

COUNCIL MEETING MINUTES
March 2, 2022

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

Niles City Council held its regular meeting on March 2, 2022, at 6:00 p.m. at the Niles Senior Center in Niles, Ohio.

The meeting was called to order by Council President, Robert Marino Jr., and the Clerk, Nicole Bacak, called the roll:

Depasquale-P, Julian- P, Lastic-P, Devorich-P, Marchese-NP, Smith- P, Sollitto-P, Marino-P

It was moved Julian, seconded by Smith to excuse Ms. Marchese from the meeting due to personal illness.

Motion carried.

It was moved Sollitto, seconded by Smith to accept the minutes from the February 16th meeting and place them on file.

Motion carried.

REPORTS AND COMMUNICATIONS

FROM- Pictures from Mr. Dechristofaro and Mayor Mientkiewicz

Pictures about snow plowing

It was moved by Depasquale, seconded by Lastic to accept, and place it on file.

Motion Carried.

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL

(Public comments began at 1:28 into recording)

De'Etta Miller: Mrs. Miller came to council this evening to ask for an update on the runoff water for the sewage backup on Brown Street. Mayor Mientkiewicz asked if she was referring to the pump station project, and Mrs. Miller said yes. She knows they are working on this issue and just wanted to know if there was an update. Mayor Mientkiewicz said yes, the project is moving forward, and they will be calling a round table meeting for next steps and funding. They will be discussing this project and the Bellvue Ravine project and the Dragon Drive sanitary project. They did have a discussion with the consultant this morning about the project. Mayor Mientkiewicz did stress that this will be a process, but it is moving forward.

Mrs. Miller asked if there was an answer for the surface water mixing with the sewage and Mayor Mientkiewicz said that is inflow and infiltration issues. If you rewind to last year when there were issues on Brown Street, there was 10 inches of rain in the month of August, which is unprecedented. All of that surface water is being infiltrated by or being directly piped by the sanitary sewer lines. This is one thing that they are going to work on in the future. They are going to work on identifying these issues to help mitigate these flooding issues in the future. There are issues with rainfall and runoff and downspouts being directly tied into the sanitary systems. There are also issues with the downspouts being directly discharged into the foundations of homes. Those are things that they will look at.

Mrs. Miller said they don't even need a lot of rain to get flooded anymore and Mayor Mientkiewicz asked if she got flooded and she did state they got a little bit of water this last time. Mayor Mientkiewicz was not aware of any flooding in any areas that is why he asked. As stated at the previous council meeting, the sewer department was out cleaning the lines. There is water getting into those sanitary lines at some point and they just don't know where yet. It could over on Nash Street but because Brown Street is the lowest point of the city, that is where most of the flooding and backup occurs. Mayor Mientkiewicz said they are still working with the consultants to try and mitigate these issues. Mrs. Miller said her son might be able to explain more because he does this line of work. She thanked Mayor Mientkiewicz for the update.

Mark Cane: Mr. Cane asked Mayor Mientkiewicz if there was a final report from the consultants and Mayor Mientkiewicz said yes there was a preliminary report accepted by council at a meeting. Mr. Cane asked if he could get a copy and Mayor Mientkiewicz said he could come down to his office and get a copy. Mr. Cane said he understands that infiltration is the biggest problem, and the pump station might keep it out of his basement but not the main source of the problem. Mayor Mientkiewicz said he can come down and ask for him or Service Director Flarey and they will get him a copy and sit down with him and go over the report and their plan. Mayor Mientkiewicz said he did want to stress that Mr. Cane hit the nail on the head that the pump station issue will help the cause, but it will not solve the issue.

COUNCIL COMMITTEE REPORTS

Public Grounds Committee Meeting Minutes- February 2, 2022

Community Development and Neighborhood Stabilization Meeting Minutes- February 9, 2022

Technology Meeting Minutes- February 16, 2022

It was moved by Devorich, seconded by Lastic to accept these minutes, and place them on file. Motion Carried.

It was moved by Smith, seconded by Julian to adjourn into executive session pursuant to Ohio Revised Code Section 121.22 Section G, 1,3,4 and to speak about compensation for public employees, pending litigation and collective bargaining agreements.

President Marino asked which topic they would be speaking of first because he would need to excuse himself for the collective bargaining agreement discussions. Ms. Smith said they would discuss the collective bargaining first. President Marino excused himself from executive session for this topic.

YEAS: 6 NAYS: 0

Council adjourned into executive session at 6:10 P.M.

It was moved by Depasquale, seconded by Devorich to reconvene from executive session.

YEAS: 6 NAYS: 0

Council reconvened from executive session at 7:20 P.M.

ORDINANCES AND RESOLUTION
(Legislation began at 15:05 into recording)

ORDINANCE NO. ____ (Draft No. 46-22)

AN ORDINANCE AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED GENERAL FUND 101 TO THE GENERAL FUND MISCELLANEOUS ACCOUNT FOR PURPOSES OF SETTLEMENT OF POTENTIAL LITIGATION AND, DECLARING AN EMERGENCY

It was moved by Devorich, seconded by Lastic to give a 3rd reading to this Draft No. 46-22.

YEAS: 3 NAYS: 3 (Julian, Lastic, and Smith)

Since there is a tie, President Marino is the tie breaking vote. President Marino voted Yea.

YEAS: 4 NAYS: 3 (Julian, Lastic, and Smith)

It was moved by Sollitto, seconded by Devorich to adopt this Draft No. 46-22.

YEAS: 3 NAYS: 3 (Julian, Lastic, and Smith)

Since there is a tie, President Marino is the tie breaking vote. President Marino voted Yea.

YEAS: 4 NAYS: 3 (Julian, Lastic, and Smith)

This Draft No. 46-22 has been adopted on the 2nd day of March 2022.

ORDINANCE NO. _____(Draft No. 54-22)

AN ORDINANCE AUTHORIZING THE SAFETY DIRECTOR TO PREPARE AND EXECUTE ON BEHALF OF THE LOCAL PUBLIC AGENCY (LPA), CITY COUNCIL OF NILES, AN APPLICATION FOR SRTS FUNDS FOR THE SAFE ROUTES TO SCHOOL PROJECT AND TO SUBMIT SAME TO THE STATE OF OHIO, DEPARTMENT OF TRANSPORTATION AND, DECLARING AN EMERGENCY

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

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by Julian, seconded by Depasquale to adopt this Draft No. 54-22.

YEAS: 6 NAYS: 0

This Draft No. 54-22 has been adopted on the 2nd day of March 2022.

ORDINANCE NO. _____(Draft No. 55-22)

AN ORDINANCE AUTHORIZING THE DISPOSAL OF TWO POLICE VEHICLES TO BE SOLD BY INTERNET AUCTION ON GOV DEALS AS THE VEHICLES ARE NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE BY THE CITY; AND, DECLARING AN EMERGENCY

It was moved by Julian, seconded by Depasquale to suspend the rule requiring three readings.

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by Julian, seconded by Sollitto to adopt this Draft No. 55-22.

YEAS: 6 NAYS: 0

This Draft No. 55-22 has been adopted on the 2nd day of March 2022.

ORDINANCE NO. _____(Draft No. 56-22)

AN ORDINANCE AMENDING CODIFIED ORDINANCE NO. “303.08, IMPOUNDING OF VEHICLES; REDEMPTION”, AND DECLARING AN EMERGENCY

It was moved by Julian, seconded by Depasquale to suspend the rule requiring three readings.

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by Sollitto, seconded by Lastic to adopt this Draft No. 56-22.

YEAS: 6 NAYS: 0

This Draft No. 56-22 has been adopted on the 2nd day of March 2022.

ORDINANCE NO. _____(Draft No. 57-22)

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO A SERVICE CONTRACT WITH NECO TO REPLACE RF OUTSIDE TRANSMITTERS AND PROCODER REGISTERS AND, DECLARING AN EMERGENCY

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

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by Smith, seconded by Julian to adopt this Draft No. 57-22.

YEAS: 6 NAYS: 0

This Draft No. 57-22 has been adopted on the 2nd day of March 2022.

ORDINANCE NO. _____(Draft No. 58-22)

AN ORDINANCE AUTHORIZING VARIOUS EXPENDITURES FROM THE LOCAL FISCAL RECOVERY FUND 210

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

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by Julian, seconded by Smith to adopt this Draft No. 58-22.

YEAS: 6 NAYS: 0

This Draft No. 58-22 has been adopted on the 2nd day of March 2022.

RESOLUTION NO. _____(Draft No. 59-22)

A RESOLUTION APPROVING THE LABOR AGREEMENT BETWEEN THE CITY OF NILES AND THE AFSCME OHIO COUNCIL 8, LOCAL 506 (AFSCME) BARGAINING UNIT; AND, DECLARING AN EMERGENCY

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

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by Depasquale, seconded by Smith to adopt this Draft No. 59-22.

YEAS: 6 NAYS: 0

This Draft No. 59-22 has been adopted on the 2nd day of March 2022.

RESOLUTION NO. _____(Draft No. 60-22)

A RESOLUTION AUTHORIZING APPROPRIATION BUDGET TRANSFERS FROM THE LFRF FUND 210 FOR THE WATER MAIN VALVE REPLACEMENTS; AND, DECLARING AN EMERGENCY

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

Mayor Mientkiewicz clarified that this is for the local valve replacement. This is not for anything contracted out.

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by Depasquale, seconded by Lastic to adopt this Draft No. 60-22.

YEAS: 6 NAYS: 0

This Draft No. 60-22 has been adopted on the 2nd day of March 2022.

ORDINANCE NO. _____(Draft No. 61-22)

AN ORDINANCE AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED WATER FUND 501 TO THE CONTRACTED LABOR ACCOUNT AND DECLARING AN EMERGENCY

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

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by Sollitto, seconded by Lastic to adopt this Draft No. 61-22.

YEAS: 6 NAYS: 0

This Draft No. 61-22 has been adopted on the 2nd day of March 2022.

MISCELLANEOUS REMARKS

(Miscellaneous remarks began at 30:36 into recording)

President Marino asked council to excuse him from the next meeting because he will be out of town. He will not be able to call in.

Mayor Mientkiewicz wanted to give council a heads up that there will be a roundtable called to discuss the storm sewer, sanitary projects and the pump station projects. Mayor Mientkiewicz said that he will be asking for legislation on March 16th for design and engineering for the pump stations. Mayor Mientkiewicz said he would try to work around council's schedules but he would B & N to be at the meeting. He will let everyone know as soon as possible. Council can come and meet with him one on one.

President Marino said if there is call in information for the meeting, to make sure that the clerk has the information, and it is made available for the public or for members to call in. And also, to get it published in time.

Mr. Lastic said long live the Ukraine.

Mrs. Devorich said that although they don't always agree, it is nice to see everyone come together and move things forward. She appreciates that. President Marino said that is what it is all about. You can agree to disagree but never be disagreeable. That is what makes good government.

Ms. Smith wanted to call a finance meeting for next week. After some discussion, it was called for next Tuesday, March 8th @ 5:30 P.M. in the lower-level conference room of the city administration building. President Marino reminded council if the mayor can get the company to attend next week, then Mr. Lastic will be calling a meeting to follow Ms. Smith's finance meeting.

Mr. Sollitto said he knows it gets a little bit heated, but Auditor Merlo is going to get some number for council on the police issue as far as the wages. Coming from that field, he wants to make sure that they are getting their due diligence and maybe the wires were crossed or something. But before they lock in the different numbers and wages, he knows they aren't even at that point yet, they can continue to do the leg work.

ADJOURN

It was moved by all members, seconded by all members to adjourn the meeting.



Nicole Bacak, Clerk of Council



Linda Marchese, Pro Tem President of Council