE SOLID WASTE MANAGEMENT PLAN OF THE
GEAUGA TRUMBULL SOLID WASTE MANAGEMENT DISTRICT**

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

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by Kearney, seconded by Lastic to adopt this Draft No. 54-19.

YEAS: 6 NAYS: 0

This Draft No. 54- 19 has been adopted on the 3rd day of April 2019.

ORDINANCE NO. ____ (Draft No. 55-19)

**AN ORDINANCE AMENDING ORDINANCE NO. 14-19, KNOWN AS THE
AUTHORIZED STRENGTH ORDINANCE, AND DECLARING AN EMERGENCY**

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

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by Smith, seconded by Kearney to adopt this Draft No. 55-19.

YEAS: 6 NAYS: 0

This Draft No. 55- 19 has been adopted on the 3rd day of April 2019.

ORDINANCE NO. _____(Draft No. 56-19)

AN ORDINANCE TO CHANGE THE ZONING OF A PARCEL OF PROPERTY LOCATED ALONG NORTH MAIN STREET AND STEELE STREET, CURRENTLY OWNED BY HOME FEDERAL SAVINGS AND LOAN ASSOCIATION OF NILES; AND, DECLARING AN EMERGENCY

Mr. Cantola wanted to confirm with Mr. Crowley that this has already passed the planning commission. Mr. Crowley did confirm that it has already been approved through council and 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 McNaughton, seconded by Smith to adopt this Draft No. 56-19.

YEAS: 6 NAYS: 0

This Draft No. 56- 19 has been adopted on the 3rd day of April 2019.

RESOLUTION NO. _____(Draft No. 57-19)

RESOLUTION THAT THE CITY OF NILES WILL PICK UP THE STATUTORILY REQUIRED EMPLOYEE CONTRIBUTION TO THE OHIO PUBLIC EMPLOYEES RETIREMENT SYSTEM FOR CERTAIN FULL TIME EMPLOYEES OF THE CITY OF NILES PURSUANT TO INTERNAL REVENUE SECTION 414(H) (2); AND, DECLARING AN EMERGENCY

It was moved by Smith, seconded by Cantola 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. 57-19.

YEAS: 6 NAYS: 0

This Draft No. 57- 19 has been adopted on the 3rd day of April 2019.

MISCELLANEOUS REMARKS

(Miscellaneous remarks began at 28:03 into recording)

Mayor Mientkiewicz asked that council pass on to their constituents to be patient with the city as we move into the spring. We have a lot of roads and easements that were beat up because of waterline breaks and replacements. The water department and street department crews are doing a good job of catching up on those now. Those should be rectified moving into the spring and summer months.

Mr. McNaughton wanted to commend all sides on contract negotiations. That is the beauty of collective bargaining that both sides can civilly and respectfully come to the table and work to a solution. Mr. McNaughton wanted to congratulate everybody and thank them for their due diligence.

Ms. Smith wanted to schedule a Finance meeting next Wednesday at 5:00 P.M. in the lower conference room of the city administration building. Ms. Smith also wanted to share that she is very pleased to read about the court's drug program that they are initiating. She feels that it is long overdue. She hopes that it is successful and she supports it.

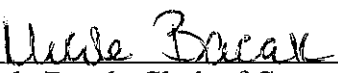
President Steffey agrees with Ms. Smith and says there is a need for it. He also supports it and feels that the Judge is doing a great job bringing the court into the 21st century.

Mr. Kearney expressed that he has a lot of happy people in the 1st ward with the waterline replacements going on.

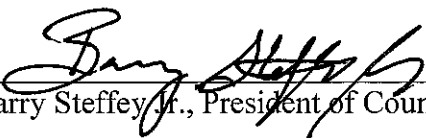
President Steffey asked about the resident who came up and spoke about her road in public comments but she ended up leaving the meeting. The clerk informed President Steffey that she had taken down her number for him. President Steffey wanted to make sure that we followed up with her on her issue.

ADJOURN

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



Nicole Bacak, Clerk of Council



Barry Steffey, Jr., President of Council