

COUNCIL MEETING MINUTES
JUNE 5, 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 5, 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 Sheely to excuse Devorich from the meeting.
Motion carried.

It was moved by Weddell, seconded by Lastic to accept the minutes from the May 15th regular meeting and place them on file.
Motion carried.

Mr. Sollitto wanted to give an update on Mrs. Devorich. He said he did go up to the hospital to visit her and she is progressing. Since January, she has had six strokes and asked that everyone keep her in their thoughts and prayers. She can move and is not bedridden, but it is the other part of having a stroke that she is dealing with. President Marino said she will definitely be their thoughts and prayers.

REPORTS AND COMMUNICATIONS

FROM- First Energy

Letter to city council members

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

Motion carried.

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL FOR AGENDA ITEMS

(Public comments began at 2:09 into recording)

NONE

COUNCIL COMMITTEE REPORTS

NONE

ORDINANCES AND RESOLUTION

(Legislation began at 2:24 into recording)

President Marino said there needs to be a motion to amend the agenda. Council wants to remove Draft No. 92-24 from the consent agenda and move it to a first reading only.

It was moved by Sollitto, seconded by Julian to remove this draft from the consent agenda and move it to a first reading.
Motion carried.

Next, draft 89-24 needs to be amended also to delete the appropriation.

It was moved by Julian, seconded by Sheely to remove the appropriation from Draft No. 89-24.
Motion carried.

ORDINANCE NO. ____ (Draft No. 73-24)

**AN ORDINANCE AMENDING THE ZONING OF PARCELS 25-482950, 25-653260,
AND 25-653261, AND DECLARING AN EMERGENCY**

It was moved by Julian, seconded by Sollitto to give a third reading to this Draft No 73-24.

YEAS: 6 NAYS: 0

It was moved by Julian, seconded by Johnstone to adopt this Draft No 73-24.

YEAS: 6 NAYS: 0

This Draft No 73-24 has been adopted on the 5th day of June 2024.

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 Sollitto, seconded by Julian to give a second reading to this Draft No 80-24.

YEAS: 6 NAYS: 0

This Draft No 80-24 has received its 2nd reading on the 5th 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 Sollitto to give a second reading to this Draft No 83-24.

YEAS: 6 NAYS: 0

This Draft No 83-24 has received its 2nd reading on the 5th 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. 86-24)

AN ORDINANCE AUTHORIZING MONTHLY CASH TRANSFERS; AND, DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 87-24)

AN ORDINANCE AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED FUNDS FOR FUND 664 FIRE LOSS CLAIMS, AND DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 88-24)

AN ORDINANCE AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED FUNDS FOR FUND 239 TAX INCREMENTAL FINANCE, AND DECLARING AN EMERGENCY

RESOLUTION NO. ____ (Draft No. 89-24)

A RESOLUTION AUTHORIZING THE CITY OF NILES TO ACCEPT AND ENTER INTO AGREEMENT WITH THE OFFICE OF ENERGY AND ENVIRONMENT (OEE) OF THE OHIO DEPARTMENT OF DEVELOPMENT'S BRIGHTENING OHIO COMMUNITIES (BOC) GRANT PROGRAM VIA THE STATE OF OHIO ENERGY EFFICIENCY CONSERVATION BLOCK GRANT (EECBG) VIA THE U.S. DEPARTMENT OF ENERGY THROUGH THE INFRASTRUCTURE INVESTMENT AND JOBS ACT (IIJA) FOR FUNDING FOR THE FISCAL YEAR 2024, 2025 & 2026 LED STREETLIGHT REPLACEMENT PROGRAM; AND, DECLARING AN EMERGENCY.

RESOLUTION NO. ____ (Draft No. 90-24)

A RESOLUTION AUTHORIZING THE CRACK SEALING PROJECT ON US-422 BY THE OHIO DEPARTMENT OF TRANSPORTATION; AND DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 91-24)

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$2,050,000 TO PAY COSTS OF CONSTRUCTING, REHABILITATING AND EQUIPPING PARK AND RECREATION FACILITIES, INCLUDING ALL NECESSARY APPURTENANCES, AND DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 93-24)

AN ORDINANCE AUTHORIZING CHANGE ORDERS FOR PRIME AE GROUP, FOR THE TRU-NILES SIGNALS UPGRADE; AMENDING ORDINANCE 80-23; AND, DECLARING AN EMERGENCY.

RESOLUTION NO. ____ (Draft No. 95-24)

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 AND APPROPRIATE THE NECESSARY FUNDS; AND, DECLARING AN EMERGENCY

It was moved by Julian, seconded by Sollitto 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

Mr. Johnstone just wanted to follow up with Auditor Merlo on draft no. 91-24. Auditor Merlo said he is hopefully to get a 15-year bond at 4 ½ %. If the city is unable to secure the bond at that rate, what is the next step. Auditor Merlo said he is pretty sure the city could get something in that range based on conversations with bon counsel. If they cannot, they would have to come back to council.

This consent agenda has been adopted on the 5th day of June 2024.

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

A RESOLUTION ADOPTING THE ALTERNATIVE TAX BUDGET FORTHE FISCAL YEAR BEGINNING JANUARY 1, 2024; AND DECLARING AN EMERGENCY

It was moved by Sollitto, seconded by Julian to give a first reading to this Draft 92-24.

YEAS: 6 NAYS: 0

This Draft No 92-24 has received its 1st reading on the 5th day of June 2024.

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

AN ORDINANCE AMENDING THE ZONING OF PARCEL 25-082050.

It was moved by Julian, seconded by Lastic to give a first reading to this Draft 94-24.

YEAS: 6 NAYS: 0

This Draft No 94-24 has received its 1st reading on the 5th day of June 2024.

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

AN ORDINANCE AUTHORIZING THE SALE OF 138 KV FACILITIES

It was moved by Johnstone, seconded by Lastic to give a first reading to this Draft 96-24.

YEAS: 6 NAYS: 0

This Draft No 96-24 has received its 1st reading on the 5th day of June 2024.

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL FOR GENERAL PURPOSE

(Public comments began at 11:20 into recording)

President Marino wanted to welcome State Representative Nick Santucci to the meeting this evening. Mr. Santucci thanked President Marino and Mayor Mientkiewicz for having him here this evening. He wanted to say hello to everyone and let them know that he is a resource for the city. He has worked with the mayor previously on projects. If the city is seeking grants, he is here to give his support and write letters on behalf to assist.

Mr. Sollitto said he was hoping that Mr. Santucci could help with the issue at the creek. They have had the Army Corp. Engineers out to look at the issue and there are still issues with flooding. Council is funding money for shoreline cleanup, but they are looking for an outside entity to come out and help. If he could get with the mayor on this issue, he would appreciate it. Mr. Santucci said he will be happy to coordinate with the mayor. He cannot promise anything, but he can send letters in on the city's behalf.

Richard Strong: Mr. Strong said he has a few issues to address tonight. First, he would like to talk about the safety of the woods in Waddell and Stevens Park. He believes the city needs to get professionals in there to assess the health of the trees. Second, he wanted to bring back up the devil strip in front of the Giancola house. He would like to see something done at the property to stop people from crashing into the house. Mr. Sollitto said there is an update with this issue and ODOT. He has spoken to the mayor, and he doesn't want to take his time up, but he would for the mayor to give an update. Mr. Strong said he was very glad to hear this.

Lastly, Mr. Strong stated that Roberts Street has a flooding problem. He said you can tell where Niles ends and Weathersfield begins because the paving in Weathersfield is great. He is going to keep bringing up these issues until they go away, or someone explains why they cannot be fixed.

Mr. Sollitto wanted to explain about the issue on Roberts with the culverts. He said if you turn onto Roberts from Niles, it is all shotty and needs repaired. Once you cross over to Weathersfield, the road is all paved and you can see the difference. The issue on the road is not the culverts anymore. The issue is that the street looks bad and Weathersfield has put a spotlight on it.

Mayor Mientkiewicz thanked council for funding the city's street resurfacing program. In 2024, there will be \$3.5 million in streets being paved, which is a record. He would gladly put that number up against Weathersfield or any other surrounding community. He agrees that Roberts does need addressed and they are aware of that. There are many streets in the city that need to be addressed. They will continue to re-evaluate the streets and grade them with pavement grading conditions. By doing this, they are able to formulate their list of roads to be paved for the following year. The city is lucky to be in a good financial situation to continue to pave the roads. Roberts and the other streets will be assessed in the summer.

Mr. Sollitto said the city is probably in the best financial situation that it has been in a long time. He doesn't want to speak for everyone else on council, but he does not think anyone would

object if he came to council and asked for a few hundred thousand dollars more to pave additional roads. If during the assessment of the roads he finds that there are ones that need to be addressed now, he doesn't believe anyone on council would say no.

Dee Sebben: Mrs. Sebben wanted to know who she needed to talk to about grass clippings in the street to get it taken care of and enforcing it. Law Director Zuzolo said it actually is a littering issue and she could call the police. Mrs. Sebben stated she does not want to waste the police officer's time with this. Law Director Zuzolo said she can call the housing and zoning department, or she can call him directly and he will send a letter.

Mr. Sheely wanted to comment on Mr. Strong's concern about the trees in the park. Mr. Sheely asked if it would be out of line to have an arborist come to consult and assess the trees in the park. He would like to know what their recommendations would be for safety reasons. Mayor Mientkiewicz said the city does fund a tree contracted labor account in the budget to address hazardous trees. The city works with a variety of tree companies, such as Davey's Trees, who are experienced in the conditions of trees and tree removal. If anyone has a specific tree that is causing concern, he asked that it be brought to his attention so they can get someone to look at it. They have been doing this for a few years and will continue to do so.

President Marino said he thinks it is a great idea to bring in an arborist. Years ago, the city brought one in to evaluate the health of the trees in the parks. They did provide a plan on how to cut them down, but also how to replace them so the parks do not become bare. He thinks it is worth the administration considering this and having someone come in. Mr. Sollitto stated that Mr. Johnstone didn't think it would be feasible to have someone on the payroll all year long, but the city could contract someone out once a year for this. Mr. Johnstone said the question was should the city have an arborist on staff, and he said he did not believe that would be warranted. However, he thinks it would be in the city's best interest to contract it out and have the city consult with someone.

MISCELLANEOUS REMARKS

(Miscellaneous remarks began at 23:47 into recording)

President Marino said he will not be here for the next meeting on June 26th. He will be out of town on business. Secondly, President Marino announced that he is not running for re-election. He has decided that he is not running again next year. He has been here for 30 years and that is a long time. He wants to spend time with his grandchildren. Lastly, President Marino wanted to recognize Mrs. MaryAnn McMahan for being named citizen of the year.

Mayor Mientkiewicz wanted to address the concern brought up earlier on Robbins. ODOT's recommendation was to increase signage. They recommended a double arrow sign and with the upcoming project taking place, that sign will be installed. The sign has already been purchased and will be installed at the recommendation of ODOT.

Mayor Mientkiewicz said the city has submitted an application with the Army Corp Engineers. The application was screened and survived the first round. They are still reviewing the project that was submitted and are looking at the flooding and the overgrowth on the creek. He is hopefully that this will move forward. Senator Sherrod Brown's team was in his office earlier and they did discuss this project. The flooding on the waterways is an issue for other surrounding cities as well.

Next, Mayor Mientkiewicz said on June 15th from 10:00 A.M.- 1:00 P.M. is the electronics drive at the safety service complex. Residents are able to bring down small appliances and electronics. Also, the dates that the city will spray for mosquitoes has been posted on the city's website. There are four sprays this year and the funds to cover this are through an EPA mitigation grant. Mayor Mientkiewicz informed everyone that ODOT confirmed they will begin their project for Vienna and Robbins on Monday, June 17th. There was a slight delay for a valve project on Belmont.

Lastly, Mayor Mientkiewicz wanted to thank council, and Auditor Merlo for securing the bond for Waddell Park. Approximately two years ago the city was awarded a grant through Congressman Ryan's office for this project. It has been a vigorous process and a lot of red tape. This was the first federal grant the city has received. In the next couple of weeks, they are planning on signing a contract with Terreri Construction, as they were the low bidder. They are going to start moving right away.

Mr. Johnstone is happy about the bond and very proud to be putting this investment back into the parks. Waddell will have a great transformation. He also encouraged council to have a conversation at the end of the year during budgets about the manpower in the park department. He would like to maintain their investment is maintained. President Marino was glad Mr. Johnstone brought that up about budgets and asked Auditor Merlo if there would be a midyear review. Auditor Merlo said there would be once everything was balanced for June; he would get something scheduled for July.

Mr. Sheely said this has been an adventure so far this year. He has received calls about various things and when he gets a call, he doesn't just take the word of someone. He likes to go out and see for himself. For example, a couple of weeks ago there were residents on Lafayette complaining about the storm drains being blocked with debris. He made a call to Mayor Mientkiewicz, and he put a work order in and within the day, the issue was resolved. He thanked the mayor and asked that he thank the city workers for working on it so quickly. So far when he calls with an issue, it gets taken care of. He also recognized Mr. Wheeler and Mr. Durno for doing a great job. The only thing he would like to see is more residents taking pride in their property. If he needs assistance from members on council, everyone has been receptive and help one another.

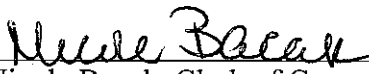
Mr. Sollitto wanted to reiterate a few things about the bonds. The city will have two current bonds paid off by 2030-2031. The city is in great shape financially and they are very lucky to have Auditor Merlo. The administration is doing a great job. Mr. Sollitto stated that he is currently covering the 4th Ward in the absence of Mrs. Devorich, along with being council at

large, and he has been pretty busy with covering that ward. He knows if he needed assistance, any of the other members would help him.

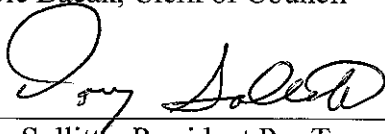
He wanted to check on the status of Iowa park because he believes the swing set is in. Mayor Mientkiewicz said it did arrive and they are just waiting on the contractor to begin the work. They are also waiting for the contractor to begin the work on the basketball court as well.

ADJOURN

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



Nicole Bacak, Clerk of Council



Doug Sollitto, President Pro Tem of Council