

COUNCIL MEETING MINUTES
NOVEMBER 20, 2024

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

Niles City Council held its regular meeting on November 20, 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-NP, Devorich-NP, Julian-P, Lastic- P, Sollitto- P, Marino-P

It was moved by Sollitto, seconded by Julian to excuse Sheely and Devorich from the meeting due to illness.

Motion carried.

It was moved by Sollitto, seconded by Weddell to accept the minutes from the November 6th regular meeting and place them on file.

Motion carried.

Mr. Sollitto added that he has multiple people say that they cannot hear them speak on zoom if they do not hold down the button, and he is guilty of it. President Marino reminded everyone to hold the button down when they are speaking.

REPORTS AND COMMUNICATIONS

FROM- Billing office

October 2024 Adjustments

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

Motion carried.

FROM- Auditor's office

Statement of cash from revenue and expense- October 2024

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

Motion carried.

FROM- Auditor's office

Check report by check number- October 2024

It was moved by Lastic, 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 7:47 into recording)

Richard Strong: Mr. Strong had a question about the third item on the agenda, draft no. 144-24. He noticed that all members are not present this evening and he wanted to know if council was going to vote on it this evening or not. Mr. Sollitto said after speaking with the mayor and law director, he is going to request to have this postponed to a date certain when the other members are back. If it were to get voted down today simply because it could be, they would bring it right back to the next meeting. President Marino clarified that if they voted to postpone it and move it to a date certain, it would be postponed to the next regularly scheduled meeting.

COUNCIL COMMITTEE REPORTS

Safety committee meeting minutes- October 2, 2024

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

ORDINANCES AND RESOLUTION

(Legislation began at 10:30 into recording)

ORDINANCE NO. ____ (Draft No. 136-24)

AN ORDINANCE REGARDING USE OF THE CITY SEAL FOR CAMPAIGN MATERIALS; CREATING NILES CODIFIED ORDINANCE 167: USE OF CITY SEAL; AND DECLARING AN EMERGENCY

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

YEAS: 5 NAYS: 0

It was moved by Johnstone, seconded by Julian to adopt this draft No. 136-24

YEAS: 5 NAYS: 0

This Draft No. 136-24 has been adopted on the 20th day of November 2024.

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 second reading to this draft.

YEAS: 5 NAYS: 0

This Draft No. 141-24 has received its 2nd reading on the 20th day of November 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 Sollitto, seconded by Johnstone to postpone this draft until a date certain of the next regularly scheduled council meeting on December 4th.

Mr. Lastic did let council know that he might not be able to attend that meeting. After some discussion, they decided to keep the draft on the agenda for the December 4th meeting.

YEAS: 5 NAYS: 0

This Draft No. 144-24 has been postponed to December 4th on the 20th day of November 2024.

ORDINANCE 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 Lastic to give a second reading to this draft.

YEAS: 5 NAYS: 0

This Draft No. 146-24 has received its 2nd reading on the 20th day of November 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. 147-24)

AN ORDINANCE APPROVING A THEN AND NOW PAYMENT REQUEST TO KV ELECTRIC, LLC FOR EMERGENCY REPAIR OF PUMPS; AND DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 148-24)

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. 149-24)

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

ORDINANCE NO. ____ (Draft No. 150-24)

AN ORDINANCE AUTHORIZING EXPENDITURES IN SUPPORT OF THE FIRST ANNUAL CITY OF NILES WINTERFEST HOLIDAY EVENT, AND DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 151-24)

A RESOLUTION APPROVING THE ADOPTION OF THE INVESTMENT POLICY FOR PUBLIC FUNDS; AND, DECLARING AN EMERGENCY

It was moved by Julian, seconded by Johnstone to give a first reading to this consent agenda.

Mr. Johnstone wanted to confirm that these items are time-sensitive and need to be passed before the next council meeting. Auditor Merlo explained from the financial aspect, they need to be passed before the end of the month, which would be Tuesday to get everything transferred before Wednesday. There were some discussions about having to hold a special council meeting as well as a special Board of Control in order to get everything passed prior to the end of the month. Council agreed to meeting on Monday, November 25th in the lower level conference room to have a special council meeting.

YEAS: 5 NAYS: 0

This consent agenda has received its 1st reading on the 20th day of November 2024.

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL FOR GENERAL PURPOSE

(Public comments began at 19:13 into recording)

Chuck Johnstone- Mr. Johnstone wanted to address the rental properties that he has spoken about before. He said nothing has been done since he came here almost two months ago. He said only 209 Sheridan was fixed up because the property was sold and flipped. But all of the other ones still haven't been addressed. Mr. Sollitto asked Mayor Mientkiewicz to reach out that department and see where they are with that list. Mayor Mientkiewicz said he will reach out to them tomorrow morning and have them follow up with Mr. Johnstone on the properties.

Mr. Johnstone asked if they were able to do yearly inspections. He has a property across the street from him that doesn't get inspected. The owner of the property pays utilities but rents upstairs, so there is not an type of inspection going on. This is the second person he has had in his house as a renter, and it has never been inspected. Mr. Johnstone (council) said there is a meeting on Friday morning @ 9:00 A.M. with Auditor Merlo to discuss financials and what they would need to charge for a program like that. That program is very much still on the table, and he doesn't want to get into too many particulars because things might change. Mr. Sollitto just wants to make sure not the city isn't doing selective enforcement. He does not believe that this is happening, but he wants to be sure. Mr. Johnstone (council) said he doesn't believe it is out of line to ask for an update.

President Marino informed Mr. Johnstone that he was out of time and would need to be granted additional time.

It was moved by Sollitto/seconded by Lastic to grant an additional three minutes.
Motion carried.

President Marino reminded everyone that people are allowed to have their due process under the law. He was not sure of the time frame, but we have to allow them their due process. He does agree with Mr. Johnstone that there is no excuse. Mr. Johnstone has been coming here for years and voicing his concerns on issues in his neighborhood that have not been addressed. When the housing ordinances were updated and more employees were hired, the expectations were non-owner-occupied properties would be kept up to a community standard because there would be strict enforcement. The city has dropped the call on that and that is the truth. He would like to think that the mayor, auditor and safety committee would put more teeth into this and look at enforcement.

President Marino said enforcement is not limited to write-ups but it is also with the courts and filing charges in the court. The judicial branch needs to enforce the ordinances and hold people accountable if they continue to thumb their noses at the actions of the enforcement officers. All three branches of government need to work together to address this issue. Mr. Johnstone (council) stated that he has had conversations with Law Director Zuzolo about a potential new hire that might be able to help with this. Law Director Zuzolo explained that his Assistant Law Director is leaving, and he is replacing her with an attorney who he can use to help spearhead the code enforcement. Even this week, he did have case with several thousands of dollars in fines on

a property that has been ignoring us for months. When the fines hit and their license gets suspended, he now gets calls that he wasn't receiving before. At this time, they can get the correction they need to the property, and he can adjust the fines through the court. He received a call from a gentleman who has \$9500.00 in fines and only realized it when he couldn't get his car registered. He is now looking to get his property up to code.

Mr. Johnstone (council) wanted to clarify that they do not have a clear path to resolve all of the issues, but he did want to point out that council is still moving forward on the inspections and the judicial level. To President Marino's point, there are multiple levels involved, and each level is doing something. President Marino talked about the complaints they used to receive from when Mr. Yovich was the code enforcer because he was a pitbull. The intent is to get people to fix up the property and not get hit with thousands of dollars in fines. When he came knocking on your door, people knew he meant business. He has no problem going back to that mentality.

Mayor Mientkiewicz said with the current team, with Mr. Durno and Mr. Wheeler, and he knows council would agree that if there are issues brought up to their attention, they are dealt with in a timely manner. They use an electronic system for all of code enforcement cases. Mayor Mientkiewicz said he often says it is a vicious cycle. When property owners are tagged with code enforcement issues, they may do just enough to skate by on the compliance. They might be compliant for a month or two or a year, and then the cycle starts all over again. They also see that people will go through the court system and then will do enough to be compliant and start the cycle all over again. This is the biggest complaint they have. He can assure Mr. Johnstone that the list he submitted to council is being addressed and there is documentation. He will make sure they reach out to him and follow up.

Mayor Mientkiewicz stated the rentals are not the only issue that the city has. It is single family property owners that don't take pride in their property, and this has been spiraling out of control for a long time. There are many issues that cause the blight in the city. Mr. Sollitto agrees. There were some ordinance changes that helped get some more tools in the toolbox. In his observation, they have done a lot in a short time. They came in and picked up things that were leftover and they are doing their best. Mr. Johnstone (council) asked if they when Mr. Wheeler and Mr. Durno respond, if they could respond to all of council. Mayor Mientkiewicz said yes he will have them respond to all of council.

Mr., Weddell wanted to verify that the list they will be getting will be up to date and in the order that they came in. Mayor Mientkiewicz said yes it will be a progress report. Mr. Sollitto said he thinks he is asking for a list of when the properties were first addressed.

Dee Sebben: President Marino thanked Mrs. Sebben for everything she did for the veteran's event. Mrs. Sebben wanted to thank everyone who attended and donated to the veteran's brunch on November 10th. It was a great success. She said next week they will be putting up a Christmas tree at the Niles Police Department with the names of veterans from Washington Square. If anyone would like to stop and pick a name up and shop for a veteran, they are encouraged to do so.

Mrs. Sebben said she has noticed that there are LED lights around the city but only one on Warren Ave. over near where she lives. She wanted to know if they were going to get them over there. Mayor Mientkiewicz explained the city did receive a grant through the Brightening Ohio Community through the State of Ohio to finish the LED replacement program throughout the city. There are approximately 500 lights that need to be put, and he knows Warren Ave. is one of the streets still left. This should be completed next year. Mrs. Sebben had one last comment to make about the property owners in her ward. She agreed with Mr. Johnstone. She is a homeowner and if you cannot keep up with your property, then you don't need to be a homeowner. She has lived her all of her life. She loves Niles and doesn't want to be anywhere else. But if you cannot take pride in your yard, then you need to go.

Mr. Sollitto agrees. The city doesn't want to go in and take property off of people. They want people to fix it up and maintain it. Mayor Mientkiewicz agreed and said they have been aggressive the last few years bringing back the demolition program. The city has been taking down on average 5-6 homes a year through the local program. But then the city is left with the spotty, vacant properties that they have to maintain. You are solving the issue of removing the blight from the property, but then left with the upkeep of the property. If they are able to rehab the property, like the house on the corner of Gilbert of Mason, that was scheduled to be demolished with the help of the property owner. It was a new property owner that took over and the city brought them to the housing board and gave them hard deadlines to hit and they are doing that. It is now one of the nicer homes on the block. The city would like to see this happen more often in the city. This is a successful method of neighborhood revitalization.

Mr. Johnstone (council) agreed with the mayor. The last thing he wanted to say on this matter was that he was going to put pressure on council to remember everything they talked about tonight because it is his goal to have a plan in place by the December 4th council meeting. He is planning on bringing legislation forward on the rental property inspections, etc. He hopes to have that in front of them. President Marino asked many people currently work in the department and Mayor Mientkiewicz said there are 4, 2 fulltime and 2 parttime. He asked about 4 years ago, and it was the same. President Marino then asked how many people worked there 7 years ago and Mayor Mientkiewicz answered 2. President Marino stated we have significantly increased staffing and there are a lot of resources being invested in housing. So to Mr. Johnstone's point, they should be seeing improvement in that department.

Lastly, President Marino wanted to confirm that the department does not have to wait for a complaint to address an issue. Mayor Mientkiewicz said no they are not a complaint driven department. They tried to steer away from that. That is what they are trying to use the extra bodies in the neighborhood for. The two part time code enforcement officers are out in the neighborhoods on a daily basis looking for issues. The way the department restructured was they have one position who is dedicated to building, zoning, and then housing. The other full-time officer is dedicated to housing, zoning and then zoning. The plan is when the part-time employees retire is to combine them into another full-time position who would be dedicated to zoning, building and then housing. You can talk about adding employees left and right and he would welcome it but there is a cost associated with it, which will be brought up in Friday's meeting. President Marino doesn't think the city needs anymore people. To the mayor's point, he thinks they need to look at the way in which the staff is being utilized. He likes the mayor's plan

that there is succession, and the city is not caught left in a void when someone leaves. He agrees with that.

MISCELLANEOUS REMARKS

(Miscellaneous remarks began at 41:20 into recording)

President Marino wished everyone a Happy Thanksgiving.

Mayor Mientkiewicz wished everyone a Happy Thanksgiving. He wanted to let everyone know that the annual tree lighting held by the Niles Lion's Club will be Monday, December 2nd @ 6:30 P.M. at the Niles Fire Station. Also this Saturday morning @ 9:00 A.M., there is the grand opening at Stevens Park of the Disc Golf Course.

Auditor Merlo confirmed there will be the council budget meeting on Tuesday, December 3rd @ 4:00 P.M. at the city building.

Treasurer Telego wished everyone a Happy Thanksgiving.

Law Director Zuzolo wished everyone a Happy Thanksgiving.

Safety Director Kaniclides wished everyone a Happy Thanksgiving.

Service Director Flarey wished everyone a Happy Thanksgiving.

Chief Holland wished everyone a Happy Thanksgiving.

Mr. Weddell wished everyone a Happy Thanksgiving.

Mr. Johnstone wanted to thank Mrs. Sebben for the veteran's brunch. He was able to attend it and it was a wonderful event. The Shepard's Ministries did a great job at putting on this event. He also wished everyone a Happy Thanksgiving.

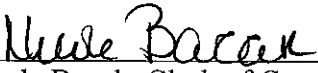
Mr. Julian wished everyone a Happy Thanksgiving.

Mr. Lastic thanked Mrs. Sebben for the event also.

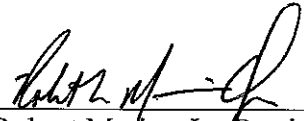
Mr. Sollitto also attended the brunch, and it was an excellent event. Mr. Sollitto said with Iowa Park almost being complete, people have asked about purchasing park benches. He doesn't know what the cost would be or what steps would need to be taken to get these purchased at Iowa and other parks. Mayor Mientkiewicz said the city does have a program in the city for citizens to purchase benches. All they have to do is call the mayor's office and they can give them the information they need. The city welcomes this. He thinks Iowa would be a great place since there is no seating. The citizens would just need to follow the specs and outlines in the programs.

ADJOURN

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



Nicole Bacak, Clerk of Council



Robert Marino Jr., President of Council