

**COUNCIL MEETING MINUTES**  
**February 19, 2020**

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

Niles City Council held its regular meeting on February 19, 2020 at 6:00 p.m. in Council Chambers Safety Service Complex in Niles, Ohio.

The meeting was called to order by Council Pro Tem President Ryan McNaughton and the Clerk, Nicole Bacak, called the roll:

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

It was moved by Lastic, seconded by Sollitto to excuse President Marino from the meeting. Motion carried.

It was moved by Marchese, seconded by Smith to accept the Minutes from the February 5<sup>th</sup> meeting and place them on file.

Motion carried.

**REPORTS AND COMMUNICATIONS**

**FROM** – Auditor's Office

Statement of Cash from Revenue and Expense- January 2020

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- January 2020

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

Motion carried.

**FROM** – Water and Sewer Superintendent

Niles Water Loss for 2019

Mayor Mientkiewicz explained that council has a copy of 2019 as well as January 2020 in front of them. He stated the Water Superintendent and billing office are going to track this monthly so the administration can stay on top of this report. Mayor Mientkiewicz said he can send this to council along with the overtime report monthly.

Ms. Smith said at the last meeting there was mention about a similar report that could be given to them around electric. Mayor Mientkiewicz said the only loss would be street lights but he would ask the Light Superintendent if there was a report they could put together.

Pro Tem President McNaughton thanked Mr. Catanzarite for the report and asked if there was a comparison over the past 3-5 years and if there are national standards that we go by. Mr. Catanzarite said the national standard is roughly 25%. There are some places in Ohio that average a 70% loss. The city of Niles had an average loss of 20.75%.

Mr. Cantola said he asked Mr. Catanzarite about putting a line on the report about water breaks and see if it correlates to our losses. Mayor Mientkiewicz said Mr. Robertson does track the water breaks separately. Mr. Robertson does have documentation if anyone would like to see it.

### **MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL**

(Public comments began at 8:28 into recording)

Dee Seeban: 611 Warren Ave. Mrs. Seeban wanted to know the survey about closing the pool in the park. Mrs. Seeban wanted to know where that survey came from and why the residents didn't get the survey. Mayor Mientkiewicz explained the survey was put together per the request of the Park Board and was created by the Regional Chamber. It was distributed on-line, on the city websites and paper copies were available at the Wellness Center, SCOPE enter and the library as well. It also was available through the schools.

Mrs. Seeban brought up a website called I am so Niles. She remembers two ladies went out and worked their rear ends off to get a grant to get that swimming pool. Now, we aren't opening it up. Mrs. Seeban saw in the newspaper this week that the pool and the pool shed so pickleball can go in there. She stated there are 102 comments on I am so Niles from people who want the pool open. Mrs. Seeban said no one wants to play pickleball.

President Pro Tem McNaughton said he cannot speak for Mr. Burke or about the social media site because he does not follow the Niles social media sites. Mrs. Seeban said that is a good site to be on. Mrs. Seeban was still questioning where the surveys came from and how they were distributed. Mayor Mientkiewicz said he thought it was somewhere around 800 people responded to the survey. President Pro Tem McNaughton said that is decent return because most of the time they do not get filled out.

Mrs. Seeban asked when will the pool be taken down and President Pro Tem McNaughton said he does not know those answers because he is not on the Park board or involved in those meetings. Mrs. Seeban said it should not be advertised in the newspaper if no one knows the date. President Pro Tem McNaughton said you would need to ask the reporter who wrote the story since it was not an advertisement from the city. It was a reporter writing a story. Mayor

Mientkiewicz said it has always been the plan to demolish the pool. He was not aware of pickleball going in there.

Chuck Johnstone: 145 Sheridan Ave. Mr. Johnstone wanted to apologize about last meeting. At the last meeting, he said he beat up Mr. Crowley pretty bad and since then he has been in contact with Mr. Crowley a couple of times. He didn't mean to come across as strong as he did and he appreciates the efforts that Mr. Crowley has done. He hopes the outcome can be handled quickly. He wanted to say thank you for the quick response because he does appreciate it.

Mr. Johnstone had one other issue to address and he did not want to step on anyone's toes. He wants to know why the city isn't doing more about cats. Cats roam so freely in the neighborhoods. His house smells like a litter box. He wants to know people don't keep their cats on their property. With dogs, you have to clean up after them, have them licensed, etc. This is not the same for cats. You don't know if these cats have shots or not.

President Pro Tem McNaughton said he would be interested in knowing how many of the cats are feral. He has three cats and they do not leave the house. Mr. Johnstone said he isn't sure but we don't have a dog catcher anymore so what do you do. President Pro Tem McNaughton presumes that if he were to reach out to the county, they might be able to assist him. President Pro Tem McNaughton knows there is a person out of Petsmart, he thinks it's called West Side Cats for the organization. This woman has worked her entire life to rescue cats and finding them homes.

Mr. Johnstone knows that some of the cats are owned by people in the neighborhood and if they aren't going to take care of them, they shouldn't be able to have them. It's just disgusting how they roam around. If we are going to be a proactive city, he believes there is something that we can do to turn this around. President Pro Tem McNaughton asked if he has talked to anyone at the city and provided an address so it can be looked into. If they city doesn't know there is an issue, they cannot address it. President Pro Tem McNaughton understands his frustration.

Mr. Johnstone again wanted to thank Mr. Crowley. Mr. Crowley has always been there for him in the past and he knows he is working on this. He set up a meeting for next week with the Mayor and he is hoping they can get something accomplished.

### **COUNCIL COMMITTEE REPORTS**

Mr. Sollitto updated council that they met with the park board. There were issues with the restrooms being locked. The park board is checking into this and will get back to them in 60 days. They are looking into different avenues about people locking and unlocking the restrooms daily. They are also researching a dry restroom for Kennedy Park.

Mr. Sollitto stated that the issues with the prisoners have been resolved. Mayor Mientkiewicz agreed and said they met with the union and the prison representatives and everything is good.

**ORDINANCES AND RESOLUTIONS**

(Legislation began at 17:40 into recording)

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

**AN ORDINANCE AUTHORIZING THE VACATION OF A PORTION OF LONG ALLEY**

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

**YEAS: 7    NAYS: 0**

Rules are suspended.

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

**YEAS: 7    NAYS: 0**

This Draft No. 20- 20 has been adopted on the 19th day of February 2020.

**ORDINANCE NO. \_\_\_\_ ( Draft No. 28-20)**

**AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ISSUE A REQUEST FOR QUALIFICATIONS TO HIRE A CONSULTING FIRM FOR THE CDBG PROGRAM AND, DECLARING AN EMERGENCY**

It was moved by Cantola, seconded by Sollitto to amend the legislation to say request for qualifications and enter into a contact.

**YEAS: 7    NAYS: 0**

**This draft has been amended to:**

**AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ISSUE A REQUEST FOR QUALIFICATIONS AND TO ENTER INTO A CONTRACT TO HIRE A CONSULTING FIRM FOR THE CDBG PROGRAM AND, DECLARING AN EMERGENCY**

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

**YEAS: 7    NAYS: 0**

Rules are suspended.

It was moved by Marchese, seconded by Smith to adopt this Draft No. 28-20.

**YEAS: 7    NAYS: 0**

This Draft No. 28- 20 has been adopted on the 19th day of February 2020.

**ORDINANCE NO. \_\_\_\_ ( Draft No. 29-20)**

**AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND/OR ENTER INTO CONTRACTS FOR THE TRU-WEST PARK/EAST STATE STREET RESURFACING PROJECT AND, DECLARING AN EMERGENCY**

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

**YEAS: 7    NAYS: 0**

Rules are suspended.

It was moved by Cantola, seconded by Lastic to adopt this Draft No. 29-20.

**YEAS: 7    NAYS: 0**

This Draft No. 29- 20 has been adopted on the 19th day of February 2020.

**RESOLUTION NO. \_\_\_\_ ( Draft No. 30-20)**

**A RESOLUTION AUTHORIZING THE FIRE CHIEF OR HIS DESIGNATED REPRESENTATIVE TO PREPARE AND SUBMIT AN APPLICATION AND ENTER INTO AGREEMENTS FOR GRANT MONEY TO ASSIST IN PURCHASING NEEDED SUPPLIES FOR THE FIRE STATIONS, DECLARING AN EMERGENCY**

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

**YEAS: 7    NAYS: 0**

Rules are suspended.

It was moved by Marchese, seconded by Cantola to adopt this Draft No. 30-20.

**YEAS: 7    NAYS: 0**

This Draft No. 30- 20 has been adopted on the 19th day of February 2020.

**RESOLUTION NO. \_\_\_\_ ( Draft No. 31-20)**

**A RESOLUTION AUTHORIZING THE FIRE CHIEF OR HIS DESIGNATED REPRESENTATIVE TO PREPARE AND SUBMIT AN APPLICATION AND ENTER INTO AGREEMENTS FOR THE OHIO EMS GRANT FOR REIMBURSEMENT OF MEDICAL SUPPLIES, AND DECLARING AN EMERGENCY**

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

**YEAS: 7    NAYS: 0**

Rules are suspended.

It was moved by Marchese, seconded by Lastic to adopt this Draft No. 31-20.

**YEAS: 7    NAYS: 0**

This Draft No. 31- 20 has been adopted on the 19th day of February 2020.

**RESOLUTION NO. \_\_\_\_ ( Draft No. 32-20)**

**A RESOLUTION AUTHORIZING THE FIRE CHIEF OR HIS DESIGNATED REPRESENTATIVE TO PREPARE AND SUBMIT AN APPLICATION AND ENTER INTO AGREEMENTS FOR THE OHIO FIRE MARSHALL'S GRANT FOR REIMBURSEMENT OF AN INSPECTOR CLASS COMPLETED IN 2019, AND DECLARING AN EMERGENCY**

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

Mr. Cantola wanted to clarify to the audience that the last three resolutions are things that our fire chief and his department are doing. They are going out for bids to replenish supplies. Mr. Cantola explained that the city hasn't received any of the grants; they are just going out and applying for them.

**YEAS: 7    NAYS: 0**

Rules are suspended.

It was moved by Marchese, seconded by Cantola to adopt this Draft No. 32-20.

**YEAS: 7    NAYS: 0**

This Draft No. 32- 20 has been adopted on the 19th day of February 2020.

**RESOLUTION NO. \_\_\_\_ ( Draft No. 33-20)**

**A RESOLUTION AUTHORIZING THE DISPOSAL OF THE LIGHT DEPARTMENT'S 1985 CAT TOW MOTOR BY INTERNET AUCTION OF CERTAIN OBSOLETE ITEM NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE BY THE CITY; 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 Cantola to adopt this Draft No. 33-20.

**YEAS: 7    NAYS: 0**

This Draft No. 33- 20 has been adopted on the 19th day of February 2020.

**ORDINANCE NO. \_\_\_\_\_ ( Draft No. 34-20)**

**AN ORDINANCE AMENDING SECTION 921.07, BACKFLOW PREVENTION DEVICES OF THE CODIFIED ORDINANCES OF THE CITY OF NILES; AND DECLARING AN EMEGENCY**

It was moved by Smith, seconded by Lastic 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. 34-20.

**YEAS: 7    NAYS: 0**

This Draft No. 34- 20 has been adopted on the 19th day of February 2020.

**MISCELLANEOUS REMARKS**

(Miscellaneous remarks began at 26:57 into recording)

Mayor Mientkiewicz updated everyone on the Scrappers Rally that was in the afternoon at the Eastwood Mall. It was a great turnout and there were community members from Niles, Howland, Weathersfield and Trumbull County. Many other elected officials were there showing their



support for the Scrappers and sharing the resolutions that they sent in, just like the city of Niles did.

Mayor Mientkiewicz did mention that at the last council meeting there was a billing concern. The next few days following the meeting, they spent working on this issue. The billing office worked with NECO very closely on this. They learned how to break down the billing monthly, daily, and hourly for the billing. They can break down the gallons for the customer. It turns out the customer's bill was correct. It was all actual usage. Any time there is an actual read, which actual water is going through the meter. They have the ability to sit down with customers and break it down for customers if there is a concern. If there an ACT on the bill, it is actual water. The rates are accurate in the system and they are confident in the system, especially after the billing audit.

If there are any discrepancies, the customer is more than welcome to call the administration or the billing office and they will sit down with them and go through the bills and explain everything. Ms. Marchese wanted to clarify that it has nothing to do with the meters sitting so long. Mayor Mientkiewicz said no. If there is a bad meter, it will register in the system as a no read in the system. They can track this and they are working on scheduling appointments with these customers to fix these issues.

Mr. Flarey stated they are sending out notices to individuals whose meters aren't getting actual reads. They would like these people to come in or schedule an appointment with the customer service representative so they can get the repair done.

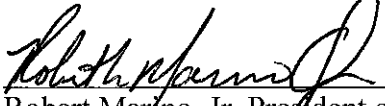
Mr. Catanzarite updated council that Paul Koehnlein from the treatment plant passed his test and is now a Class 1 Operator. Also, they ran wires into the McKees Street pump today and they will test everything on Friday. It is scheduled to go live on Tuesday. President Pro Tem McNaughton asked Mr. Catanzarite to pass along their congratulations to his employee. Anytime an employee goes out and betters themselves with training, it makes the city better.

Mr. Lastic wanted to comment on what Mr. Johnstone was talking about with the issue with the cats. Years ago, Mr. Lastic was in the audience and there was a piece of legislation coming in about the cat issue. A group came to council for this and it was the largest group he has ever seen. Cats are people too. They brought lawyers from Columbus with them. It was the most powerful group that been in there.

**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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Robert Marino, Jr, President of Council