

COUNCIL MEETING MINUTES
APRIL 3, 2024

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

Niles City Council held its regular meeting on April 3, 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-P, Julian-P, Lastic- P, Sollitto- P, Marino-P

It was moved by Julian, seconded by Sollitto to accept the minutes from the March 20th regular meeting and place them on file.

Motion carried.

REPORTS AND COMMUNICATIONS

FROM- Ohio Division of Liquor Control

Notice to legislative authority- Niles Market INC DBA Save a lot

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

Motion carried.

FROM- Rocco Bowell

Resignation letter for the Cemetery Advisory Committee

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

Motion carried.

President Marino asked for a motion from council to amend the agenda. He would like to allow Director Merlo to come up and give council an update from MVSD.

It was moved by Sollitto, seconded by Julian to amend the agenda.

Motion carried.

Mr. Merlo started by thanking council for allowing him to serve as their representative at MVSD. It has been a wealth of knowledge and it has been great working with council. Mr. Merlo wanted to give a quick update to council on things going on at MVSD. Lordstown is in the process of adding a 24-inch waterline. They are putting this in to provide the cell plant water and for future growth of Lordstown. This will benefit the city of Niles.

They are being proactive in hiring people with the retirements they have had over the last 18 months. There was a lot of overtime happening because someone has to be at the plant all of the time. They have hired new employees to help cut the costs in overtime.

MVSD did receive a grant from the federal EPA in the amount of \$38 million to help assist with the dam project. The estimated cost of the entire project is \$54 million. They have been putting money to pay for the remainder of the project and they currently have approximately \$12 million saved. Mr. Merlo said there have been talks about a rate increase, but they do not know for sure yet. They need to wait for the grant to be received and to see what the project actually will cost. There is also an issue with PFOS. PFOS is a chemical that is in the water, soil, and air. It is called the forever chemical. The EPA is cracking down on them to eliminate as much PFOS as possible. MVSD will have to build a building to remove the PFOS from the water. This building will cost approximately \$44 million. They have to figure out how they will pay for this.

Next, Mr. Merlo wanted to give an update on other expenses. There are sludge lagoons at MVSD. When the water is cleaned, all of the sludge is filtered to these lagoons and then they need cleaned. There are a total of 4 lagoons that need to be cleaned. It will cost approximately \$1.2 million to clean each lagoon and it takes around 3-4 months for this to be completed. They also had to put in a backup generator, and that was approximately \$4.2 million. They have been working on a valve project that is roughly \$5.8 million.

Mr. Lastic asked how long it is going to take to repair the dam and Mr. Merlo said the engineer's estimate is 2-3 years. Mr. Sheely asked if the federal government has any money marked for grants for these projects and Mr. Merlo said there isn't really anything. They are going to apply for grants and go to the courts of jurisdiction to apply for a loan. They already know they will not have enough money for these projects. These mandates are being sent down from the EPA and they have no choice but to do them.

Mr. Sollitto thanked Mr. Merlo for coming to council and giving them an update. He was an excellent selection by council for this appointment. Mr. Merlo extended the offer to all of council to come and take a tour of the facility.

President Marino asked if there could be a motion made to grant the mayor the opportunity to address the middle school students who are at council this evening.

It was moved by Sollitto, seconded by Sheely to amend the agenda for the mayor to address the middle school students.

Motion carried.

Mayor Mientkiewicz wanted to recognize the students in the audience this evening from the Niles Middle School. The students are in 8th grade and are currently learning about government, specifically local government. He facilitated a tour of the safety service complex prior to the meeting for the students. He wanted to applaud them on having such a good turnout this evening at the meeting. President Marino agreed and said the middle school holds a special place in his heart. It is always good to see the youth at these meetings.

It was moved by Julian, seconded by Weddell to return to regular order for the meeting.
Motion carried.

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL FOR AGENDA ITEMS

(Public comments began at 14:13 into recording)

NONE

COUNCIL COMMITTEE REPORTS

NONE

ORDINANCES AND RESOLUTION

(Legislation began at 14:25 into recording)

ORDINANCE NO. 54-24 Draft No. 57-24)

AN ORDINANCE AUTHORIZING THE TRANSFER OF UNUSED LANDS OWNED BY THE CITY OF NILES TO THE COMMUNITY IMPROVEMENT CORPORATION OF NILES, OHIO (“CIC”).

It was moved by Johnstone, seconded by Lastic to give a second reading to this Draft 57-24.

YEAS: 7 NAYS: 0

This Draft No 57-24 has received its 2nd reading on the 3rd day of April 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. 52-24 Draft No. 58-24)

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR THE NILES VIENNA/WARREN AVENUE MILL AND FILL PROJECT; AND, DECLARING AN EMERGENCY

ORDINANCE NO. 53-24 (Draft No. 59-24)

AN ORDINANCE AUTHORIZING THE PURCHASE OF NEW POLICE CRUISER MOBILE DATA TERMINAL (MDT) REPLACEMENTS THROUGH THE STATE OF OHIO COOPERATIVE PURCHASING PROGRAM FOR THE 2024 CALENDAR YEAR; AND, DECLARING AN EMERGENCY

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

YEAS: 7 NAYS: 0

Rules are suspended.

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

YEAS: 7 NAYS: 0

This consent agenda has been adopted on the 3rd day of April 2024.

ORDINANCE NO. _____ (Draft No. 60-24)

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO EXECUTE AN EASEMENT AGREEMENT WITH GEARMAR PROPERTIES, INC; AND, DECLARING AN EMERGENCY

It was moved by Julian, seconded by Sollitto to give a first reading to this Draft 60-24.

YEAS: 7 NAYS: 0

This Draft No 60-24 has received its 1st reading on the 3rd day of April 2024.

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL FOR GENERAL PURPOSE

(Public comments began at 17:29 into recording)

Mark Koenig: Mr. Koenig said he lives at 312 Brown St. The pump station was rebuilt over there, but he got sewage water in his basement last night. There are still problems over there that need to be addressed.

Joe Veneroso: Mr. Veneroso has lived on Potomac in Niles for 3 years and has had nothing but heartache there. He has had sewage backup 3 times in his house every time it rains hard. He installed a black flow preventer that cost him \$3500.00, and it still seeps through the floor. He

contacted the city yesterday and they sent the vactruck out to check the manholes and they were full to the top. He was told there is nothing they can do, and it has been like this for 40 years. He wants to know how he can sell his house because he has to disclose this information. He sent videos to Mr. Sollitto a video yesterday of raw sewage coming up. He doesn't know where to turn.

Mr. Sollitto said he forwarded a message to the mayor about an issue in Boardman, Ohio where they bought homes that were flooding through a grant. He doesn't know if that is an option here. These houses in Boardman were in a flood zone. He is not sure if the mayor has had a chance to look into this. Mayor Mientkiewicz said he did receive the message and he thought the article was from 2020. He will take a look at it. Mr. Veneroso said he has looked up the Boardman issue also and they received \$950,000.00 from FEMA and OEMA. They applied for three separate grants and received one. Mr. Veneroso said he doesn't know how anyone can sell their house over there. He also said there are some people who are scared to come to council to express their concerns, but he is not afraid to come and ask for help. Mr. Sollitto told Law Director Zuzolo that he sent him the article also. Law Director Zuzolo said this is the first he is hearing of this and he will look into it.

Lou Gerke: Mr. Gerke came to council tonight because he wasn't sure who he needed to speak with about his issue. He just purchased a property at 21 Franklin, which is the alley behind the Red Dragon convenient store. Mr. Gerke said you can't even drive down that section of the street from Federal to Franklin without going through several potholes. The street is flooded now, but the holes are so bad. President Marino said he is sure the administration will get the street department over there tomorrow to address this issue. Mayor Mientkiewicz said he will pass this along to the street department. They have been out doing maintenance in alleys throughout the city. Mayor Mientkiewicz agreed that the street is bad and will have them address it.

MISCELLANEOUS REMARKS

(Miscellaneous remarks began at 24:02 into recording)

Mayor Mientkiewicz wanted to recognize Mr. Crowley on his upcoming retirement from the city. Mr. Crowley has done a phenomenal job here at the city and he would like to wish him the best on his upcoming retirement.

Also, Mayor Mientkiewicz said the first round of scrap tire drop off will be May 6th- 20th behind the safety service department. They will accept 10 tires and rims. There will be a second round of tire drop offs this summer.

Law Director Zuzolo said there will be executive session after remarks.

Service Director Flarey welcomed the students from the middle school to tonight's meeting.

Mr. Weddell also wanted to welcome the students and said he hopes they will come back and visit council again for a future meeting.

Mr. Johnstone said he heard something disturbing this evening about people being scared to come to council. He doesn't know where this is coming from and he commends the people that came here this evening. If people do not come to the meetings, they do not know about the issues. No one should be fearful to come before their government and express their concerns.

Mr. Sheely said a few weeks ago he was contacted by Berena's business about issues with having their sewer lines jetted. He went there along with Mr. Sollitto to check out the concerns. He did contact the mayor and the city did come out to check the lines. Mr. Berena was happy that the sewer department did come out and look into this issue. Mr. Sheely wanted to thank the mayor for taking care of this.

Mrs. Devorich wanted to thank the students for coming to the meeting and recognizing that the future belongs to them. The sooner that they get involved with government, especially their local government, the more input they will have and the more informed they will be. And when they turn 18 years old, they will be walking into a voter's booth, and they will be electing the people sitting on city council. She urged them to be involved in local government.

Mr. Julian wanted to thank Mr. Merlo for coming in and giving an update on MVSD. He also wanted to thank the students from the middle school for attending the meeting. Mr. Julian reminded everyone that himself and Mr. Sheely are leading a spring community cleanup on April 14th. Volunteers will meet at the bike trail and supplies will be given to all of the volunteers. Again, the clean up is on April 14th from 12:00 P.M.- 3:00 P.M.

Mr. Lastic asked if the middle school teacher would let them know what the feedback was from the students.

Mr. Sollitto wanted to thank everyone involved with the students attending the meeting tonight. It is great to see them getting involved in local government. He also wanted to thank Mr. Merlo for being their representative for MVSD. Mr. Sollitto said there more and more people coming to council to talk about flooding happening and something needs to be addressed with this issue. He knows all of council wants to see this addressed in some manner.

It was moved by Julian, seconded by Johnstone to adjourn into executive session pursuant to ORC 121.22 G3 and G6 for imminent litigation and security arrangements.

YEAS: 7 NAYS: 0

Council adjourned into executive session at 6:29 P.M.

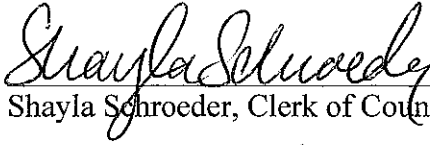
It was moved by Johnstone, seconded by Sheely to reconvene from executive session.

YEAS: 7 NAYS: 0

Council reconvened from executive session at 7:02 P.M.

ADJOURN

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



Shayla Schroeder, Clerk of Council



Robert Marino Jr., President of Council