

COUNCIL MEETING MINUTES
DECEMBER 18, 2024

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

Niles City Council held its regular meeting on December 18, 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 Sollitto, seconded by Lastic to accept the minutes from the December 4th regular meeting and place them on file.

Motion carried.

REPORTS AND COMMUNICATIONS

FROM- Auditor's office

Statement of cash from revenue and expense- November 2024

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

Motion carried.

FROM- Auditor's office

Check report by check number- November 2024

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

Motion carried.

FROM- Water Department

Water department productivity since 2020

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

Motion carried.

FROM- Billing Department

Billing adjustments for November 2024

It was moved by Sollitto seconded by Julian to accept and place on file.

Motion carried.

FROM- Planner/ Grant Coordinator

East Park Property Redevelopment that was submitted to the CIC.

It was moved by Johnstone, seconded by Weddell to accept and place on file.

Mr. Johnstone just wanted to comment that there was a CIC meeting on the 10th. This was presented to them about this property that the CIC owns. He wanted to highlight the work that

the planner/grant coordinator did on this thorough presentation. He said sometimes he doesn't think that the work that some of the people do gets the recognition it deserves.
Motion carried.

FROM- Ohio Division of Liquor Control

Notice to Legislative authority- To: Big Daddy JJC LLC DBA CLASSY CAR WASH

It was moved by Sheely, 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 FOR AGENDA ITEMS

(Public comments began at 4:56 into recording)

George Kuriatnyk- Mr. Kuriatnyk wanted to talk about the guardrail. He said it hasn't been there in 100 years, and he isn't sure why it is an issue now. Draft 164-24 about the compensation sources for the elected officials, he asked for clarification if it was a raise. President Marino explained that the city is required by law every year to a time study to update the percentages for the compensation sources. Next, he asked if draft 165-24 for the authorized strength was for the lineman contract. President Marino said no. The contract is not on the agenda tonight.

COUNCIL COMMITTEE REPORTS

NONE

President Marino reminded council to send their committee reports to the clerk for the January 8th meeting.

Law Director Zuzolo asked for a motion to adjourn into executive session. There needs to be a discussion about collective bargaining compensation/ compensation of public employees and pending litigation.

It was moved by Sollitto, seconded by Sheely to adjourn into executive session pursuant to ORC 121.22 sections G1 ,3 and 4.

YEAS: 7 NAYS: 0

Council adjourned into executive session at 6:06 P.M.

Council reconvened from executive session at 6:28 P.M.

It moved by Johnstone, seconded by Sollitto to return to regular order.

YEAS: 7 NAYS: 0

ORDINANCES AND RESOLUTION
(Legislation began at 04:05 into recording)

ORDINANCE NO. _____ (Draft No. 144-24)

AN ORDINANCE REGARDING THE PLACEMENT OF A GUARDRAIL AT THE INTERSECTION OF ROBBINS AVE AND HARTZELL AVE; AND DECLARING AN EMERGENCY

It was moved by Sheely, seconded by Devorich to give a third reading to this draft.

YEAS: 4 NAYS: 3 (Weddell, Julian, and Lastic)

It was moved by Sheely, seconded by Devorich to adopt this draft No. 144-24

YEAS: 4 NAYS: 3 (Weddell, Julian, and Lastic)

This Draft No. 144-24 has been adopted on the 18th day of December 2024.

ORDINANCE NO. _____ (Draft No. 157-24)

AN ORDINANCE AUTHORIZING AN INCREASE TO THE POWER SALES CONTRACT RESOURCES SHARE OF THE AMP R.I.C.E. PEAKING PROJECT

It was moved by Julian, seconded by Sheely to give a second reading to this draft.

YEAS: 7 NAYS: 0

This Draft No. 157-24 has received its 2nd reading on the 18th day of December 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. 156-24)

AN ORDINANCE ADOPTING THE PERMANENT BUDGET FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2025; AND DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 162-24)

AN ORDINANCE AUTHORIZING THE SALE OF A DECOMMISSIONED POLICE CRUISER TO CHAMPION TOWNSHIP AS IT IS NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE BY THE CITY; AND DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 163-24)

AN ORDINANCE AUTHORIZING THE SALE OF A DECOMMISSIONED POLICE CRUISERS TO HUBBARD TOWNSHIP AS IT IS NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE BY THE CITY; AND DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 164-24)

AN ORDINANCE UPDATING COMPENSATION SOURCES FOR ELECTED OFFICIALS OF THE CITY OF NILES AND DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 165-24)

AN ORDINANCE AMENDING ORDINANCE NO. 115-23, KNOWN AS THE AUTHORIZED STRENGTH ORDINANCE, AND DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 166-24)

AN ORDINANCE AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED HOSPITAL SELF INSURANCE FUND 772 TO THE SELF INSURANCE ACCOUNT FOR THE COST OF HEALTHCARE AND DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 167-24)

AN ORDINANCE AUTHORIZING APPROPRIATION BUDGET TRANSFERS AND DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 168-24)

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

ORDINANCE NO. ____ (Draft No. 169-24)

AN ORDINANCE AUTHORIZING THE APPROPRIATION OF GRANT DOLLARS FOR THE THEATER BUILDING PROPERTY; AUTHORIZING A THEN AND NOW PAYMENT; AND DECLARING AN EMERGENCY

RESOLUTION NO. ____ (Draft No. 170-24)

A RESOLUTION APPROVING THE AGREEMENT BETWEEN THE CITY AND THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS LOCAL 320 (IAFF) REGARDING A NEW LABOR CONTRACT; AND, DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 171-24)

AN ORDINANCE AUTHORIZING THE CITY OF NILES TO ACCEPT RESPONSIBILITY AND AUTHORITY OVER THE ENTIRE AWARDED CHIP PROGRAM GRANT FOR PY 2024 AND DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 172-24)

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO A WATER SUPPLY AGREEMENT WITH THE CITY OF GIRARD; AND, DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 173-24)

AN ORDINANCE AUTHORIZING THE SALE OF A DECOMMISSIONED POLICE CRUISERS TO THE VILLAGE OF MCDONALD AS IT IS NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE BY THE CITY; AND DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 174-24)

AN ORDINANCE AMENDING CHAPTER 163, "EMPLOYEES GENERALLY" OF THE CODIFIED ORDINANCE OF THE CITY OF NILES, IN PART, TO UPDATE THE FOLLOWING SECTIONS FOR EMPLOYEES; AND DECLARING AN EMERGENCY

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

Auditor Merlo just wanted to make a quick comment. He stated that over the years the city has been very good with health care. The city had a very bad year this year, and it has been trending this way for quite some time. This is the first time since fiscal emergency that the city has had to put cash into the self-insurance fund, which is one of the cash transfers in front of council tonight. He just wanted everyone aware that this is one of the things the city has not had to do in quite some time.

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 18th day of December 2024.

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL FOR GENERAL PURPOSE

(Public comments began at 14:45 into recording)

Dee Sebben- Mrs. Sebben passed out some pictures tonight about damage that was done to her yard. On December 8th, she contacted Doug Sollitto about the damage to her yard that she assumed was caused by a snowplow. Doug called the mayor, and they had a three-way phone call with the mayor. The mayor advised her to call his office on Monday morning, which she did. She also spoke to Bob Ward. She is not accusing anyone in the city, and she understands if it was an honest accident. If a snowplow did go throw her yard, it is okay and just tell her that it will be fixed. She doesn't believe it was a semi-truck that did this damage. If a city of Niles snowplow did do this, she would like it fixed.

On Saturday, December 15th, she asked if the street department was working overtime because she saw them out doing blacktop patch work. She didn't understand why that had to be done during overtime and not during regular hours. Mayor Mientkiewicz said Saturday was a nice day and they were able to perform that work that was needed because of all of the potholes that were popping on the streets.

It was moved by Johnstone, seconded by Sollitto to grant an additional three minutes of time. Motion carried.

Finally, Mrs. Sebben wanted to give a big shout to the Niles Safety Forces for all of the support they give to her ministry. They set up a tree there for veterans and they did their final pick up today. Every veteran at Washington Square will get a package with clothing, socks, puzzle books, etc. She wanted to thank everyone who helped out with that program.

Mr. Sollitto wanted to know if for preventative measures in the future (and he isn't saying put a guardrail; or anything like that yet) but if s semitruck came after the fact and there was damage done by the street truck, wouldn't it have been minimal effort to just recondition it. It is an ugly eyesore, and it is damaged. We have the resources, and it is a minimal cost. He would not think it would be precedent setting. He would like to see if there is anything that the city could do to get

this taken care of since it would be a minimal cost and there wouldn't be any harm in doing so. He would like to see this looked into if possible.

Mayor Mientkiewicz said that Mr. Ward from the Street department did go and investigate this issue and he did determine that it was not a street plow truck that caused this. At any point throughout the city if there are issues in which the city assumes responsibility for damage for a yard, mailbox, etc., the city addresses that in a timely manner. For something like this where it is assumed that the city may have done this, the city will turn it into the city insurance, and they will work with the property owner directly. He said he will give this information to the law director, and they will go from there. Mr. Sollitto says he feels that is a fair answer for now.

Mr. Sheely asked what Mr. Ward thinks could have caused this damaged. Mayor Mientkiewicz said it could have been a semi-truck, a garbage truck, or another snowplow. If a driver did this damage, they should have notified their supervisor. Mr. Ward thinks if a city plow was traveling at a speed of 3-40 miles per hour down Warren Ave., there would be more damage. One of the pictures of a truck provided is a picture of a city Water Department truck so he isn't sure why that is in there.

Stan McCauley: Mr. McCauley wanted to send kudos and a big thank you for the vision that he had for the Christmas event that he had. He thought it was a great success. He would like to thank the public grounds committee. It started off a little rocky, but it turned out very smoothly. There are a ton of people that he would like to thank, starting with the council members that stopped and showed their success. He would like to show his gratitude to everyone that donated to the event and volunteered. Melissa and Doreen were amazing to work with.

Mr. Sollitto said he had a vision, and he would like to thank public grounds and council as a whole, and the administration for supporting the event. He thinks it is only going to grow. As the mayor has said, there is a lot to be done downtown, so this event can only get better. He thinks the committee as a whole did a great job.

George Kuriatnyk: Mr. Kuriatnyk said he has been plowing for 30 years and he doesn't understand what is so hard about saying your employees made a mistake and fix it. Mr. Kuriatnyk said he is all about people making money and is for the cops making money off duty. However, over the weekend at Maddens there were four cop cars for over four hours. It costs the city over \$180.00 to have a car sit there. He was told the city gets reimbursed to have a car sit there, but at only \$5.00 a car. President Marino said this is a question for the chief and they will get him an answer. He also wanted to know if there was a fight and the police end up shooting someone, are they liable? Law Director Zuzolo said the officers are covered under the city's insurance if they are operating under the color of the law. Mr. Kuriatnyk doesn't think Madden's should be open with the amount of calls that are made to the police department and the fact that they need to have four police officers there.

MISCELLANEOUS REMARKS

(Miscellaneous remarks began at 16:08 into recording)

President Marino wished everyone a Merry Christmas and Happy Holidays.

Mayor Mientkiewicz wished everyone a Merry Christmas and a Happy New Year. He is looking forward to a prosperous 2025 and another year of improvements and success in the city of Niles.

Auditor Merlo wanted to wish everyone a Merry Christmas and a Happy New Year.

Law Director Zuzolo said he is glad to see 2024 go and wished everyone a Merry Christmas.

Service Director Flarey wished everyone a Merry Christmas and a Happy New Year.

Safety Director Kaniclides wished everyone a Merry Christmas and a safe a happy holiday.

Chief Stevens wished everyone a Merry Christmas and a Happy New Year.

Mr. Weddell wished everyone a Merry Christmas and a Happy New Year. He also agreed with Mr. McCauley that the kids looked like they were having a blast at the party on Sunday.

Mr. Johnstone said there was a CIC meeting on December 10th and they received their first proposal for the main and 3rd street property that they have been advertising about for about a year. There were conversations about the old Garfield property also being transferred to the CIC. The word seems to be spreading about the CIC grant program, but they would like to find more ways to promote it in 2025.

Mr. Johnstone also pointed out there were other events going on this past weekend with Christmas events in the city, along with the Winterfest. There were so many people and places that volunteered and donated. A few that came to mind were Belleria for donating pizza, Pat Rickard for donating baked goods, and Jessica Robbins for dressing up as the Grinch. The Von Isley Estate had a Christmas craft show. It was decorated beautifully. The McKinely Memorial was also decorated. He wanted to wish everyone a Merry Christmas.

Mr. Sheely said his grandson is very shy and gets overwhelmed with crowds, but he had an amazing time at the Winterfest. He wanted to thank AmyJo for helping out personally with his grandson and getting him out of his shell. He wanted to wish everyone a Merry Christmas and a Happy New Year and hopes they continue on with what they are doing and moving forward. Lastly, he mentioned how great Waddell Park is looking.

Mrs. Devorich wanted to thank everyone involved with the Winterfest. It was a beautiful event, and she enjoyed watching the kids have a great time. She is going to echo what Law Director Zuzolo said and she is happy to see 2024 go and is looking forward to 2025. She wished everyone a Merry Christmas and a Happy New Year.


Mr. Julian wished everyone a Merry Christmas and a Happy New Year.

Mr. Lastic said Bah Humbug.

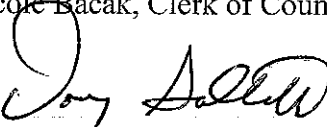
Mr. Sollitto wasn't sure how the Winterfest was going to turn out. The mayor has now agreed to expand this with the Von Isley and maybe a pop-up ice-skating rink. If you incorporate the tree lighting ceremony, it might be a 7-10-day event. The list is too long to name everyone that was involved to thank everyone to helped out. But down the road, he would like to compensate for the businesses that are giving so that we are not always taking. He also wished everyone a Mery Christmas.

ADJOURN

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



Nicole Bacak, Clerk of Council



Doug Sollitto, Pro-Tem President of Council