

COUNCIL MEETING MINUTES
DECEMBER 4, 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 4, 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- NP, Sollitto- P, Marino-P

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

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

REPORTS AND COMMUNICATIONS

FROM- Ohio Division of Liquor Control

Notice to Legislative authority- To: Regal Cinema INC

It was moved by Sheely, seconded by Julian to accept, and refer to the Police Chief and Safety Director for their recommendation.

Motion carried.

FROM- Planning and Permitting Department

Update on properties submitted to city council

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

Motion carried.

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL FOR AGENDA ITEMS

(Public comments began at 3:11 into recording)

NONE

COUNCIL COMMITTEE REPORTS

**Community Development and Neighborhood Stabilization committee meeting minutes-
October 16, 2024**

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

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

Before legislation started, President Marino asked for a motion to add Draft No. 161-24 to the agenda. The ordinance is as follows:

**AN ORDINANCE AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE
UNAPPROPRIATED FUND 221 PARK, AND DECLARING AN EMERGENCY.**

It was moved by Sollitto, seconded by Julian to add Draft No. 161-24 to the agenda.
Motion carried. It was noted that it was a unanimous vote.

RESOLUTION NO. ____ (Draft No. 141-24)

**A RESOLUTION APPROVING THE AGREEMENT BETWEEN THE CITY OF NILES
AND THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION (OPBA)
REGARDING A NEW LABOR CONTRACT; AND, DECLARING AN EMERGENCY**

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

YEAS: 6 NAYS: 0

It was moved by Julian, seconded by Sollitto to adopt this draft No. 141-24

YEAS: 6 NAYS: 0

This Draft No. 141-24 has been adopted on the 4th day of December 2024.

RESOLUTION NO. ____ (Draft No. 146-24)

**A RESOLUTION APPROVING THE AGREEMENT BETWEEN THE CITY AND THE
FRATERNAL ORDER OF POLICE (FOP), OHIO LABOR COUNCIL, INC.,
REGARDING A NEW LABOR CONTRACT; AND, DECLARING AN EMERGENCY**

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

YEAS: 6 NAYS: 0

It was moved by Julian, seconded by Sollitto to adopt this draft No. 146-24

YEAS: 6 NAYS: 0

This Draft No. 146-24 has been adopted on the 4th day of December 2024.

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 second reading to this draft.

YEAS: 4 NAYS: 2 (Weddell and Julian)

This Draft No. 144-24 has received its 2nd reading on the 4th 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. 152-24)

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

ORDINANCE NO. ____ (Draft No. 153-24)

AN ORDINANCE AUTHORIZING A CASH TRANSFER FROM SEWER FUND 503 TO FUND 407 SEWER CAPITAL IMPROVEMENTS; AND DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 154-24)

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

ORDINANCE NO. _____ (Draft No. 155-24)

AN ORDINANCE AUTHORIZING THE TRANSFER OF FUNDS FROM THE WATER DEPARTMENT TO THE GENERAL FUND FOR LOAN REPAYMENT, AND DECLARING AN EMERGENCY

RESOLUTION NO. _____ (Draft No. 158-24)

A RESOLUTION AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE FOR BID FOR THE 2025 STREET RESURFACING PROGRAM; ENTER INTO CONTRACT; AND DECLARING AN EMERGENCY

ORDINANCE NO. _____ (Draft No. 159-24)

AN ORDINANCE APPROVING A THEN AND NOW PAYMENT TO THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT), APPROPRIATING 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.

Mr. Johnstone asked about Draft No. 161-24. President Marino explained it will be added to the end of the agenda with the first readings. Law Director Zuzolo said it will still need to be suspended.

YEAS: 6 NAYS: 0

Rules are suspended.

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

YEAS: 6 NAYS: 0

This consent agenda has been adopted on the 4th day of December 2024.

ORDINANCE NO. _____ (Draft No. 156-24)

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

It was moved by Sollitto, seconded by Julian to give a first reading to this draft.

President Marino wanted to compliment the administration for putting together a comprehensive capital project program and council collaborating in the development of that. He thinks it shows

a good use of taxpayers money. He was also pleased to hear last evening that the mayor and his administration, along with the auditor and council, are going to continue to explore the purchase of a new ladder truck next year. President Marino says that is an exciting opportunity for the city and an important one because the current one is very old. He is also appreciative that the administration and council are considering additional park improvements in Stevens and Kennedy. This will be determined at the end of the first quarter once the finances are reviewed. He feels this shows the community that the mayor and council are working together to make sure that money is being spent appropriately with co-equal branches of government collaborating.

YEAS: 6 NAYS: 0

This Draft No. 156-24 has received its 1st reading on the 4th 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 Devorich to give a first reading to this draft.

YEAS: 6 NAYS: 0

This Draft No. 157-24 has received its 1st reading on the 4th day of December 2024.

ORDINANCE NO. _____ (Draft No. 160-24)

AN ORDINANCE AMENDING CHAPTER 1402.10, "DWELLING PERMIT" OF THE CODIFIED ORDINANCE OF THE CITY OF NILES, IN PART, TO ADJUST INSPECTION REQUIREMENTS AND INCREASE PENALTIES FOR VIOLATIONS; AND DECLARING AN EMERGENCY

It was moved by Johnstone, seconded by Sollitto to give a first reading to this draft.

YEAS: 6 NAYS: 0

This Draft No.160-24 has received its 1st reading on the 4th day of December 2024.

ORDINANCE NO. _____ (Draft No. 161-24)

AN ORDINANCE AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED FUND 221 PARK, AND DECLARING AN EMERGENCY.

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

YEAS: 6 NAYS: 0

Rules are suspended.

It was moved by Julian, seconded by Devorich to adopt this Draft No 161-24.

YEAS: 6 NAYS: 0

This Draft No 161-24 has been adopted on the 4th day of December 2024.

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL FOR GENERAL PURPOSE

(Public comments began at 14:45 into recording)

Richard Strong- Mr. Strong wanted to speak briefly about the legislation about the guardrail. The engineer elect of Trumbull county and ODOT both have said there should be a guardrail there, but the mayor does not wish to have a guardrail there. Now, there are two councilmen who have voted against it and sided with the mayor while ignoring the engineer, ODOT, the citizen, and the safety of the safety of the citizens of Niles. He finds this to be pretty bad, but he predicted this. It is just wrong.

MISCELLANEOUS REMARKS

(Miscellaneous remarks began at 16:08 into recording)

Auditor Merlo wanted to thank everyone for their cooperation in the budget process. He knows there were a lot of tough conversations. He appreciates everyone's help and support to keep the budget balanced going into 2025. At the next meeting, he will probably just have some clean up items for financials for the end of 2024.

President Marino said it was worth noting that the city now has a budget surplus and is no longer deficit spending. He thinks that it is kudos to everyone for being wise with taxpayer's dollars. There was a time when things were pretty tight around here so he thinks it is great that the branches of government can agree to disagree but not be disagreeable.

Chief Stevens wanted to give everyone an update on the new fire truck that is coming. It is currently in Macedonia getting another look over. It is still not in service yet and is still approximately a month away from being here.

Mr. Johnstone wanted to follow up on concerns that were brought up at a previous meeting by a member of the audience, Mr. Johnstone, about rental properties. He knows the mayor made a commitment to have the housing and zoning department get back to Mr. Johnstone with an update on the list he submitted, and he does not believe that has happened. He also asked that council be updated on that list as well and he has not received anything. He is asking for that update. Mr. Johnstone is also asking for a breakdown per ward on a percentage of rental properties. Mayor Mientkiewicz asked if he could send him an email and he will see if they can get that prepared.


Mayor Mientkiewicz asked if council would read through their packet because a report was presented this evening with an update on the properties that were submitted at the previous meeting. President Marino asked if they could add to the request to include the number of cases that were charged through the municipal court for the past two years. Law Director Zuzolo said yes. Mr. Sollitto asked if someone from the building and zoning department could attend a meeting. President Marino recommended that council have a committee meeting instead. This way they can have good healthy dialogue. They could call a roundtable and invite the department heads to have a discussion. President Marino told council to get with Law Director Zuzolo on how to set up the meeting with the open records laws, notice laws, etc.

Mr. Sheely stated how great Waddell Park looks. Every Sunday he has to make a special trip through it with his grandson because he wants to see the splashpad. He is very happy to the updates to the park happening.


Mr. Sollitto wanted to remind everyone of the upcoming Winterfest. It is going to be a nice function for downtown. It is Sunday, December 15th.

ADJOURN

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



Nicole Bacak, Clerk of Council



Robert Marino Jr., President of Council