

COUNCIL MEETING MINUTES
January 10, 2024

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

Niles City Council held a continuation meeting on January 10, 2024, 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:

Weddell- P, Johnstone-P, Sheely-P, Devorich-NP, Julian-P, Lastic- P, Sollitto- P, Marino-P

It was moved by Johnstone, seconded by all members to excuse Devorich from the meeting due to personal illness.

Motion carried.

It was moved by Julian, seconded by Lastic to approve the revised agenda for the meeting.

Motion carried.

It was moved by Johnstone, seconded by Julian to adjourn into executive session under ORC 121.22 G1 for the appointment of public officials.

YEAS: 6 NAYS: 0

Council adjourned into executive session at 5:16 P.M.

Council reconvened from executive session at 5:42 P.M.

ORDINANCES AND RESOLUTION

(Legislation began at 27:22 into recording)

ORDINANCE NO. ____ (Draft No. 146-23)

AN ORDINANCE AUTHORIZING THE DISPOSAL OF A CAT TOW MOTOR BY INTERNET AUCTION ON GOV DEALS AS IT IS NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE BY THE CITY; AND DECLARING AN EMERGENCY

It was moved by Julian, seconded by Sollitto to give a third reading to this draft 146-23.

YEAS: 6 NAYS: 0

It was moved by Julian, seconded by Sollitto to adopt this Draft No 146-23.

YEAS: 6 NAYS: 0

This Draft No 146-23 has been adopted on the 10th day of January 2024.

ORDINANCE NO. _____(Draft No. 147-23)

AN ORDINANCE AUTHORIZING THE EXECUTION OF THE 2023 NPP POWER POOL PARTICIPANT SCHEDULE WITH AMERICAN MUNICIPAL POWER, INC.; AND DECLARING AN EMERGENCY

It was moved by Julian, seconded by Lastic to give a third reading to this draft 147-23.

YEAS: 6 NAYS: 0

It was moved by Julian, seconded by Johnstone to adopt this Draft No 147-23.

YEAS: 6 NAYS: 0

This Draft No 147-23 has been adopted on the 10th day of January 2024.

ORDINANCE NO. _____(Draft No. 167-23)

AN ORDINANCE CREATING NILES CODIFIED ORDINANCE CHAPTER 555 ET SEQ: RESTRICTIONS ON THE USE OF A LASER POINTER

It was moved by Julian, seconded by Weddell to give a second reading to this draft 167-23.

YEAS: 6 NAYS: 0

This Draft No. 167-23 has received its 2nd reading on the 10th day of January 2024.

ORDINANCE NO. _____(Draft No. 168-23)

AN ORDINANCE CREATING NILES CODIFIED ORDINANCE (NCO) 557 ET SEQ, LIMITATIONS ON UNMANNED AIRCRAFT SYSTEMS AND SMALL UNMANNED AIRCRAFT SYSTEM USAGE

It was moved by Julian, seconded by Weddell to give a second reading to this draft 168-23.

YEAS: 6 NAYS: 0

This Draft No. 168-23 has received its 2nd reading on the 10th day of January 2024.

ORDINANCE NO. ____ (Draft No. 169-23)

AN ORDINANCE ADOPTING THE CITY OF NILES COMPREHENSIVE PLAN

It was moved by Julian, seconded by Lastic to give a second reading to this draft 169-23.

YEAS: 6 NAYS: 0

This Draft No. 169-23 has received its 2nd reading on the 10th day of January 2024.

The following drafts will be part of the consent agenda, being brought to the floor for the first time, passed together with suspension of three readings, and as an emergency.

ORDINANCE NO. ____ (Draft No. 01-24)

AN ORDINANCE AUTHORIZING THE SALE BY INTERNET AUCTION OF CERTAIN OBSOLETE ITEMS NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE BY THE CITY; AND, DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 03-24)

AN ORDINANCE AUTHORIZING THE CITY OF NILES TO PARTICIPATE IN THE STATE OF OHIO COOPERATIVE PURCHASING PROGRAM; AND, DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 04-24)

AN ORDINANCE AUTHORIZING THE PURCHASE OF AMMUNITION THROUGH THE STATE OF OHIO COOPERATIVE PURCHASING PROGRAM FOR THE 2024 CALENDAR YEAR; AND, DECLARING AN EMERGENCY

ORDINANCE NO. ____ (AMENDED Draft No. 06-24)

AN ORDINANCE AUTHORIZING THE DISPOSAL OF A LEEBOY ROLLER BY INTERNET AUCTION ON GOV DEALS AS IT IS NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE BY THE CITY; AND DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 07-24)

AN ORDINANCE AUTHORIZING THE PURCHASE OF ONE TANDEM CAT ROLLER; AND, DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 08-24)

AN ORDINANCE AUTHORIZING THE PURCHASE OF A CAT BACKHOE THROUGH SOURCEWELL COOPERATIVE PURCHASING; AND, DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No.09-24)

AN ORDINANCE APPROVING A THEN AND NOW PAYMENT REQUEST FOR KIRILA CONTRACTORS, INC (KCI) FOR THE EMERGENCY REPAIR OF A MAIN STREET TRANSMISSION LINE REPAIR, AND DECLARING AN EMERGENCY

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

Mayor Mientkiewicz wanted council to know that drafts 6-24 and 7-24 could be taken off of the consent agenda since there is no hurry for them if council wishes to do so.

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by Julian, seconded by Lastic to adopt this consent agenda.

YEAS: 6 NAYS: 0

This consent agenda has been adopted on the 10th day of January 2024.

ORDINANCE NO. ____ (Draft No. 02-24)

AN ORDINANCE APPOINTING AND REAPPOINTING MEMBERS TO VARIOUS BOARDS AS REQUIRED BY THE OHIO REVISED CODE AND/OR NILES CODIFIED ORDINANCE, AND DECLARING AN EMERGENCY

It was moved by Sollitto, seconded by Lastic to give a first reading to this draft 02-24.

YEAS: 6 NAYS: 0

This Draft No. 02-24 has received its 1st reading on the 10th day of January 2024.

President Marino explained that there are vacancies on one of the boards and Mr. Sheely will address this in his comments.

ORDINANCE NO. ____ (Draft No. 05-24)

A RESOLUTION ADOPTING NEW COUNCIL RULES FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2024 THROUGH DECEMBER 31, 2025; AND, DECLARING AN EMERGENCY

Before voting on the legislation, President Marino asked council to appoint a President Pro Tem.

It was moved by Johnstone, seconded by Julian to nominate Mr. Sollitto as the Pro Tem.
Motion carried.

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

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by Sheely, seconded by Johnstone to adopt this Draft No 05-24.

YEAS: 6 NAYS: 0

This Draft No 05-24 has been adopted on the 10th day of January 2024.

ORDINANCE NO. ____ (Draft No. 10-24)

AN ORDINANCE AUTHORIZING THE PURCHASE OF THREE 2024 WHITE F-150 RESPONDER THROUGH THE STATE OF OHIO COOPERATIVE PURCHASING PROGRAM FOR THE 2024 CALENDAR YEAR; AND, DECLARING AN EMERGENCY

Law Director Zuzolo said they need suspension on the next two drafts.

It was moved by Sheely, seconded by Lastic 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 10-24.

YEAS: 6 NAYS: 0

This Draft No 10-24 has been adopted on the 10th day of January 2024.

RESOLUTION NO. ____ (Draft No. 11-24)

A RESOLUTION AUTHORIZING THE SERVICE DIRECTOR TO ISSUE A REQUEST FOR QUALIFICATIONS FOR PROFESSIONAL CONSULTING SERVICES FOR 2024; 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 Sollitto to adopt this Draft No 11-24.

YEAS: 6 NAYS: 0

This Draft No 11-24 has been adopted on the 10th day of January 2024.

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL FOR GENERAL PURPOSE
(Public comments began at 39:19 into recording)

Judee March: Ms. March had a question about the limits for BOC. She knows the limit used to be \$25,000.00 and she believes it is now at \$50,000.00. Law Director Zuzolo said it is now up to \$75,000.00 because it is set by ORC (Ohio Revised Code) . Ms. March asked if council will get to approve those items and Law Director Zuzolo said they still have to appropriate the funds during budget. If an item comes up that was not budgeted for, then council will need to make an appropriation for that item. The auditor will not sign off on anything unless there is funding for it. This was set by house bill 33.

President Marino said Ms. March makes a good point and council does have the power of the purse strings through the appropriation process. It is important to remember what Law Director Zuzolo said with council setting the budget. It was clarified that anything over \$50,000.00 needed approval by the legislative authority, even if it was budgeted for. That number has now been increased to \$75,000.00

Dee Sebben: Mrs. Sebben wanted to give a shot out to Mr. Julian, Mr. Lastic, Mrs. Devorich, Mr. Sollitto, Treasurer Telego, Law Director Zuzolo, and Safety Director Kaniclides for attending the veteran's dinner that was held on December 10th. The event was a success for it being the first time they held it, and she would hope to see other public officials there next year.

Mr. Sollitto wanted to thank Mrs. Sebben for all of the work she did in helping to organize that event.

George Kuriatnyk- Mr. Kuriatnyk said when COVID hit, employees were given laptops to work from home. This expense cost the city \$37,000.00. Mr. Kuriatnyk wants to know why all of the laptops have not been turned back in. Mayor Mientkiewicz said some of those laptops are still being used by supervisors and department heads. The other laptops have been turned in and are inventoried by the IT department.

Mr. Kuriatnyk told Mr. Johnstone that he had a very good meeting about the CIC. He said council either needs to give the money to the CIC so they can do what they want or dissolve it. He hopes they give the money.

Next, Mr. Kuriatnyk had a question about the legislation regarding the drones. He wanted to know if it is about the whole city or just the parks. Law Director Zuzolo said it is for regulation throughout the entire city. He still had some questions about drones in the park. Mr. Johnstone interjected and said today there was a public grounds meeting. They are proposing that drones would be allowed in the parks, through the public grounds committee. There will be an amendment to the current legislation at the next meeting. The park board will be in charge of monitoring the drone usage at the parks. Law Director Zuzolo also pointed out that it is not a blanket prohibition on drone usage throughout the city.

Lastly, Mr. Kuriatnyk asked about bids and increases. There was a \$23,000.00 increase for doors for the senior center. There was also an increase to city hall. He said it seems like every time someone is awarded a job, they always come back and ask for extra money. He said you can't convince him that they needed \$23,000.00 for doors.

MISCELLANEOUS REMARKS

(Miscellaneous remarks began at 47:15 into recording)

President Marino stated that he appreciates council appointing Mr. Sollitto as the council Pro Tem. He will be out of town on February 7th so Mr. Sollitto will be running that meeting.

Mayor Mientkiewicz said he also might be in Columbus on February 7th also.

Law Director Zuzolo thanked Mrs. Sebben and everyone that was involved with putting on the veteran's event.

Mr. Johnstone thanked Jason Altobelli for attending the Com. Dev./Neighborhood Stabilization Committee meeting on January 4th. He gave an update and information on the CIC. He also wanted to thank Mrs. Maryann McMahon who is in the audience. The BOE has created a position that they are calling the Community Engagement Liaison. She will be here as a tool to help council with anything school related. Lastly, he wanted to wish Mrs. Devorich the best of health and a speedy recovery.

President Marino is also happy to see Mrs. McMahon in the audience. He thinks it is important for the schools and the city to work together. The strength of the schools is the strength of the community, and the strength of the community is the strength of our schools. They need to work hand and hand. He wanted to thank Mr. Johnstone for this, and this is a step in the right direction.

Mr. Sheely stated that there are two vacancies on the Nuisance Abatement board that council needs to fill. Mr. Sheely said all letters of intent need to be delivered to the clerk by January 26th. President Marino explained that any Niles resident that is interested in this board, to submit their letter of intent to the clerk. Once all letters are received, council will decide if they need to conduct interviews, etc. in order to fill the spots. Law Director Zuzolo explained what the purpose of the nuisance abatement board is for. The clerk informed President Marino that she will have a notice sent to the newspaper also advertising for the letters of intent to be sent to her.

Mr. Julian thanked Mrs. Sebben.

Mr. Lastic also thanked Mrs. Sebben.

Mr. Sollitto said with the new members on council, along with speaking with the other members, everyone had different goals and he feels like they have achieved some goals already. One goal was to start getting the committees up and active. The second goal was to get citizens the opportunity to speak twice in the meetings. The other goal was to get some movement on customer service in the city building. To just allow people to just walk in isn't an issue until the first time there is an injury. There will be a process that will you to see the same person in a booth downstairs that you would have walking in through the front door. He does appreciate the mayor working with council to get this moving.

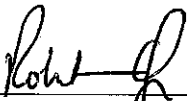
President Marino said it is great when they agree and it is okay to disagree, but they cannot allow themselves to be disagreeable. Quote your consensus and do what you think is best for the city. Things are moving in a positive direction.

ADJOURN

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



Nicole Bacak, Clerk of Council



Robert Marino Jr., President of Council