

**COUNCIL MEETING MINUTES**  
**November 4, 2020**

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

Niles City Council held its regular meeting on November 4, 2020 at 6:00 p.m. at the Niles Senior Center 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, Sollitto-P, Marino-P

It was moved Smith seconded by Sollitto to accept the minutes from the October 21<sup>st</sup> meeting and place them on file.

Motion carried.

**REPORTS AND COMMUNICATIONS**

**FROM-Treasurer's Office**

Revenue Report through November 4, 2020

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

Motion carried.

**MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL**

(Public comments began at 1:36 into recording)

George Kuriatnyk: 823 North Road. Mr. Kuriatnyk wanted to know if he could just buy the brush hog directly. Law Director Zuzolo told him no because we have to put it out for public bid. He can bid on it through the public auction. Mr. Kuriatnyk wanted to know if this would be the same as the land that the city is trying to give to the CIC. Law Director Zuzolo explained that the CIC's do not have public bidding requirements. Mr. Kuriatnyk asked if the CIC could just sell the land then outright. Law Director Zuzolo said yes they could potential do that.

Mr. Kuriatnyk said he has been to pretty much all of the water meetings. This is the first time he has seen it on the agenda and they are talking about the urgency of it being passed right now. They said there have been talks for 5 months now but it is the first time on the agenda and he has not heard anything about it. President Marino said there discussions awhile ago in meetings. Mr. Kuriatnyk said President Marino did not read the contract. President Marino said he did read the contract.

Ms, Smith stated there were discussions about this contract in previous utility committee meetings. The administration has worked with Law Director Zuzolo regarding the contract. Mr. Kuriatnyk questioned the building of the new towers. He wants to know with all of the water they are buying, are they going to turn around and sell it other people at a higher rate. President Marino said that is their business model and we cannot dictate what they do. Mr. Kuriatnyk does not believe they should be able to do.

Mr. Cantola wanted to respond to this. He reminded Mr. Kuriatnyk that they are responsible for the entire routing and infrastructure. So, yes they will increase of the cost to cover their costs. That is business, Mr. Kuriatnyk said he understands all of that but they are going to buy that water cheaper and then go to businesses and sell the water at a higher rate. Mr. Cantola said yes, in their village and that is their prerogative. Mr. Kuriatnyk said Mr. Cantola is missing the point.

Mr. Cantola said they probably have two rates and so do we. Mr. Kuriatnyk said they are going to buy cheaper water from us instead of going to Warren or Newton Falls or wherever it and store it and sell it. Mr. Cantola said it is a benefit to our city to sell them water.

Mr. Kuriatnyk wants to know what happens if we don't have enough water. It was stated earlier that we could have to build another tower. Who would be responsible for that cost? President Marino said that would be a collaboration between MVSD and the City of Niles. President Marino said this is why he asked those questions earlier. There was due diligence so down the road there is no confusion on the 90 day rule or the \$2.53 for 10 years. We ask questions for clarity but also to make sure that there is full transparency relative to the agreement.

Mr. Kuriatnyk asked if the tower goes out now, do we have to build a new one? President Marino stated he thought MVSD owns that tower now. A representative from MVSD confirmed they operate and own the tower in Stevens Park. Mr. Kuriatnyk wanted to know if Niles would be responsible for building another tower. President Marino said yes we would have some part.

## **COUNCIL COMMITTEE REPORTS**

**NONE**

## **ORDINANCES AND RESOLUTION** (Legislation began at 7:13 into recording)

**ORDINANCE NO. \_\_\_\_ ( Draft No. 121-20)**

**AN ORDINANCE AUTHORIZING BUDGET TRANSFERS WITHIN POLICE AND FIRE 1% FUND 217 FOR THE PURPOSE OF A DIRECT PURCHASE OF A FIRE ENGINE FROM FINLEY FIRE EQUIPMENT; AND, DECLARING AN EMERGENCY**

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

President Marino asked if there was going to be advertising. Mayor Mientkiewicz said no it was a direct buy.

**YEAS: 7      NAYS: 0**

Rules are suspended.

It was moved by Profato, seconded by Marchese to adopt this Draft No. 121-20.

**YEAS: 7      NAYS: 0**

This Draft No. 121- 20 has been adopted on the 4th day of November 2020.

**ORDINANCE NO. \_\_\_\_ ( Draft No. 122-20)**

**AN ORDINANCE AUTHORIZING MONTHLY CASH TRANSFERS; AND, DECLARING AN EMERGENCY**

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

**YEAS: 7      NAYS: 0**

Rules are suspended.

It was moved by Cantola, seconded by Smith to adopt this Draft No. 122-20.

**YEAS: 7      NAYS: 0**

This Draft No. 122- 20 has been adopted on the 4th day of November 2020.

**RESOLUTION NO. \_\_\_\_ ( Draft No. 123-20)**

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

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

**YEAS: 7     NAYS: 0**

Rules are suspended.

It was moved by Smith, seconded by Sollitto to adopt this Draft No. 123-20.

**YEAS: 7     NAYS: 0**

This Draft No. 123- 20 has been adopted on the 4th day of November 2020.

**ORDINANCE NO. \_\_\_\_\_( Draft No. 124-20)**

**AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO A WATER SUPPLY AGREEMENT WITH THE VILLAGE OF LORDSTOWN; AND, DECLARING AN EMERGENCY**

It was moved by Smith, seconded by Cantola to adjourn into executive session pursuant to ORC 121.22, G8 public contracts.

**YEAS: 7     NAYS: 0**

Council adjourned into executive session at 6:26 P.M.

It was moved by McNaughton, seconded by Profato to reconvene from executive session.

Council reconvened from executive session at 6:40 P.M.

The clerk re-read the draft for council.

**ORDINANCE NO. \_\_\_\_\_( Draft No. 124-20)**

**AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO A WATER SUPPLY AGREEMENT WITH THE VILLAGE OF LORDSTOWN; 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 Smith, seconded by Sollitto to adopt this Draft No. 124-20.

**YEAS: 7      NAYS: 0**

This Draft No. 124- 20 has been adopted on the 4th day of November 2020.

**MISCELLANEOUS REMARKS**

(Miscellaneous remarks began at 13:51 into recording)

Auditor Merlo wanted to update council the bids did just come back for the fiber and network projects. Law Director Zuzolo reviewed them and they will be able to used for COVID. Auditor Merlo reminded council that all encumbrances need to be done by November 20<sup>th</sup>. He asked council if there could be a special meeting put together within the next 7 days specific to COVID expenses, he would appreciate it. The network project came in around \$74,000.00 and the fiber project was around \$ 150,000.00. They expected around \$80,000.00 for the fiber project but the bids were around \$150,000.00. The highest came back at \$308,000.00

Auditor Merlo updated council on discussions that came up through budget. There are expenditures for audio visual equipment/iPads for council. This will help council go paperless. There were also conversations about upgrading the equipment in the room and getting council microphones. Auditor Merlo and Mr. Cantola said we are looking at streaming the council meetings on Youtube for the citizens to view at their leisure. Mr. Cantola said we need to upgrade items there if this location will be our new home. We need to do a better job for the residents. Mr. Cantol said he will be meeting with Auditor Merlo either Monday or Tuesday of next week to put the plan together and get the items together for the special meeting.

President Marino asked if they were thinking either next Wednesday or Thursday for the meeting. Mr. Cantola said yes either of those days. Auditor Merlo reminded council that Wednesday is Veteran's Day and the city is closed. It was agreed the meeting would be virtual and it would be scheduled for 6:00 P.M. on Thursday, November 12, 2020.

Auditor Merlo also told council that after these projects are done and if there are any funds remaining, those funds would be out towards the police and fire wages. This will be done per the Coronavirus Relief Fund Act.

Treasurer Telago gave an update to council on the report he submitted earlier on the revenue for the city. The city did receive a deposit for \$513,295.75 on November 2<sup>nd</sup>. Currently this year, the city has \$7,957,302.71 in deposits compared to last year at this time of \$9,124,394.0. There is another deposit on November 15<sup>th</sup>.

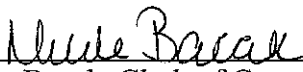
Mr. Cantola wanted to recognize and give his appreciation to the police department. They just got recertified this past week and passed all of the trainings with flying colors. Our police officers are willing to go through this training to ensure the safety of the citizens. He wanted to thank them for their dedication to the city.

Secondly, Mr. Cantola said he thought the water agreement that was passed today was a benefit to everyone. It is a little coming to the city but it will be huge in a couple of years. He thanked MVSD and Lordstown for coming tonight to explain and answer questions.

Ms. Smith wanted to echo the kudos to the Chief and the police department. She also feels the partnership with Lordstown will help us in the future. She is excited about it.

### ADJOURN

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

  
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Nicole Bacak, Clerk of Council

  
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Robert Marino, Jr, President of Council