

**COUNCIL MEETING MINUTES**  
**June 19, 2019**

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

Niles City Council held its regular meeting on June 19, 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-NP, Steffey-P

It was moved by Marchese, seconded by Lastic to excuse Mr. Kearney from the meeting.

**YEAS: 1    NAYS: 5 (Lastic, McNaughton, Cantola, Marchese and Smith)**

Mr. Kearney is not excused from the meeting.

It was moved by Marchese, seconded by Smith to accept the Minutes from the June 5th meeting and place them on file.  
Motion carried.

**REPORTS AND COMMUNICATIONS**

**FROM** – Auditor's Office

Statement of Cash from Revenue and Expense- May 2019

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

**FROM** – Auditor's Office

Check Report by Check Number- May 2019

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

**FROM** – Treasurer's Office

Interest Report – June 19<sup>th</sup>, Sweep Account- June 19<sup>th</sup>, and Monthly Receipt Totals from the Income Tax Department.

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 comments began at 2:55 into recording)

Tina Collins: 79 Royal Mall Niles. Ms. Collins said she thought last week on Facebook that she saw a post on one of the Niles sites that grabbed her attention. She stated that there is a current council member that is in some type of conflict of interest or violation due a new job. She does believe this job is through the county. With all of the comments, she wasn't sure if she got the right answers. So Ms. Collins is asking council if they have looked into this concern. President Steffey told Ms. Collins that he has spoken to the Law Director about this and he feels that the city is operating prudently and legally. Ms. Collins thanked President Steffey.

See Seeban: 611 Warren Ave. Niles, Ohio. Mrs. Seeban was at the last council meeting and no one recognized Jim Julian for what he has done for the city. Mr. Julian had a clean-up day and is scheduling for another one. She feels that he should have a shot out. Mrs. Seeban also stated that Doug Sollitto also deserves recognition for his work with helping clean up the vacant lots. President Steffey agreed with Mrs. Seeban that both gentlemen are needed for their help. President Steffey said we need residents to help with clean-ups so he thanked both of them for stepping up and trying to help the city.

Ms. Marchese said that she was waiting to bring with up with the ordinances later and ask the Mayor why there are two separate ordinances about grass cutting. She wanted clarification on this because she has been receiving phone calls and she wasn't sure how to explain this. Mayor Mientkiewicz explained that in front of council is a plan to attack the blighted properties throughout the city with high grass. The plan will be funded through the city's general fund and they will be soliciting contracted labor to go around to the different wards to take care of these properties. Mayor Mientkiewicz said the city does not have the man power to take this own. We do not want to send our equipment out into these properties and something happen to city owned equipment.

Mayor Mientkiewicz reminded council that the city has enough of its own property to take care of. Some of the reasons why the parks and the cemetery grounds have been maintained so well is because they finally have enough man power in the departments. Council will be voting on the grass maintenance plan with contracted labor. As far as the Facebook post is concerned, they are meeting with Trumbull Correctional Institute to utilize the prisoners. The administration is going to use those people for corridor clean-up, picking up litter, and etc. The prison does not have equipment of their own to send to cut grass in the city, so that was a misrepresentation of the plan. The most the city will supply is small hand tools or weed whackers to help cut down the grass. They will be used in different aspects. The city will not be supplying them with vehicles or anything of that nature.

Mr. Profato stated Mayor Mientkiewicz has been working very expeditiously to try and get this taken care of. Mr. Profato said they are also looking at the Trumbull County COG for assistance. This is a major problem throughout Trumbull County. He is glad that the Mayor is taking the initiative to get this taken care of for the city. Ms. Marchese agreed. Mayor Mientkiewicz

wanted to mention and recognize the initiative that Judge Shaker has taken on within his court. Judge Shaker is looking to have certain people convicted of non-violent crimes to work with the Sherriff's department and do community service in order to help the city. Mayor Mientkiewicz wanted it noted that none of this money set aside for the grass will be addressed on properties until they have gone through all code enforcement measures. They will make all necessary attempts to get these properties cleaned up before tapping into these funds since these are private properties. They should be kept up by the homeowners.

Michael Harvey: 1509 Mahoning Ave. Youngstown, Ohio. Mr. Harvey is here at council 161 days the death of Mr. Matthew Burroughs. Mr. Harvey wanted to wish everyone a happy Juneteenth, or freedom day. Mr. Harvey said he just found out that Juneteenth is a special day because it took two and half years for the Emancipation Proclamation to start being enforced. He said this is a way for him to reset his expectations for this endeavor and to be more patient with the deadline. If they had to wait over 900 days to be free, he can muddle through a 6 month or longer BCI investigation.

Doug Sollitto : 125 Bentwillow Niles, Oh. Mr. Sollitto has a couple of issues to address. The issue in regards to Mr. Matthew Burroughs has been turned over to the Trumbull County Prosecutor's office. So Mr. Harvey can come back to council every day, but eventually that is who he will need to talk to in order to find out what is going on.

Next, Mr. Sollitto addressed the grass cutting issue. He is not sure what the cost was with the city dealing with the Sherriff's office but the cost when dealing with the state inmates is \$0.00. It would be 6 minimum security, screened inmates with 2 armed correction officers. They can do anything and there is no cost or liability. Yes, the city would have to supply tools like a lawnmower if that's what they want done but that's it. He isn't sure what the issue is around the finances because there is no cost. The Mayor has already signed this and it is ready to go. He feels that maybe they are misusing how it can be done. This is community service that takes place across the state. It is not a new program. They are available for every Friday for 10 hours or for two days at shorter shifts.

Beth Nolan: 26 Beaver creek. Mrs. Nolan wanted to thank Ms. Marchese and the light department for getting a light fixed that she asked about. She is very grateful for this. Next, she wanted to ask the first ward councilman if he was in charge of the public grounds and if he is, are there continuous meetings for the parks. President Steffey explained that there isn't a meeting scheduled that he knows of. President Steffey said he can get Mr. Nolan the information on when the last meeting was. He is the chairman of the committee and some committees are more active.

Mrs. Nolan wanted to thank Mayor Mientkiewicz and announce to everyone that she will be having a fundraiser on July 27<sup>th</sup> at the trailhead to raise money for benches on the bike trails. This is a family orientated event and all are welcome. It will be from 10:00 A.M.- 5:00 P.M. President Steffey thanked Mrs. Nolan for doing this.

George Kuriatnyk: 52 Morningside. Mr. Kuriatnyk stated that there are 21 items on the agenda and 12 of the items say misappropriated funds or move money back to this fund or that account.

This went on for 20 years with money moving all around and it is still continuing. It doesn't say how much. It looks like we have money to buy things. And then you come back money the next council meeting and move more money around. President Steffey tried to explain how city council does appropriations. President Steffey and Mr. Kuriatnyk had a little argument and President Steffey asked him to be done with his comments. Mr. Kuriatnyk would not sit down so President Steffey asked Police Chief Holland to escort him out of the meeting. President Steffey said he will not allow him to disrupt a public meeting. Police Chief Holland and another police officer escorted Mr. Kuriatnyk out of the courtroom.

### **COUNCIL COMMITTEE REPORTS**

None

### **ORDINANCES AND RESOLUTIONS**

(Legislation began at 22:04 into recording)

#### **RESOLUTION NO. \_\_\_\_ (Draft No. 73-19)**

**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 Marchese, seconded by Cantola to table this Draft No. 73-19.

**YEAS: 5    NAYS: 1 (Lastic)**

This Draft No. 73- 19 has been tabled on the 19th day of June 2019.

**RESOLUTION NO. \_\_\_\_ ( Draft No. 85-19)**

**A RESOLUTION AUTHORIZING THE MAYOR and/or SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH YOUNGSTOWN STATE UNIVERSITY FOR GRANT WRITING SERVICES; AND DECLARING AN EMERGENCY**

It was moved by Smith, seconded by Lastic to give a second reading to this Draft No. 85-19.

**YEAS: 6    NAYS: 0**

This Draft No. 85- 19 has received its 2<sup>nd</sup> reading on the 19th day of June 2019.

**RESOLUTION NO. \_\_\_\_ ( Draft No. 86-19)**

**A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED GENERAL FUND 101 TO THE GENERAL FUND MISCELLANEOUS CONTRACTED LABOR ACCOUNT FOR THE PAYMENT OF THE YSU GRANT WRITING SERVICES; AND, DECLARING AN EMERGENCY**

It was moved by Smith, seconded by Cantola to give a second reading to this Draft No. 86-19.

**YEAS: 6    NAYS: 0**

This Draft No. 86- 19 has received its 2<sup>nd</sup> reading on the 19th day of June 2019.

**RESOLUTION NO. \_\_\_\_ ( Draft No. 92-19)**

**A RESOLUTION APPOINTING RICHARD HALE TO THE BOARD OF DIRECTORS OF MEANDER WATER**

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

**YEAS: 6    NAYS: 0**

Rules are suspended.

It was moved by Lastic, seconded by McNaughton to adopt this Draft No. 92-19.

**YEAS: 6    NAYS: 0**

This Draft No. 92- 19 has been adopted on the 19th day of June 2019.

**RESOLUTION NO. \_\_\_\_ ( Draft No. 93-19)**

**A RESOLUTION WAIVING THE SIGN PERMIT FEE FOR THREE DAYS FOR A CITY-WIDE RESIDENTIAL GARAGE OR YARD SALE; AND, DECLARING AN EMERGENCY**

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

**YEAS: 6    NAYS: 0**

Rules are suspended.

It was moved by Smith, seconded by Lastic to adopt this Draft No. 93-19.

**YEAS: 6    NAYS: 0**

This Draft No. 93- 19 has been adopted on the 19th day of June 2019.

**RESOLUTION NO. \_\_\_\_ ( Draft No. 94-19)**

**A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED WWTP DESIGN and IMPROVEMENT FUND 403 TO THE WWTP EQUIPMENT PURCHASE ACCOUNT; AND, DECLARING AN EMERGENCY**

Mr. Cantola asked what was going to be purchased with this money. Mayor Mientkiewicz said he believes it is for the fiber wires and security. This is the last phase. Ms. Marchese asked if there was security at the building before and Mayor Mientkiewicz said there was not. This will be for fiber wires to be run from the city building to the WWTP and the new building on Summit. Once this is done, we will cancel our contract with Spectrum to save money.

It was moved by Cantola, seconded by Profato to give a first reading to this Draft No. 94-19.

**YEAS: 6    NAYS: 0**

This Draft No. 94- 19 has received its 1<sup>st</sup> reading on the 19th day of June 2019.

**ORDINANCE NO. \_\_\_\_\_ ( Draft No. 95-19)**

**AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO PURCHASE A 37' AERIAL UNIT TRUCK FOR THE LIGHT DEPARTMENT; AND, DECLARING AN EMERGENCY**

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

**YEAS: 5    NAYS: 1 (Cantola)**

Rules are not suspended.

It was moved by Marchese, seconded by Lastic to give a first reading to this Draft No. 95-19.

**YEAS: 5    NAYS: 1 (Cantola)**

This Draft No. 95- 19 has received its 1<sup>st</sup> reading on the 19th day of June 2019.

**RESOLUTION NO. \_\_\_\_\_ ( Draft No. 96-19)**

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

Mr. Cantola has some questions on this since it has to deal with the McKees Lane project. He wants to know why this is coming to council since we don't have final true numbers for this project. He thinks this should sit and wait until we have those figures. Mayor Mientkiewicz said that this was discussed in the budget meeting and he asked Mr. Robertson to explain. Mr. Robertson stated that he sent an email a week or two ago about this to all of city council.

The new project cost is roughly around \$600,000 which \$260,000 of it will be covered by state funding. Mr. Robertson also called the state last week and is getting an additional \$45,000. The new \$45,000 could go up to \$100,000. The city is halfway through this project. The city's share is approximately \$290,000 but could be less if more state funding gets approved.

Mr. Cantola said he still doesn't see final numbers. President Steffey asked him if he received the e-mail from Mr. Robertson and he said he did get an e-mail a couple of weeks ago from him. He wants to have this narrowed down. He wants to know what council is appropriating and he wants true numbers. Ms. Marchese said she never received this e-mail but Mr. Robertson said she responded to it. Mayor Mientkiewicz said we have final numbers. Right now, we are in violation with the EPA. Mayor Mientkiewicz said he knows last year prior to him taking office, people thought this project could be done in house. That is not the case. Mr. Profato asked what could the city be looking at when it comes to fines and Mr. Robertson said it could be up to \$10,000 a week.

It was moved by Lastic, seconded by McNaughton 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. 96-19.

**YEAS: 6    NAYS: 0**

This Draft No. 96- 19 has been adopted on the 19th day of June 2019.

**RESOLUTION NO. \_\_\_\_ ( Draft No. 97-19)**

**A RESOLUTION APPROPRIATING FUNDS FROM UNAPPROPRIATED PARK FUND AND THE UNAPPROPRIATED CEMETERY FUND TO THE FOLLOWING FUND ACCOUNTS; AND, DECLARING AN EMERGENCY**

Ms. Marchese has questions on this. She doesn't think the legislation should be written this way. It's showing as a transfer in and a transfer out. She said it seems like every time she turns around they are giving more money to the park. We are all on a budget. They have levies and we combined the park with the wellness center. Mayor Mientkiewicz explained that some of those funds are for emergency repairs. The floor in some spots is bubbling and needs repaired. These are items what were discussed in the budget meeting.

It was explained to Ms. Marchese and council that the wages and benefits part of this legislation deals with the funding of an employee. The job description was changed and the employee is no longer split three ways. The employee will only be paid by two departments. Mr. Cantola asked if this increase will be added to the current budget. Mayor Mientkiewicz explained it would be due to the change in the job description. This was also discussed in the budget meeting last week.

Mr. Cantola agrees that the track needs addressed but he feels the other items should have been budgeted for. There is a million dollar budget for the park and they keep coming back for more money. Council has been very receptive and has allowed them to do a lot there. He isn't sure that



some of these items are necessary now. Some of these items scare him. Mayor Mientkiewicz agreed. Mr. Cantola is in agreement for things that are safety issues but he is not in favor of some of the other minor repairs. Mayor Mientkiewicz also said that we cannot predict these emergency repairs. If we continue to neglect these items then we will be in the same boat as we did other buildings in the city. When things break, they need to be addressed. Mr. Cantola said it is the administration and council's fault for not having a maintenance budget to take care of these things.

Mayor Mientkiewicz is worried about taking care of anything that is a safety issue. Some items can sit and wait if they are not an emergency. Ms. Marchese asked about Labor Max and Mayor Mientkiewicz said that they did not agree to give him money for that. President Steffey said that the beauty of this is that the administration has to bring this to council and council has to appropriate the funds. Mayor Mientkiewicz said this is the same thing as the bike trail. It has been neglected for years. These things should not be continued to be neglected and we should not keep kicking the can down the road.

Mr. Cantola said you cannot come in the middle of the year and say we need more money. We are just getting out of fiscal emergency. These are items that need to be planned accordingly and not brought up in the middle of the year. Mayor Mientkiewicz said there are two budget hearings. They have one in the middle of the year and one at the end of the year. When it comes to the bike trail, previous administration did nothing. This administration noticed there was a problem and is now asking for funding.

It was moved by Cantola, seconded by Profato to give a first reading to this Draft No. 97-19.

**YEAS: 6    NAYS: 0**

This Draft No. 97- 19 has received its 1<sup>st</sup> reading on the 19th day of June 2019.

**RESOLUTION NO. \_\_\_\_\_ ( Draft No. 98-19)**

**A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED GENERAL FUND 101 TO THE GENERAL FUND MISCELLANEOUS CONTRACTED LABOR ACCOUNT FOR MAINTENANCE TO THE NILES GREENWAY BIKE TRAIL; AND, DECLARING AN EMERGENCY**

It was moved by Marchese, seconded by McNaughton to give a first reading to this Draft No. 98-19.

**YEAS: 6    NAYS: 0**

This Draft No. 98- 19 has received its 1<sup>st</sup> reading on the 19th day of June 2019.

**RESOLUTION NO. \_\_\_\_ ( Draft No. 99-19)**

**A RESOLUTION AUTHORIZING LINE ITEM TRANSFERS WITHIN THE WATER DEPARTMENT; AND, DECLARING AN EMERGENCY**

It was moved by McNaughton, seconded by Smith 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. 99-19.

**YEAS: 6    NAYS: 0**

This Draft No. 99- 19 has been adopted on the 19th day of June 2019.

**RESOLUTION NO. \_\_\_\_ ( Draft No. 100-19)**

**A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED GENERAL FUND 101 TO THE GENERAL FUND MISCELLANEOUS MAINTENANCE MATERIALS ACCOUNT AND FROM THE UNAPPROPRIATED GENERAL FUND 101 TO THE GENERAL FUND MISCELLANEOUS CONTRACTED LABOR ACCOUNT FOR STREET DEPARTMENT MATERIALS and DUMP BED; 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 McNaughton to adopt this Draft No. 100-19.

**YEAS: 6    NAYS: 0**

This Draft No. 100- 19 has been adopted on the 19th day of June 2019.

**RESOLUTION NO. \_\_\_\_\_ (Draft No. 101-19)**

**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 Lastic 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. 101-19.

**YEAS: 6    NAYS: 0**

This Draft No. 101- 19 has been adopted on the 19th day of June 2019.

**RESOLUTION NO. \_\_\_\_\_ (Draft No. 102-19)**

**AN ORDINANCE AMENDING ORDINANCE NO. \_\_\_\_\_, KNOWN AS THE AUTHORIZED STRENGTH ORDINANCE, AND DECLARING AN EMERGENCY**

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

Mr. Cantola asked what the ordinance number for the old authorized strength was. Law Director Zuzolo said he didn't have it with him.

**YEAS: 4    NAYS: 2 (Cantola and Marchese)**

Rules are not suspended.

It was moved by Cantola, seconded by Profato to give a first reading to this Draft No. 102-19.

**YEAS: 6    NAYS: 0**

This Draft No. 102- 19 has received its 1st reading on the 19th day of June 2019.

**RESOLUTION NO. \_\_\_\_ ( Draft No. 103-19)**

**A RESOLUTION AUTHORIZING THE MAYOR ND/OR SERVICE DIRECTOR TO ADVERTISE FOR QUOTES FOR GRASS CUTTING SERVICES; AND, DECLARING AN EMERGENCY**

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

**YEAS: 6 NAYS: 0**

Rules are suspended.

It was moved by Profato, seconded by Cantola to adopt this Draft No. 103-19.

**YEAS: 6 NAYS: 0**

This Draft No. 103- 19 has been adopted on the 19th day of June 2019.

**RESOLUTION NO. \_\_\_\_ ( Draft No. 104-19)**

**A RESOLUTION STRONGLY URGING THE OHIO GOVERNOR AND MEMBERS OF THE OHIO GENERAL ASSEMBLY TO RESTORE THE LOCAL GOVERNMENT FUND TO PRE-RECESSION LEVELS; AND, DECLARING AN EMERGENCY**

It was moved by Marchese, 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. 104-19.

**YEAS: 6 NAYS: 0**

This Draft No. 104- 19 has been adopted on the 19th day of June 2019.

**RESOLUTION NO. \_\_\_\_ ( Draft No. 105-19)**

**A RESOLUTION FOR CONSENT LEGISLATION FOR RESURFACING US 422**

It was moved by Smith, seconded by Marchese 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. 105-19.

**YEAS: 6 NAYS: 0**

This Draft No. 105- 19 has been adopted on the 19th day of June 2019.

**ORDINANCE NO. \_\_\_\_ ( Draft No. 106-19)**

**AN ORDINANCE AMENDING CODIFIED ORDINANCE NO. 149.10; AND,  
DECLARING AN EMERGENCY**

It was moved by Cantola, seconded by Profato to give a first reading to this Draft No. 106-19.

**YEAS: 6 NAYS: 0**

This Draft No. 106- 19 has received its 1<sup>st</sup> reading on the 19th day of June 2019.

**RESOLUTION NO. \_\_\_\_ ( Draft No. 107-19)**

**A RESOLUTION ADOPTING THE RETIRE/REHIRE EMPLOYMENT POLICY FOR  
THE CITY; AND, DECLARING AN EMERGENCY**

It was moved by McNaughton, 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. 107-19.

**YEAS: 6 NAYS: 0**

This Draft No. 107- 19 has been adopted on the 19th day of June 2019.

**RESOLUTION NO. \_\_\_\_ ( Draft No. 108-19)**

**A RESOLUTION AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO CONTRACT FOR THE 2019 HOT MIX RESURFACING PROGRAM; AND, DECLARING AN EMERGENCY**

Mr. Cantola asked about section 2 where it talks about having an additional \$180,000 to work with to do extra streets if the money is available. He is getting calls left and right about West Park. He knows we are waiting for federal dollars to do that road but the road is not holding up. He wants to know if we can do the road and then replace the money if the state would allow us to do that. He would like the administration to look into that.

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 Smith, seconded by Cantola to adopt this Draft No. 108-19.

**YEAS: 6    NAYS: 0**

This Draft No. 108- 19 has been adopted on the 19th day of June 2019.

**RESOLUTION NO. \_\_\_\_ ( Draft No. 109-19)**

**A RESOLUTION ADOPTING THE OVERTIME POLICY FOR THE CITY; AND, DECLARING AN EMERGENCY**

It was moved by Smith, seconded by Cantola to table this Draft No. 109-19.

**YEAS: 6    NAYS: 0**

This Draft No. 109- 19 has been tabled on the 19th day of June 2019.

It was moved by Smith, seconded by McNaughton to add Draft No. 110-19 to the agenda.

Motion carried.

**ORDINANCE NO. \_\_\_\_ ( Draft No. 110-19)**

**AN ORDINANCE REGARDING CESSATION OF ALL OVERTIME PAY FOR ANY FULL-TIME, NON-UNION, NON-ELECTED POSITIONS AND REPEALING ORDINANCE NO. 07-17 “REGARDING OVERTIME PAY FOR CERTAIN NON-UNION POSITIONS; RESCINDING AN REPEALING ANY ORDINANCES, RESOLUTIONS, AGREEMENTS OR AUTHORIZATIONS INCONSISTENT THEREWITH”; AND DECLARING AN EMERGENCY**

It was moved by Cantola, seconded by Profato to give a first reading to this Draft No. 110-19.

**YEAS: 6    NAYS: 0**

This Draft No. 110- 19 has received its 1<sup>st</sup> reading on the 19th day of June 2019.

**MISCELLANEOUS REMARKS**

(Miscellaneous remarks began at 1:03:33 into recording)

Mayor Mientkiewicz wanted to inform everyone that he has been working with the Law Director to re-establish the CIC for the city. The first meeting will be tomorrow, June 20<sup>th</sup> at 5:00 P.M. This will be the first meeting and we will look at restructuring and ideas on what to do with the downtown Niles area.

Next, he spoke to YSU about the GIS mapping project. The project is moving along and is going well. It is on target to be completed by October as promised. Also, today the Garfield school property was transferred back to Trumbull Neighborhood Partners. The final number that the city paid for that was \$ 13,500. This was done through a collaborative effort between the city and multiple other organizations. Finally, the first round of mosquito spraying is set for June 24<sup>th</sup>. The second round is set for the last Monday in July.

Mr. Robertson stated that the Water Department was out on a water break on Salt Springs this afternoon. There will be a 48 hour boil alert for that area due to this break.

Mr. Hale wanted to thank council for the re-appointment. He wanted to express his appreciation for this. Mr. Hale offered for council to come out to the facility for a tour at any time. This is a state of the art facility. The more water they sell at MVSD, the lower the cost is for the city of Niles. It looks like this trend will continue to improve. President Steffey thanked him for the invitation and said that he has already taken advantage of this offer. He took a tour with Ms. Marchese and Mr. Cantola. It was an amazing facility and it is very impressive.

Treasurer Telago updated council at in April and May; his office reconciled the books with no help from the State Auditors. He also wanted to go over the handouts that he passed out earlier. The city is running a little ahead of last year for collections. The city is also set to receive a rebate from RITA, which will help these numbers. Treasurer Telago also briefly went over the sweep account and the interest handouts. The city is making a lot more money in interest compared to the previous years. RITA has worked out very well for the city.

Mr. Lastic asked if they missed recognizing the boy scouts that were here today. President Steffey said he believes they did.

Mr. McNaughton wanted to say one thing. When they have differences of opinions, it is his belief in a leadership role that you share those in person with those you want to talk to. He probably came in a little hot last meeting but his colleagues have earned his respect for him to do that. He wanted it known that they all have his respect. Mr. McNaughton said he did owe one apology to Mr. Profato for what happened.

Mr. McNaughton said this will be one and only public comment he makes in regards to his employment. There is no conflict of interest and there is no Hatch Act violation with what he does. One simple phone call to him would have answered any questions. He is very easy to find. If anyone has any other questions, please direct them to the law director. But this is the only thing he will say publicly. His employer should not have had to deal with this, or his board. Least of all, his wife shouldn't have had to deal with this. Again, he apologized to Mr. Profato.

Mr. Profato thanked Mr. McNaughton for his apology and told him he knows he is being sincere. He has been a councilman for some time and they aren't always going to be right on how they vote. But they vote to support for constituents. They don't vote for the Mayor or for Council. They vote for the people who put them in office and they are just doing their job.

Mr. Cantola wanted to follow up on two items. First was Draft No. 95-19 that he voted no on. He voted no because we find that we need equipment in the middle of the year. When this truck was questioned, they were told it was staying in the city. So, this will be an additional vehicle to be given to an individual for putting up equipment. Part of the reason he voted this way is because now they will have an individual out on his/her own and operating a truck with minimal training in a lift. There will be no one as a spotter. He wanted people to know this. He didn't vote no just because it was a light truck.

Mr. Cantola thanked the city for taking care of an issue that he called in on. He called in and requested a waterline repair and for it to be turned on at Memorial Park on Circle Street. Some people had already put down flowers and they found out they did not have any water. This was taken care of in a timely manner. He appreciates the city taking care of this so quickly.

Mayor Mientkiewicz clarified that he respects Mr. Cantola's vote but the light department truck was budgeted for last year. It was part of the original budget. It was explained to council at the original hearings. Also, it was proposed for the IT department to keep that truck from the light



department to the administration. It was never agreed upon to do that. In fact, the administration spoke to the IT Department about this truck this week. He just wanted everyone to know that this was never set in stone to give this to the IT Department.


Ms. Smith thanked Mayor Mientkiewicz for the update on the GIS mapping. Secondly, during public comments someone talked about the agenda not showing dollar figures. The legislation is on-line for anyone to look up. It spells out everything in the legislation. If there are any other questions, please feel free to call her.

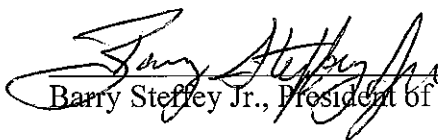
President Steffey said that a couple of years ago, council decided to open up the budgets midway through the year. They did this because the city was in fiscal emergency and we didn't want to go a whole year to take a look at the budget. Council spent 4 hours last Wednesday night picking apart the budgets. They city is in the right direction. We are maintaining our fiscal responsibility to the tax payers. President Steffey gave kudos to the administration and council for their hard work on watching the budget.

President Steffey ended with a statement from his predecessor. "It's okay to disagree but not be disagreeable." President Steffey said he also has a great deal of respect for the members of council. He is glad that everyone is staying true to being fiscally responsible.

**ADJOURN**

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

  
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Nicole Bacak, Clerk of Council

  
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Barry Steffey Jr., President of Council