

COUNCIL MEETING MINUTES
January 22, 2020

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

Niles City Council held its regular meeting on January 22, 2020 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-NP, Cantola-P, Marchese-P, Smith- P, Sollitto-P, Marino-P

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

Mayor Mientkiewicz recognized a special guest, John McMahon from the J.A. McMahon Company, for being in the audience this evening. Mayor Mientkiewicz recognized him and his business for 75 years of service in the city of Niles. Mayor Mientkiewicz read a proclamation to honor Mr. McMahon and his business. J.A. McMahon Inc. was founded in 1945 and is a third generation family business in the city of Niles. The business specializes in steel fabrication for commercial and industrial structures, simple bridges and more. Mayor Mientkiewicz proclaimed today, January 22, 2020 J.A. McMahon Day. Mayor Mientkiewicz thanked them for 75 years of service and wished them the best on 75 years more.

Mr. McMahon thanked Mayor Mientkiewicz for the recognition. He said they are very proud to be part of the businesses in Niles.

It was moved by Marchese, seconded by Smith to accept the Minutes from the January 8th meeting and place them on file.
Motion carried.

It was moved by Smith, seconded by Sollitto to accept the Minutes from the January 15th special meeting and place them on file.
Motion carried.

REPORTS AND COMMUNICATIONS

FROM – Ohio Division of Liquor Control

Notice to Legislative Authority- Paraj Inc- DBA Para Express

It was moved by Marchese, seconded by Cantola to refer to the Police Chief for his recommendation.

Motion carried.

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL

(Public comments began at 5:15 into recording)

Beth Nolan: 26 Beaver creek Dr. Mrs. Nolan asked how many fire hydrants have been fixed in the city and how many more still need to be replaced. Mrs. Nolan also wanted to know if there are funds left to purchase more hydrants. President Marino directed her questions to Mayor Mientkiewicz. Mayor Mientkiewicz stated that over the last three years there have been approximately 36 fire hydrants replaced. Mayor Mientkiewicz did consult with Fire Chief Danielson on this. He explained that the city does put money aside in a fire hydrant replacement program. The city is going to be ordering 12 more hydrants next week. The city will replace 12 a year until they are all replaced and will continue to replace as needed. There are also two rounds of fire hydrant flushing scheduled to take place.

Mrs. Nolan's next question was about the cemetery meeting that was held. She was inquiring if there were any resolutions that could be put on file. Mr. Sollitto said he could speak on this. He is the chairman of the Public Grounds Committee and held a meeting to speak about the cemetery. There were concerns raised in regards to damage done to stones. Originally, there was a misperception. There was an idea out there that if a stone was damaged by the city, they wouldn't be repaired. Mr. Sollitto stated that Mayor Mientkiewicz confirmed that if the city does damage to a stone, the city will repair it.

There were some other concerns about bringing equipment into the cemetery. If the equipment is work related, the city does not have any issues with that. A concern in reference to there being no work done in the month of May was also brought up at the meeting. The initial response was as long as notification was received by the city by April 30th, it should be approved. They are still working on the concerns in regards to the hours of the cemetery.

Mrs. Nolan asked if council passed something a few years ago about not smoking in city trucks. She was just wondered about that.

George Kuriatnyk: 52 Morningside Dr. Mr. Kuriatnyk asked if all comments and answers would be held until the end so they don't run into his five minutes. President Marino said the chair will make that determination. Mr. Kuriatnyk wanted it on record that the Mayor said he would replace any damaged stones. Mr. Kuriatnyk said to get your checkbook out because he knows what happens over there. President Marino interjected that it is already in the record because Mr. Sollitto stated it and asked Mr. Kuriatnyk for his questions.

Mr. Kuriatnyk brought up the bike trail. The city is asking for \$50,000.00 to maintain the bike trail. He is going on record to say that the only reason it is coming out of the enterprise fund into the general fund is to hire somebody. He has a survey and has talked to people that maintain a bike trail and for every mile it is approximately \$4900.00 per mile. If the city is doing 2 miles, why do we need \$50,000.00 when it can be done for \$10,000.00?

Mr. Kuriatnyk questioned the Summit Street building. He stated the city paid over \$500,000.00 for a building. He said it was \$535,000.00 for this building that's not even suitable for what is needed because now the city is spending \$300,000.00-\$400,000.00 on it. The city is going put a million dollars into a building. He wanted to know if anyone thought about this. He said the city had to buy it off of Mr. Hale and the Summit boys.

Mr. Kuriatnyk and Mr. Lastic exchanged words and President Marino interjected. He told Mr. Kuriatnyk to stop and one more outburst he would lose his time and would be asked to sit down. President Marino also told Mr. Lastic to stop with his comments. Mr. Kuriatnyk made another comment to President Marino and President Marino told him to sit down and that his time was up. Mr. Kuriatnyk refused to sit down and said his time wasn't over. President Marino asked Police Chief Holland to have him sit down. Mr. Kuriatnyk continued to make comments while being escorted to his seat. Mr. Kuriatnyk decided to leave the meeting.

COUNCIL COMMITTEE REPORTS

Public Grounds Meeting Minutes from January 15, 2020.

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

Mr. Sollitto announced he will be having a Public Grounds meeting on February 11 @ 5:00 P.M. at the Wellness Center Conference Room. The emphasis will be around the parks. He requested that the Park Board attend this meeting.

ORDINANCES AND RESOLUTIONS

(Legislation began at 14:35 into recording)

ORDINANCE NO. ____ (Draft No. 197-19)

AN ORDINANCE CREATING THE BIKE TRAIL DEPARTMENT WITHIN THE GENERAL FUND, DEPARTMENT 101-1076; AND DECLARING AN EMERGENCY

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

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by Marchese, seconded by Lastic to adopt this Draft No. 197-19.

YEAS: 6 NAYS: 0

This Draft No. 197-19 has been adopted on the 22nd day of January 2020.

RESOLUTION NO. ____ (Draft No. 11-20)

A RESOLUTION AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO A GOODWILL AGREEMENT WITH LINDA SALVATERRA FOR SETTLEMENT OF ALLEGED DAMAGES SUFFERED TO PROPERTY AND APPROPRIATING THE NECESSARY FUNDS FROM THE WATER FUND ACCOUNT 501 TO WATER MISC ACCOUNT 501-5151-57050; AND DECLARING AN EMERGENCY

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 McNaughton, seconded by Lastic to adopt this Draft No. 11-20.

YEAS: 6 NAYS: 0

This Draft No. 11- 20 has been adopted on the 22nd day of January 2020.

ORDINANCE NO. ____ (Draft No. 12-20)

AN ORDINANCE AUTHORIZING THE PURCHASE OF A 37' AERIAL UNIT TRUCK FOR THE LIGHT DEPARTMENT THROUGH THE STATE PURCHASING PROGRAM; 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 Marchese, seconded by Smith to adopt this Draft No. 12-20.

YEAS: 6 NAYS: 0

This Draft No. 12- 20 has been adopted on the 22nd day of January 2020.

RESOLUTION NO. _____ (Draft No. 13-20)

A RESOLUTION AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO A CONTRACT WITH PHILLIPS/SEKANICK ARCHITECTS, INC. FOR ARCHITECTURAL AND PROJECT MANAGEMENT OF THE INTERIOR AND EXTERIOR REPAIRS AND RENOVATIONS OF THE CITY OF NILES ADMINISTRATION BUILDING; 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. 13-20.

YEAS: 6 NAYS: 0

This Draft No. 13- 20 has been adopted on the 22nd day of January 2020.

RESOLUTION NO. _____ (Draft No. 14-20)

A RESOLUTION AUTHORIZING PHILLIPS/SEKANICK ARCHITECTS, INC. TO ISSUE REQUESTS FOR BIDS FOR INTERIOR AND EXTERIOR REPAIRS AND RENOVATIONS OF THE CITY OF NILES ADMINISTRATION; AND DECLARING AN EMERGENCY

It was moved by Cantola, seconded by Smith to postpone this Draft No. 14-20 until date certain of the March 4th council meeting.

YEAS: 6 NAYS: 0

This Draft No. 14- 20 has been postponed until the date certain meeting on March 4th.

RESOLUTION NO. _____ (Draft No. 15-20)

A RESOLUTION AUTHORIZING THE SERVICE DIRECTOR TO ISSUE A REQUEST FOR PROPOSALS FOR ASBESTOS REMOVAL OF THE NILES TIMES BUILDING; 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. 15-20.

YEAS: 6 NAYS: 0

This Draft No. 15- 20 has been adopted on the 22nd day of January 2020.

RESOLUTION NO. _____ (Draft No. 16-20)

A RESOLUTION AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE REQUESTS FOR PROPOSALS FOR THE CREATION OF A NEW COMPREHENSIVE PLAN FOR THE CITY OF NILES 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 Lastic to adopt this Draft No. 16-20.

YEAS: 6 NAYS: 0

This Draft No. 16- 20 has been adopted on the 22nd day of January 2020.

RESOLUTION NO. ____ (Draft No. 17-20)

A RESOLUTION AUTHORIZING THE SERVICE DIRECTOR TO ISSUE A REQUEST FOR QUALIFICATIONS FOR ARCHITECTURE DESIGN OF STORAGE BUILDING; AND, DECLARING AN EMERGENCY

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 Smith, seconded by Lastic to adopt this Draft No. 17-20.

YEAS: 6 NAYS: 0

This Draft No. 17- 20 has been adopted on the 22nd day of January 2020.

ORDINANCE NO. ____ (Draft No. 18-20)

AN ORDINANCE AMENDING THE 2020 ANNUAL BUDGET FOR FISCAL YEAR 2020 TO INCLUDE THE BIKE TRAIL DEPARTMENTAL BUDGET FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2020; 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 Lastic, seconded by McNaughton to adopt this Draft No. 18-20.

YEAS: 6 NAYS: 0

This Draft No. 18- 20 has been adopted on the 22nd day of January 2020.

MISCELLANEOUS REMARKS

(Miscellaneous remarks began at 23:45 into recording)

Mayor Mientkiewicz wanted to clarify a false comment that was made during public comments. The Summit building was purchased for \$236,000.00 for the water department. The employees have been in there since the summer and the building is meeting all of the needs. The building that council voted on today is for the light department to store equipment and materials. It has nothing to do with the water department.

Mayor Mientkiewicz reminded council of the meeting on February 5th with the auditors in regards to the billing audit. After that meeting, a representative from Trumbull County Health District will be here to discuss a smoking policy.

Auditor Merlo updated council on a change within the OPERS retirement system around health care. OPERS recently voted 9-2 to discontinue health care coverage for retirees starting in 2022. Auditor Merlo wanted to urge council to think about sending something to our State legislature and to OPERS in opposition of this ruling. Ms. Marchese agreed.

Mr. McNaughton thanked Judge Shaker for allowing him to bring in his drink since he is sick. He is very grateful that the Judge allowed him to do so. Mr. McNaughton also thanked Mayor Mientkiewicz for his clarification on the Summit building.

Mr. Cantola asked if some of the pressures could be looked at from MVSD. There have been a lot of water breaks lately. He knows its winter and the ground moves but he knows there have been issues in the past with water pressure. He would like the city to just double check this.

Mr. Cantola wanted to call a finance meeting for Wednesday, January 29th @ 5:10 P.M. in the lower level conference room of the city administration building.

Mayor Mientkiewicz informed Mr. Cantola that last week he did speak with Mr. Catanzarite about the city's water tank levels. Mr. Catanzarite said the tank levels were good and that they will reach out to MVSD.

President Marino complimented Mr. Cantola on establishing the finance meetings. He thinks it is a healthy practice. He also thanked Mr. Sollitto on having his public ground meetings. President Marino also said that the Mayor and his administration are working with council and the committees to work through things for the betterment of the community.


Ms. Marchese thanked the service workers for everything that they do. It has been cold and she sees them out in the holes and on the poles. She also commended the street department on doing a fantastic job. Every branch in the city is coming together. She said they deserve a big thank you.

Mr. Sollitto wanted to add a comment about the OPERS issue that Auditor Merlo mentioned. We need to contact not only the State Representatives but the Governor's office. The issue is there isn't enough funding. State, city and county employees have something in their contracts that allow for disability retirement. If you have an employee that goes out on disability retirement for the rest of their career, you are now funding two retirements off of one person working. It's a great benefit but you deplete the account. That's part of the problem. You can only feed 10 people on 10 people's money.

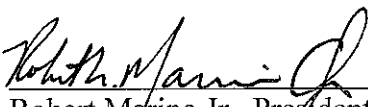
President Marino asked Auditor Merlo to get council additional information before the next week's finance meeting. This way council can decide if they want to sponsor a resolution. Mr. Sollitto offered to assist Auditor Merlo with gathering information for this.

ADJOURN

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



Nicole Bacak, Clerk of Council



Robert Marino Jr., President of Council