

COUNCIL MEETING MINUTES
November 1, 2023

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

Niles City Council held its regular meeting on November 1, 2023, 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:

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

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

It was moved by Smith, seconded by Weddell to accept the minutes from the October 18th meeting and place them on file.
Motion carried.

REPORTS AND COMMUNICATIONS

FROM- Ohio Division of Liquor Control

Notice to legislative authority- To Abu Flash LLC DBA Quickie Mart from Mac's Convenience Store LLC DBA Circle K 5425

It was moved by Marchese, seconded by Julian to accept, and refer to the police chief and safety director for their recommendation.

Motion Carried.

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL

(Public comments began at 2:22 into recording)

George Kuriatnyk: Mr. Kuriatnyk wanted to talk about draft 129-23 that is up for its second reading tonight. Mr. Kuriatnyk said last year it is on video that it would be at no cost to the city to tear down the theater building, but last week the city is asking for \$90,000.00. President Marino asked if there was a state required match and Auditor Merlo confirmed there was a 25% match for the grant.

Mr. Kuriatnyk said he sent in a request because there is some backlash about the church up on Robbins Ave, which he excused himself from because of the personal attacks his son was taking. He can handle things, but when it comes to family he is up to here. You can do whatever you want to him, just not his family because that's when things are going to get difficult. It is going to get bad. Mr. Kuriatnyk said they want to condemn and tear down this building, but there is a building on Ann Street that is a nuisance and dangerous. There is a giant hole there with some tape around it. It has been two years and nothing has been done about it. He said the property on 4 Summit was on the original list but then was taken off. He also stated that he sent a request to Law Director Zuzolo for all of the permits and plans for the building on Ann Street. He wants to know why the building is still the way it is because it is dangerous.

Mr. Kuriatnyk said a kid asked him to question the moose on the 169 tonight. This person was fired four days ago. He said there are no permits for this building so how are they doing work in it. This kid was fired when he questioned this because he is not going to work in those conditions.

Next Mr. Kuriatnyk said there is going to be a lawsuit over \$5.00. It is like someone tells you that you have a job, and you go and get everything in line to do the work, and then they come back a few days later and say no you don't have the job. This is not the first time the city has done this to him or his family. He knows how bids work and it isn't always who has the lowest bid. He wants to know what happens to the employee who gave his son false information. He said nothing will happen, just like when the water department let the water run and flooded his yard and his basement. Nothing happened to the employee. Mr. Kuriatnyk asked Ms. Marchese what was going on with the building on Ann Street. Ms. Marchese said the reason the hole is there is because the whole back porch was ripped off the building. He also had trees removed. She is not sure what is going on now because she hasn't been down there lately.

President Marino did ask Mr. Crowley about the two properties at the moose and on Ann Street. Mr. Crowley said the moose property, the previous owner in California just sold the property. All of the outside has been cleaned up to code. He hasn't heard of anyone working there, but he will look into it. President Marino asked him to follow up tomorrow morning. Mr. Crowley said it is on their radar. As for the Ann Street property, the property is registered as a vacant home. It was written up in January for violations. A permit was pulled in March for demolition to remove the blight on the property. They have removed the blight around the building. President Marino wanted to know how much time passes from when the permit is pulled and them completing the work. Mr. Crowley said they do follow up to see that the work is being done. President Marino asked if he would follow up on this tomorrow. Mr. Sollitto told Mr. Crowley that he is going to forward him a few neighbor's number to give them an update because they have been asking.

Ms. Smith did ask the clerk if there was an amended version of the condemned houses sent to council. The clerk stated that the ordinance that council has was the original version that was sent. Law Director Zuzolo also confirmed that 4 Summit was never on the ordinance.

COUNCIL COMMITTEE REPORTS

NONE

President Marino again asked how council was with minutes and reminded everyone to submit their committee meeting minutes to the clerk. He reminded council they need to be in compliance of the open records law.

ORDINANCES AND RESOLUTION

(Legislation began at 12:15 into recording)

ORDINANCE NO. _____(Draft No. 128-23)

AN ORDINANCE AUTHORIZING THE DISPOSAL OF A 2004 CHEVROLET SILVERADO C1500 BY INTERNET AUCTION ON GOV DEALS AS THE VEHICLE IS NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE BY THE CITY; AND DECLARING AN EMERGENCY

It was moved by Sollitto, seconded by Julian to give a second reading to this draft 128-23.

YEAS: 6 NAYS: 0

This Draft No. 128-23 has received its 2nd reading on the 1st day of November 2023.

ORDINANCE NO. _____(Draft No. 129-23)

AN ORDINANCE AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED GENERAL FUND 101 TO THE CONTRACTED LABOR ACCOUNT FOR THE COST OF DEMOLITION OF THE THEATER BUILDING AND DECLARING AN EMERGENCY

It was moved by Julian, seconded by Sollitto to give a second reading to this draft 129-23.

YEAS: 6 NAYS: 0

This Draft No. 129-23 has received its 2nd reading on the 1st day of November 2023.

ORDINANCE NO. _____(Draft No. 131-23)

AN ORDINANCE AUTHORIZING BUDGET LINE-ITEM TRANSFERS FROM FUND 502 FROM THE EQUIPMENT PURCHASES ACCOUNT TO THE TRANSFORMERS ACCOUNT; AND, DECLARING AN EMERGENCY

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

Mr. Sollitto wanted to know if the city was under a time constraint on this legislation and the administration said yes. Ms. Smith also explained that the transformers are taking approximately 52 weeks to come in.

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by Smith, seconded by Sollitto to adopt this Draft No 131-23.

YEAS: 6 NAYS: 0

This Draft No. 131-23 has been adopted on the 1st day of November 2023.

ORDINANCE NO. _____(Draft No. 132-23)

AN ORDINANCE CREATING THE FIRE RETENTION FUND, NUMBER 239; AND DECLARING AN EMERGENCY

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

Mr. Sollitto also moved for a first reading on this draft and to have a discussion on it. Mr. Sollitto asked if the city is going to be putting all of these properties on there, why are they pushing it through. He was under the impression we had until December. It was explained to Mr. Sollitto that this vote is for the Fire Grant. Mr. Sollitto rescinded his motion.

Ms. Smith also said she is under the impression that it is time sensitive since the city has already received the grant. Auditor Merlo clarified that we cannot receive the grant until the fund is created. Once the funds are received, they will come back to council to appropriate the funds. He has also spoken to the chief about this, and they would like to pay out this money by the end of the year.

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by Marchese, seconded by Smith to adopt this Draft No 132-23.

YEAS: 6 NAYS: 0

This Draft No. 132-23 has been adopted on the 1st day of November 2023.

ORDINANCE NO. _____ (Draft No. 133-23)

AN ORDINANCE DECLARING CERTAIN PROPERTIES TO BE INSECURE, UNSAFE, STRUCTURALLY DEFECTIVE AND/OR UNFIT FOR HUMAN HABITATION; ORDERING AND PROVIDING FOR ABATEMENT OF NUISANCE; AUTHORIZING THE TRUMBULL COUNTY LAND REUTILIZATION CORPORATION TO ABATE THE PROPERTY NUISANCE(S) ON BEHALF OF THE CITY OF NILES, OF STRUCTURE(S) LOCATED IN THE CITY OF NILES, TRUMBULL COUNTY OHIO, BY REMOVAL AND DEMOLITION WITH FUNDING THROUGH OHIO DEPARTMENT OF DEVELOPMENT BUILDING DEMOLITION AND SITE REVITALIZATION, AND DECLARING AN EMERGENCY

Mr. Sollitto wanted to confirm that they have until December 1st to apply for this grant. Mr. Crowley stated that it has to be submitted by November 15th. The December 1st deadline is the following piece of legislation.

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

Mayor Mientkiewicz wanted council to know that he has spoken to TNP about this list. After the city submits this list and if someone were to purchase one of these properties (for example), the property can be sold and will be removed from the list. For any reason, if a property needs to be removed from the list, they can be removed. They just cannot add anything to the list.

President Marino asked if a house is purchased and comes off of the list what would be the time frame, they would have to get working on it and bring it back up to code. Mr. Crowley said they get a \$10,000.00 bond on the property and then work with them on submitting a realistic plan. They will need to get approval from Niles Housing board also. If they do not get the work completed, then we keep the \$10,000.00 bond and use those funds to demo the house. This way the city is not paying for the demolition.

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by Julian, seconded by Lastic to adopt this Draft No 133-23.

YEAS: 6 NAYS: 0

This Draft No. 133-23 has been adopted on the 1st day of November 2023.

RESOLUTION NO. ____ (Draft No. 134-23)

A RESOLUTION AUTHORIZING THE CITY OF NILES TO SUPPORT THE NILES DOWNTOWN LAUNCH & PARK PLANS BEING PUT FORTH IN THE APPALACHIAN COMMUNITY GRANT PROGRAM DEVELOPMENT APPLICATION TO BE SUBMITTED BY EASTGATE REGIONAL COUNCIL OF GOVERNMENTS; AND, DECLARING AN EMERGENCY

It was moved by Sollitto, seconded by Julian to give a first reading to this draft 134-23.

Ms. Marchese asked if the city would be responsible for any funds for this or will the grant cover everything. Mayor Mientkiewicz said the city does not have a match requirement. It will be approximately 3 million dollars for the entire downtown plan and new kayak launch.

YEAS: 6 NAYS: 0

This Draft No. 129-23 has received its 1st reading on the 1st day of November 2023.

MISCELLANEOUS REMARKS

(Miscellaneous remarks began at 22:23 into recording)

Mayor Mientkiewicz wanted to give an update on the demolition of the theater building. The demolition should occur within a week or so. The asbestos abatement is being completed now.

Mr. Sollitto just asked that Mr. Crowley get back to them on the properties mentioned earlier. He would like to make sure the city is staying firm, fair, and consistent on addressing these.

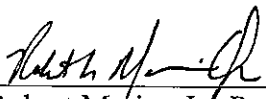
Ms. Smith wanted to schedule a Finance meeting on Monday, November 13, 2023 @ 4:30 P.M. to discuss the 2024 budget.

ADJOURN

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



Nicole Bacak, Clerk of Council



Robert Martino Jr., President of Council