

COUNCIL MEETING MINUTES
JUNE 26, 2024

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

Niles City Council held its regular meeting on June 26, 2024, at 6:00 p.m. at the Niles Senior Center in Niles, Ohio.

President Pro Tem, Doug Sollitto had a moment of silence for Mrs. Devorich.

The meeting was called to order by Council President Pro Tem, Doug Sollitto and the Clerk, Nicole Bacak, called the roll:

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

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

It was moved by Julian, seconded by Johnstone to accept the minutes from the June 5th regular meeting and public hearing and special meetings on June 13th and June 24th and place them on file.

Motion carried.

REPORTS AND COMMUNICATIONS

FROM- Auditor's office

Statement of cash from revenue and expense- May 2024

It was moved by Julian, seconded by Sheely to accept, and place it on file.

Motion carried.

FROM- Auditor's office

Check report by check number- May 2024

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

Motion carried.

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL FOR AGENDA ITEMS

(Public comments began at 6:04 into recording)

NONE

COUNCIL COMMITTEE REPORTS

Council roundtable minutes- June 10th
Council roundtable minutes- June 13th
Public grounds committee meeting minutes- June 17th
Finance committee meeting minutes- June 17th

It was moved by Julian, seconded by Sheely to accept, and place them on file.
Motion carried.

ORDINANCES AND RESOLUTION
(Legislation began at 7:00 into recording)

RESOLUTION NO. ____ (Draft No. 80-24)

A RESOLUTION TO ALLOW THE CITY OF NILES TO ADOPT POLICIES AND PROCEDURES FOR THE INTERCONNECTION OF DISTRIBUTED GENERATION RESOURCES

It was moved by Julian, seconded by Weddell to give a third reading to this Draft No 80-24.

YEAS: 6 NAYS: 0

It was moved by Julian, seconded by Lastic to adopt this Draft No 80-24.

YEAS: 6 NAYS: 0

This Draft No 80-24 has been adopted on the 26th day of June 2024.

ORDINANCE NO. ____ (Draft No. 83-24)

AN ORDINANCE REGARDING FUNDING OF THE COMMUNITY IMPROVEMENT CORPORATION OF NILES BUSINESS GRANTS

It was moved by Johnstone, seconded by Sheely to give a third reading to this Draft No 83-24.

YEAS: 4 NAYS: 0 ABSTAIN: 2 (Lastic and Sollitto)

It was moved by Johnstone, seconded by Julian to adopt this Draft No 83-24.

YEAS: 4 NAYS: 0 ABSTAIN: 2 (Lastic and Sollitto)

This Draft No 83-24 has been adopted on the 26th day of June 2024.

ORDINANCE NO. ____ (Draft No. 97-24)

AN ORDINANCE ESTABLISHING LIMITATIONS ON MARIJUANA / ADULT-USE CANNABIS DISPENSARY OPERATIONS WITHIN THE CITY; ZONING REQUIREMENTS; AND DECLARING AN EMERGENCY

It was moved by Julian, seconded by Sheely to give a third reading to this Draft No 97-24.

YEAS: 6 NAYS: 0

It was moved by Julian, seconded by Sheely to adopt this Draft No 97-24.

YEAS: 6 NAYS: 0

This Draft No 97-24 has been adopted on the 26th day of June 2024.

President Pro Tem Sollitto wanted to touch base with Mr. Weddell since he was not able to vote on the other readings that he did want to pass this legislation. Mr. Weddell did confirm that he is in support of this draft. He was happy with the legislation that council put together while he was gone, and he was sorry that he could not be here for the first two readings.

RESOLUTION NO. ____ (Draft No. 92-24)

A RESOLUTION ADOPTING THE ALTERNATIVE TAX BUDGET FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2025; AND DECLARING AN EMERGENCY

It was moved by Lastic, seconded by Julian to suspend the rule requiring three readings to this Draft No. 92-24.

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by Julian, seconded by Lastic to adopt this Draft No. 92-24.

YEAS: 6 NAYS: 0

This Draft No. 92-24 has been adopted on the 26th day of June 2024.

ORDINANCE NO. _____ (Draft No. 94-24)

AN ORDINANCE AMENDING THE ZONING OF PARCEL 25-082050.

It was moved by Johnstone, seconded by Lastic to give a second reading to this Draft No 94-24.

YEAS: 6 NAYS: 0

This Draft No 94-24 has received its 2nd reading on the 26th day of June 2024.

ORDINANCE NO. _____ (Draft No. 96-24)

AN ORDINANCE AUTHORIZING THE SALE OF 138 KV FACILITIES

It was moved by Julian, seconded by Weddell to give a second reading to this Draft No 96-24.

YEAS: 6 NAYS: 0

This Draft No 96-24 has received its 2nd reading on the 26th day of June 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. 98-24)

AN ORDINANCE APPROVING A THEN AND NOW PAYMENT REQUEST TO SUMMIT SUPPLY FOR REPAIR OF STORM SEWER PIPE ON LAFAYETTE; AND DECLARING AN EMERGENCY

ORDINANCE NO. _____ (Draft No. 99-24)

AN ORDINANCE AUTHORIZING THE PURCHASE OF ONE CAT 304 CR MINI HYDRAULIC EXCAVATOR THROUGH SOURCEWELL COOPERATIVE; AND, DECLARING AN EMERGENCY

ORDINANCE NO. _____ (Draft No. 100-24)

AN ORDINANCE AUTHORIZING BUDGET TRANSFERS FROM THE UNAPPROPRIATED WATER FUND AND UNAPPROPRIATED SEWER FUND; AND, DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 101-24)

AN ORDINANCE AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED SEWER FUND 503 FOR CONTRACTED LABOR; AND, DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 102-24)

AN ORDINANCE AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED PARK FUND 221 FOR CONSULTANT FEES AND BOND CONSTRUCTION; AND, DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 104-24)

AN ORDINANCE APPROVING A THEN AND NOW PAYMENT REQUEST TO XYLEM DEWATERING SOLUTIONS, INC. FOR REPAIR OF PUMP AT WWTP; AND DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 105-24)

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF THE MATERIAL TERMS OF THE ONEOHIO SUBDIVISION SETTLEMENT PURSUANT TO THE ONEOHIO MEMORANDUM OF UNDERSTANDING AND CONSISTENT WITH THE TERMS OF THE MARCH 22, 2024, KROGER MULTISTATE OPIOID SETTLEMENT AGREEMENT; AUTHORIZING THE MAYOR TO EXECUTE THE SUBDIVISION PARTICIPATION FORM; AND DECLARING AN EMERGENCY.

RESOLUTION NO. ____ (Draft No. 106-24)

A RESOLUTION AUTHORIZING THE APPROPRIATION OF AN ADDITIONAL FOUR HUNDRED ONE THOUSAND EIGHT HUNDRED SEVENTY-SEVEN DOLLARS AND 59/100 CENTS (\$401,877.59) TOWARDS THE FISCAL YEAR 2024, 2025, AND 2026 LED STREETLIGHT REPLACEMENT PROJECT AND, DECLARING AN EMERGENCY

RESOLUTION NO. ____ (Draft No. 107-24)

A RESOLUTION AUTHORIZING THE CITY OF NILES TO ACCEPT THE OHIO DEPARTMENT OF DEVELOPMENT IN PARTNERSHIP WITH THE OHIO ENVIRONMENTAL PROTECTION AGENCY WATER AND WASTEWATER INFRASTRUCTURE GRANT PROGRAM FOR SALT SPRINGS ROAD PHASE ONE (1) WATERLINE REPLACEMENT; APPROPRIATING THE NECESSARY FUNDS; AMENDING RESOLUTION 18-24; AND, DECLARING AN EMERGENCY

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

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 26th day of June 2024.

ORDINANCE NO. _____ (Draft No. 103-24)

**AN ORDINANCE AMENDING THE ZONING OF PARCELS 25-723598 AND 25-723599,
AND DECLARING AN EMERGENCY.**

It was moved by Julian, seconded by Lastic to give a first reading to this Draft 103-24.

YEAS: 6 NAYS: 0

This Draft No 103-24 has received its 1st reading on the 26th day of June 2024.

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL FOR GENERAL PURPOSE

(Public comments began at 18:55 into recording)

Mr. Glenn: Mr. Glenn lives on Federal Street in Niles and has lived there for over 30 years. He just found out about Mrs. Devorich and he lives in her ward. He would like to know if council plans on appointing a person to replace for in a temporarily. He has a problem in his ward that needs to be addressed. There is a house across the street from him that is in shambles and needs immediate attention. He is tired of looking at it and the grass is out of control. Mr. Lastic and Pro Tem Sollitto said they will look into it.

Mr. Glenn also wanted to thank council for passing the marijuana legislation. He is an advocate for this himself. In 2011, he was injured in an industrial injury and has had 8 surgeries as a result. He has been on many different painkillers over the years that did not help him. He made the decision to try medicinal marijuana to help with his pain. He appreciates council passing this to allow people to get their medication. He likes seeing the tax money stay in the community.

Richard Strong: Mr. Strong stated that he is a long-time pot smoker. He is 69 years old and has been smoking since he was 13 years old. In his elder years, he found that there are a lot of

therapeutic benefits for it. He is also happy about the income stream that will be coming into the city.

He would like to have council look into the use of bollards to protect the property and the pedestrians to help separate the traffic between the two. He is asking that council ask the law director to look into using these bollards in the devil strips in front of the Giancola residence. Lastly, he would like to get copies of the last 6 months of city council meeting minutes. Law Director Zuzolo said he can get them to him, but they are also online on the city's website.

Dee Sebben: Mrs. Sebben Mrs. Sebben wanted to remind everyone that on November 10th at the fire station in McKinley Heights, there will be a brunch for veterans. Veterans will eat free at this event but it is open to their families as well. They will be raffling off two guns also at the event and she is asking for baskets to be raffled off also.

Abigail Bickerstaff: Ms. Bickerstaff wanted to address her complaint about RITA. She received a letter in the mail on Monday stating that she owed \$167.00, and she is in the process of getting this resolved with her accountant. She claims that RITA never applied the payment she sent in, which has now caused penalties and interest. She is here to strongly urge council to eliminate RITA and bring back the tax office.

Next, there are mass text messages that go out about water breaks, etc. She received a message about peak shaving hours a couple of weeks ago when it was very hot. She understands the concern about conserving power so that the city does not have grids go down. Ms. Bickerstaff wanted to know since this is sent out via text message, how do businesses get these alerts? Mayor Mientkiewicz stated businesses do have the ability to opt into those messages. She feels that the residents are targeted with these alerts because a business may or may not do anything.

President Pro Tem Sollitto said it is hard to tell a business to turn off their power or close the business down when they are trying to create revenue. Mayor Mientkiewicz said it is the same across the board. It doesn't matter if you are residential, commercial, or industrial, it is simply a notification. It is not a mandate. President Pro Tem Sollitto agreed and said that is the key to remember is that it is not a mandate. There is nothing that can be done if you don't follow it. The alert is to make people aware and let them know they can try to conserve. Mayor Mientkiewicz did add that even if the extreme heat, the power system in the city handled itself very well with very few outages. The alerts also go to the local news media. Ms. Bickerstaff wanted to know if the city also participated in the peak shaving within its buildings and Mayor Mientkiewicz assured her that he had the lights off in his office.

MISCELLANEOUS REMARKS

(Miscellaneous remarks began at 32:45 into recording)

Mr. Johnstone wanted to remind everyone about the July 4th parade. Immediately following the parade, Mr. Petrilla put together a car show and craft fair for residents to attend.

Mr. Sheely wanted to thank Mrs. Sebben for everything she does for the veterans. As he mentioned before, Mr. Sheely would like to see the city look into a contractor or an arborist to come and assess some of the trees in the city. He thinks that having an arborist come to the city would be a benefit as a whole. He sees a pretty fair number of trees around that need to be addressed around town. He does his best to make himself available to come and look into any issue that a resident has.

President Pro Tem Sollitto wanted to thank Mr. Lastic and Mr. Julian for volunteering to assist him with helping in Mrs. Devorich's ward in her absence. He wanted to thank Mr. Johnstone for helping already in the city in other wards. He knows Mr. Sheely and Mr. Weddell are also willing to help. Finally, he knows there was a concern with Roberts Street getting paved. They did address this with the mayor. Mayor Mientkiewicz did confirm it is on the proposed list for the spring as long as council fully funds the street resurfacing project.

ADJOURN

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



Nicole Bacak, Clerk of Council



Robert Marino Jr., President of Council