

COUNCIL MEETING MINUTES
NOVEMBER 6, 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 6, 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 Assistant Clerk, Shayla Schroeder, called the roll:

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

It was moved by Julian, seconded by Weddell to accept the minutes from the October 16, 2024 regular meeting and place them on file.

Motion carried.

REPORTS AND COMMUNICATIONS

NONE

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL FOR AGENDA ITEMS

(Public comments began at 1:50 into recording)

Richard Strong addressed Council regarding Draft No. 144-24 regarding placement of a guardrail at the intersection of Robbins Avenue and Hartzell Avenue.

COUNCIL COMMITTEE REPORTS

NONE

It was moved by Sollitto, seconded by Johnstone to adjourn to executive session under the Ohio Revised Code 121.22(G)(4) for collective bargaining.

YEAS: 7 NAYS: 0

Council adjourned into executive session at 6:06p.m.

President Marino called to reconvene the meeting to enter regular order.

YEAS: 7 NAYS: 0

Council reconvened at 6:30p.m.

ORDINANCES AND RESOLUTION
(Legislation began at 29:15 into recording)

ORDINANCE NO. _____ (Draft No. 129-24)

ORDINANCE FOR ILLICIT DISCHARGE & ILLEGAL CONNECTION CONTROL

It was moved by Sollitto, seconded by Lastic to give a third reading to this Draft 129-24.

YEAS: 7 NAYS: 0

This Draft No 129-24 has received its 3rd reading on the 6th day of November 2024.

It was moved by Julian, seconded by Sollitto for adoption. Draft No 129-24 has been adopted.

ORDINANCE NO. _____ (Draft No. 130-24)

AN ORDINANCE REPEALING AND RE-ENACTING NILES CODIFIED ORDINANCE CHAPTER 922, "STORM WATER MANAGEMENT CONTROL," TO ESTABLISH STANDARDS, PRINCIPLES AND PROCEDURES TO REGULATE THE QUALITY OF STORM WATER RUNOFF DURING AND AFTER SOIL DISTURBING ACTIVITIES; AND, DECLARING AN EMERGENCY

It was moved by Julian, seconded by Sollitto to give a third reading to this Draft 130-24.

YEAS: 7 NAYS: 0

This Draft No 130-24 has received its 3rd reading on the 6th day of November 2024.

It was moved by Julian, seconded by Sollitto for adoption. Draft No 130-24 has been adopted.

ORDINANCE NO. _____ (Draft No. 131-24)

AN ORDINANCE ESTABLISHING NEW STANDARDS FOR EROSION AND SEDIMENT CONTROL DURING SOIL DISTURBING ACTIVITIES WITHIN THE CITY; AND, DECLARING AN EMERGENCY

It was moved by Julian, seconded by Lastic to give a third reading to this Draft 131-24.

YEAS: 7 NAYS: 0

This Draft No 131-24 has received its 3rd reading on the 6th day of November 2024.

It was moved by Julian, seconded by Sollitto for adoption. Draft No 131-24 has been adopted.

ORDINANCE NO. _____ (Draft No. 133-24)

AN ORDINANCE AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED GENERAL FUND ACCOUNT 101 TO THE GENERAL FUND MISCELLANEOUS ACCOUNT FOR THE CITY FUNDED BUSINESS GRANT APPROVED BY THE COMMUNITY IMPROVEMENT CORPORATION OF NILES AND DECLARING AN EMERGENCY.

It was moved by Sollitto, seconded by Johnstone to give a third reading to this Draft 133-24.

YEAS: 7 NAYS: 0

This Draft No 133-24 has received its 3rd reading on the 6th day of November 2024.

It was moved by Johnstone, seconded by Sollitto for adoption. Draft No 133-24 has been adopted.

ORDINANCE NO. _____ (Draft No. 134-24)

AN ORDINANCE AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED GENERAL FUND ACCOUNT 101 TO THE GENERAL FUND MISCELLANEOUS ACCOUNT FOR THE CITY FUNDED BUSINESS GRANT APPROVED BY THE COMMUNITY IMPROVEMENT CORPORATION OF NILES AND DECLARING AN EMERGENCY.

It was moved by Sollitto, seconded by Johnstone to give a third reading to this Draft 134-24.

YEAS: 7 NAYS: 0

This Draft No 134-24 has received its 3rd reading on the 6th day of November 2024.

It was moved by Johnstone, seconded by Sollitto for adoption. Draft No 134-24 has been adopted.

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 second reading to this Draft 136-24.

YEAS: 7 NAYS: 0

This Draft No 136-24 has received its 2nd reading on the 6th 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. 139-24)

A RESOLUTION AUTHORIZING THE AUDITOR TO ENTER INTO AN AGREEMENT WITH MUTUAL HEALTH SERVICES AND ZALUSKI INSURANCE INCORPORATED TO PROVIDE HOSPITALIZATION INSURANCE FOR THE CITY OF NILES, AND DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 140-24)

A RESOLUTION AMENDING RESOLUTION NO. 11-24 AUTHORIZING THE MAYOR AND/OR SERVICE DIRECTOR TO PREPARE AND SUBMIT AN APPLICATION AND ENTER INTO AGREEMENTS WITH THE APPALACHIAN REGIONAL COMMISSION TO BECOME ELIGIBLE FOR FUNDING ASSISTANCE FOR THE JOHNNYCAKE WATERLINE REPLACEMENT PROJECT; AND, DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 142-24)

AN ORDINANCE AMENDING ORDINANCE NO. 61-24 AUTHORIZING THE MAYOR TO PREPARE AND SUBMIT AN APPLICATION FOR A MATCHING GRANT FROM THE OHIO PUBLIC WORKS COMMISSION (OPWC) FOR THE 2025 NILES STREET RESURFACING PROJECT; AND DECLARING AN EMERGENCY.

ORDINANCE NO. ____ (Draft No. 143-24)

AN ORDINANCE AUTHORIZING EXPENDITURES FROM THE LOCAL FISCAL RECOVERY FUND 210

ORDINANCE NO. ____ (Draft No. 145-24)

AN ORDINANCE AUTHORIZING SEWER FUND 503 APPROPRIATION TRANSFERS FOR CONTRACTED LABOR, AND DECLARING AN EMERGENCY.

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

YEAS: 7 NAYS: 0

Rules are suspended.

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

YEAS: 7 NAYS: 0

This consent agenda has been adopted on the 6th day of November 2024.

Comment: Mayor Mientkiewicz noted that the funds for the Appalachian Regional Commission grant and OPWC grant have both been secured.

ORDINANCE 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 Sollitto, seconded by Julian to give a first reading to this Draft 141-24.

YEAS: 7 NAYS: 0

This Draft No 141-24 has received its 1st reading on the 6th 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 Sheely, seconded by Devorich to suspend the rule requiring three readings of this Draft No 144-24.

YEAS: 4 NAYS: 3

Law Director Zuzolo stated ODOT's latest recommendation is to continue with the signs as they are and if that does not resolve the problem then to advance to placement of a guardrail. Council discussed that there have been three accidents at this intersection since 2017.

It was moved by Sollitto, seconded by Sheely to give a first reading to this Draft 144-24.

YEAS: 4 NAYS: 3

This Draft No 144-24 has received its 1st reading on the 6th day of November 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 Sollitto to give a first reading to this Draft 146-24.

YEAS: 7 NAYS: 0

This Draft No 146-24 has received its 1st reading on the 6th day of November 2024.

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL FOR GENERAL PURPOSE

(Public comments began at 56:00 into recording)

Dee Sevens: Dee gave a reminder about the Veteran's Brunch at McKinley Heights fire department. Dee also announced a winter family festivity festival on December 7, 2024. She requested funds from Council for this festival. Mr. Sollitto indicated that Dee would need to provide an amount and receipts prior to being provided funds from the City.

Richard Strong: He expressed that the Ohio Revised Code states clearly that the City can do what it wants in regards to the guardrail.

Mayor Mientkiewicz reiterated that it is ODOT's recommendation, not requirement, that the City wait to see if the signs resolve the issue. It is prudent that the City follow best practices, and follow recommendations of traffic, engineering, professionals, and Uniform Traffic Code.

MISCELLANEOUS REMARKS

(Miscellaneous remarks began at 24:02 into recording)

Mayor Mientkiewicz announced that the City will be participating in Wreaths Across America for the Niles City Cemetery. Contact Stephanie Furano to donate or for more information.

Mayor Mientkiewicz announced that American Legion Post 106 is going to have its annual Veteran's Day ceremony in the Niles City Cemetery at 11:00a.m.

President Marino asked Auditor Merlo about the budget hearings. Auditor Merlo stated that the hearings went well and that they will likely have a Council roundtable to discuss within the next week or so. He noted that Mr. Johnstone had attended some of the meetings.

Mr. Johnstone noted that the pumpkin walk had a wonderful turnout of over 300 children and expressed that he is looking forward to doing it again next year.


Mr. Sheely stated that the brunch for Veteran's Day is from 10:00a.m.-2:00p.m. on Sunday, November 10, 2024 at the fire station. It is \$10.00 per person and veterans eat for free.

Ms. Devorich stated that she hopes the winter festival can grow over the years.

Mr. Sollitto noted that hopefully the city can resolve the guardrail situation once the new engineer takes over.

ADJOURN

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



Nicole Bacak, Clerk of Council



Robert Marino Jr., President of Council