

**COUNCIL MEETING MINUTES**  
**July 15, 2020**

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

Niles City Council held its regular meeting on July 15, 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

**REPORTS AND COMMUNICATIONS**

**Consent Agenda-**

**A. Reports and Communication to be accepted by City Council**

- a. Check Report by Check Number- March
- b. Statement of Cash from Revenue and Expense- March
- c. Check Report by Check Number- April
- d. Statement of Cash from Revenue and Expense- April
- e. Check Report by Check Number- May
- f. Statement of Cash from Revenue and Expense- May

**B. Minutes to be accepted**

- a. Special Council Meeting- March 17<sup>th</sup>
- b. Special Council Meeting- March 20<sup>th</sup>
- c. Special Council Meeting- March 24<sup>th</sup>
- d. Special Council Meeting- March 25<sup>th</sup>
- e. Special Council Meeting- April 2<sup>nd</sup>
- f. Special Council Meeting- April 8<sup>th</sup>
- g. Special Council Meeting- May 20<sup>th</sup>
- h. Special Council Meeting- June 3<sup>rd</sup>
- i. Special Council Meeting- June 17<sup>th</sup>

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

**FROM-** Terry Swauger

Letter to City Council from Terry Swauger about the engraving of his wife's niche. (Clerk read letter in its entirety)

It was moved by Profato, seconded by Cantola to accept and place it on file.

Ms. Marchese did want to confirm that this issue has been taken care of for Mr. Swauger. Mayor Mientkiewicz did confirm that it has been taken care of. Mayor Mientkiewicz also wanted to point out that the city does not have anything to do with the engraving process. This is handled through the funeral homes and this is a very skilled trade. There are only a couple of people in the area who have this skill and experience.

Motion carried.

Mr. Sollitto made a motion to add a document to be read into the record about this issue. Mr. Cantola seconded the motion since it pertains to the issue.

Motion carried

**FROM-** James Dechristefero

Letter to City Council addressing concerns from Mr. Swauger's letter. (Clerk read letter in its entirety)

It was moved by Sollitto, seconded by Cantola to accept and place it on file.

Motion carried

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

(Public comments began at 12:19 into recording)

George Kuriatnyk: 52 Moriningside.

Mr. Kuriatnyk wanted to comment on the issue on Lawnview because he was out there to look at the issue. He wants to know what qualifications the Mayor has to say it is not the city's fault. He told Mr. Sollitto to ask Jimmy DePasquale. He will tell him everything about it. If the city put it in there, then they need to fix it. He stated the homeowner is going to come to the next council meeting because he is pretty upset about the comments the Mayor made about Mr. DePasquale. Mr. Kuriatnyk said he was not aware that the city had an engineering department. He did not know that Mr. Robertson was an engineer. It is negligence of the city and they should correct it.

Next, Mr. Kuriatnyk questioned the hiring of the new Park Director. The city hired a Park Director when the parks were closed. Mr. Kuriatnyk stated the city chose to hire a Park director instead of hiring a police officer. He feels the city should have hired a police officer instead of a Park Director. There should be people who can direct the park employees on what to do on a daily basis instead of hiring the director.

Mr. Kuriatnyk mentioned that the Mayor wants to spend \$700,000.00 and give it to Altobelli Real Estate, Denny and Rich to develop land that isn't going to work. When you go down Mahoning Ave off of Robbins Ave, you can't even see the sidewalks because of the trees, leaves and grass. They should spend money to fix that up because it is disgusting. He said 2 days ago he closed on property and he wants the city to give him money to help develop this property.

He stated that the Housing and Building department are 90% at fault for the way the city is. They do not do their jobs. They only go after people who upset them. When you get a permit to do a job, they are giving you permission to do a job. They shouldn't wait 8 months later to go out and tell someone to take down a fence because it is 5 inches over. They should have went out and inspected before giving them the permit. Mr. Vigorito goes after people for signs but what about the signs at Coletti's pizza shop. It is hanging off and falling.

Mr. Kuriatnyk was informed by President Marino that his time was up. He asked for three more minutes to speak about something that was not city related. It was important to him that he say something else.

It was moved by Marchese, seconded by Cantola to allow three extra minutes to Mr. Kuriatnyk for his public remarks.

There was one No vote. Motion carried.

Mr. Kuriatnyk took his three minutes and apologized to Ms. Smith for the family tragedy that she has been dealing with.

### **COUNCIL COMMITTEE REPORTS**

NONE

### **ORDINANCES AND RESOLUTION**

(Legislation began at 19:55 into recording)

**ORDINANCE NO. \_\_\_\_\_ ( Draft No. 69-20)**

**AN ORDINANCE AUTHORIZING REIMBURSEMENT OF UP TO TEN THOUSAND DOLLARS AND 00/100 (\$10,000.00) TO THE COMMUNITY IMPROVEMENT CORPORATION OF NILES FOR EXPENSES RELATED TO A PROPOSED DONATION OF THE NILES BANK BUILDING AND DECLARING AN EMERGENCY.**

It was moved by Profato seconded by Sollitto to give a third reading to Draft No. 69-20

Ms. Marchese stated that she heard this building was sold. If it is sold, she wants to know why we would give them money. Law Director Zuzolo said it was his understanding that the building was sold and then the donation would not take place.

President Marino wanted to update Mr. Profato on what was being said. He explained that the building has been sold but he was not sure if a closing has happened. If that is the case, then the donation would not take place. Mr. Profato said this is why we don't get economic development done and other places do. There was some confusion which President Marino clarified.

Mr. Sollitto stated that council really needs to look long and hard at the legislation and stop passing everything by emergency. Other councils do not do that. Not every single issue needs to be suspended. He isn't saying that there are some issues that come up that are true emergencies. But not everything is. President Marino said this legislation is a third reading. Mr. Sollitto said he understands that for this item, but he was talking future legislation.

Ms. Smith asked about the postponing of the \$25,000.00 that was in the budget for CIC. Mayor Mientkiewicz confirmed that it was originally \$50,000.00 which was then cut to \$25,000.00 due to the COVID situation. The \$10,000.00 in this legislation is part of the \$25,000.00. Law Director Zuzolo confirmed that nothing has been spent yet and given to the CIC.

**YEAS: 6    NAYS: 0    ABSTAIN: 1 (Cantola)**

It was moved by Profato, seconded by Smith to adopt this Draft No.69-20.

**YEAS: 6    NAYS: 0    ABSTAIN: 1(Cantola)**

This Draft No. 69- 20 has been adopted on the 15th day of July 2020.

**RESOLUTION NO. \_\_\_\_\_ ( Draft No. 76-20)**

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

Mr. Sollitto commented on this legislation. This is a situation that could have come to council sooner but now there is no choice but to suspend the rules due to the dates. If it went through all of the readings, it would not make the deadline. He is in support of this legislation and he is the one who sponsored it. In the future, he would like this to come to council earlier. He understands he just spoke about not suspending everything and now he is going to ask for suspension on this legislation. He doesn't want to look hypocritical, but they have to suspend it due to the time

frame. Mr. Profato agreed with Mr. Sollitto. It is due to the time frame. Mayor Mientkiewicz said items like this are difficult to track with everything going on. What he would like to do next year, is put both permit waivers in one piece of legislation earlier in the year so it is done.

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

**YEAS: 7    NAYS: 0**

Rules are suspended.

It was moved by Marchese, seconded by Sollitto to adopt this Draft No. 76-20.

**YEAS: 7    NAYS: 0**

This Draft No. 76- 20 has been adopted on the 15th day of July 2020.

**RESOLUTION NO. \_\_\_\_\_ ( Draft No. 77-20)**

**A RESOLUTION AUTHORIZING THE CITY OF NILES TO ACCEPT FOUR THOUSAND DOLLARS AND 00/100 (\$4,000.00) IN GRANT MONEY FROM GEAUGA-TRUMBULL SOLID WASTE MANAGEMENT DISTRICT FOR THE PURPOSE OF A CITY-WIDE ELECTRONICS DISPOSAL; AND, DECLARING AN EMERGENCY**

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

Mayor Mientkiewicz wanted to clarify that this a reimbursement grant. The city will only get reimbursed (up to \$4000.00) for what they spend.

**YEAS: 7    NAYS: 0**

Rules are suspended.

It was moved by Cantola, seconded by Lastic to adopt this Draft No. 77-20.

**YEAS: 7    NAYS: 0**

This Draft No. 77- 20 has been adopted on the 15th day of July 2020.

**ORDINANCE NO. \_\_\_\_ (Draft No. 78-20)**

**AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO AN EASEMENT AGREEMENT TO THE EAST OHIO GAS COMPANY DBA DOMINION ENERGY OHIO FOR THE PURPOSE OF ENABLING EAST OHIO COMPANY DBA DOMINION ENERGY OHIO TO CONSTRUCT AND OPERATE THE PIPELINE(S) MORE EFFICIENTLY 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 Sollitto to adopt this Draft No. 78-20.

**YEAS: 7 NAYS: 0**

This Draft No. 78- 20 has been adopted on the 15th day of July 2020.

**RESOLUTION NO. \_\_\_\_ (Draft No. 79-20)**

**A RESOLUTION ADOPTING THE ALTERNATIVE TAX BUDGET FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2021; AND DECLARING AN EMERGENCY**

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

Mr. Sollitto asked why does this have to be suspended and if there was time frame on this. It was explained that there is a deadline to file this with the county. Mr. Cantola said he met with Auditor Merlo and went through these numbers. Most of the numbers are identical to last year. They tried not to increase or decrease anything because of the Coronavirus. These numbers will get looked at again and any adjustments will made at that time.

**YEAS: 7 NAYS: 0**

Rules are suspended.

It was moved by Lastic, seconded by Cantola to adopt this Draft No. 79-20.

**YEAS: 7 NAYS: 0**

This Draft No. 79- 20 has been adopted on the 15th day of July 2020.

**RESOLUTION NO. \_\_\_\_\_( Draft No. 80-20)**

**A RESOLUTION AUTHORIZING THE CITY OF NILES, BY AND THROUGH ITS MAYOR, TO RENEW THE CONTRACT WITH THE TRUMBULL COUNTY COMBINED HEALTH DISTRICT, AND, DECLARING AN EMERGENCY**

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

Mr. Cantola stated that this draft is one like Mr. Sollitto mentioned earlier were in the future we need to plan ahead of time and get this to council earlier.

**YEAS: 7    NAYS: 0**

Rules are suspended.

It was moved by Profato, seconded by Marchese to adopt this Draft No. 80-20.

**YEAS: 7    NAYS: 0**

This Draft No. 80- 20 has been adopted on the 15th day of July 2020.

**ORDINANCE NO. \_\_\_\_\_( Draft No. 81-20)**

**AN ORDINANCE AUTHORIZING MONTHLY CASH TRANSFERS; 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. 81-20.

**YEAS: 7    NAYS: 0**

This Draft No. 81- 20 has been adopted on the 15th day of July 2020.

**ORDINANCE NO. \_\_\_\_\_ ( Draft No. 82-20)**

**A ORDINANCE AUTHORIZING APPROPRIATION BUDGET TRANSFERS FROM VARIOUS ACCOUNTS FOR THE PURPOSE OF RETURNING EMPLOYEE FROM VOLUNTARY FURLOUGH; AND, DECLARING AN EMERGENCY**

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

**YEAS: 7    NAYS: 0**

Rules are suspended.

It was moved by Smith, seconded by Lastic to adopt this Draft No. 82-20.

**YEAS: 7    NAYS: 0**

This Draft No. 82- 20 has been adopted on the 15th day of July 2020.

**ORDINANCE NO. \_\_\_\_\_ ( Draft No. 83-20)**

**AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE NILES BOARD OF EDUCATION AND THE CITY TO UTILIZE CITY POLICE OFFICER(S) AS SCHOOL RESOURCE OFFICERS; 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 Profato to adopt this Draft No. 83-20.

**YEAS: 7    NAYS: 0**

This Draft No. 83- 20 has been adopted on the 15th day of July 2020.

**MISCELLANEOUS REMARKS**



(Miscellaneous remarks began at 41:14 into recording)

Mayor Mientkiewicz reminded everyone that the second mosquito spraying will take place on July 28<sup>th</sup>. Concrete restoration, due to water breaks, for driveways and sidewalks started this week. He also asked council to check in their wards for anything that needs addressed and to make sure him and the service director know.

Mayor Mientkiewicz wanted to give some recognition to a volunteer group from the Trumbull County Board of Developmental Disabilities. There is a group of volunteers doing some jobs in the cemetery and park. He appreciates the work that they are going. Next, he wanted to recognize ODOT for the work they did on 422 and Robbins Ave. Those two sections were done free of charge to the city.

Lastly, he wanted to thank the light department. The last couple of weeks there have been a lot of storms causing trees to come down and power outages. The light department did a phenomenal job. He believes the longest anyone was out of power was approximately 30 minutes.

Ms. Marchese asked if the tree department was still in the city. Mayor Mientkiewicz said yes they were and every day they are out clearing the wires off limbs.

Mr. Lastic wanted to confirm that the date of the next meeting. It was confirmed that the next meeting was August 19<sup>th</sup>. Mr. Lastic asked where the next meeting would be. President Marino said that was council's decision on the time and place of the meeting.

Mr. Profato just asked if they check the technology for the next meeting.

Mr. Cantola wanted to thank everybody for getting council back together. It is a good first step in showing the residents that we are operating our business as need be. That is what they were elected to do. He thinks that is key that they show the residents that. He wanted to thank everyone that showed up and thank the administration for making this happen.

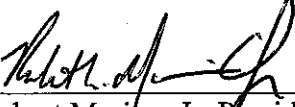
Ms. Marchese said she has been getting calls about the pineapple situation. She really thinks they need to get moving on it.

Mr. Sollitto also expressed his sorrows to Ms. Smith. Next, Mr. Sollitto said he thinks the city can aggressively look at this flooding issue. Anything that the city can do, they need to find ways to do it. He has nothing against the Mayor, he is not publicly shaming him. He hopes that the Mayor would consider having a private conversation with Mr. DePasquale about what was said. He has to bring everyone together. He is the Mayor so it starts with him.

**ADJOURN**

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

  
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Nicole Bacak, Clerk of Council

  
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Robert Marino, Jr, President of Council