

COUNCIL MEETING MINUTES
OCTOBER 2, 2024

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

Niles City Council held its regular meeting on October 2, 2024, at 6:00 p.m. at the Niles Senior Center in Niles, Ohio.

The meeting was called to order by Council Pro Tem President, Doug Sollitto and the Clerk, Nicole Bacak, called the roll:
Weddell- NP, Johnstone-P, Sheely-P, Devorich-P, Julian-P, Lastic- P, Sollitto- P, Marino-NP

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

It was moved by Julian, seconded by Lastic to accept the minutes from the September 18th 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 4:15 into recording)

NONE

COUNCIL COMMITTEE REPORTS

Comm. Development/Neighborhood Stab. committee meeting minutes- September 18, 2024

Utilities committee meeting minutes- September 25, 2024

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

Mr. Johnstone wanted to make an amendment to the agenda this evening. He was asking for drafts 133-24 and 134-24 to be removed from the consent agenda and only given a first reading.

It was moved by Johnstone, seconded by Julian to amend this agenda to reflect those changes. Motion carried.

Law Director Zuzolo wanted to clarify that at any time a member of council can request a draft to be removed from the consent agenda without majority vote. Mr. Johnstone explained that these two drafts are part of the CIC grant and both applicants are comfortable with waiting on the three readings. There is no time frame so they would like to give it the full exposure.

ORDINANCES AND RESOLUTION

(Legislation began at 6:11 into recording)

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. 126-24)

AN ORDINANCE AUTHORIZING THE DIRECT HIRE OF PREMIER COLLECT PROFESSIONAL COLLECTION RECOVERY SERVICES FOR PAST DUE UTILITY ACCOUNTS, AND DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 127-24)

AN ORDINANCE AUTHORIZING THE DISPOSAL OF OBSOLETE TURN MOWER BY INTERNET AUCTION ON GOV DEALS AS IT IS NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE BY THE CITY; AND DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 128-24)

AN ORDINANCE PLACING A TEMPORARY MORATORIUM, NOT TO EXCEED ONE YEAR, ON THE ISSUANCE OF PERMITS THROUGH THE PLANNING, ZONING AND BUILDING DEPARTMENTS FOR APPROVAL OF STORAGE UNITS, STORAGE FACILITIES, STORAGE PODS AND SELF-STORAGE ESTABLISHMENTS IN THE CITY OF NILES, OHIO, AND DECLARING AN EMERGENCY

RESOLUTION NO. ____ (Draft No. 132-24)

A RESOLUTION AUTHORIZING THE CITY OF NILES TO IMPLEMENT THE ATTACHED CITIZEN PARTICIPATION PLANS FOR PY2024; TO AUTHORIZE THE

MAYOR OF NILES TO EXECUTE ANY AND ALL DOCUMENTS, AND DECLARING AN EMERGENCY

It was moved by Lastic, seconded by Johnstone 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

This consent agenda has been adopted on the 2nd day of October 2024.

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

ORDINANCE FOR ILLICIT DISCHARGE & ILLEGAL CONNECTION CONTROL

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

YEAS: 6 NAYS: 0

This Draft No. 129-24 has been received its 1st reading on the 2nd day of October 2024.

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 Lastic to give a first reading to this draft.

YEAS: 6 NAYS: 0

This Draft No. 130-24 has been received its 1st reading on the 2nd day of October 2024.

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 Sheely to give a first reading to this draft.

YEAS: 6 NAYS: 0

This Draft No. 131-24 has been received its 1st reading on the 2nd day of October 2024.

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 Johnstone, seconded by Julian to give a first reading to this draft.

YEAS: 6 NAYS: 0

This Draft No. 133-24 has been received its 1st reading on the 2nd day of October 2024.

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 Johnstone, seconded by Julian to give a first reading to this draft.

YEAS: 6 NAYS: 0

This Draft No. 134-24 has been received its 1st reading on the 2nd day of October 2024.

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL FOR GENERAL PURPOSE

(Public comments began at 12:36 into recording)

Jim Taylor: Mr. Taylor is the secretary/treasurer of the Western Reserve Building Trades and the business representative for Painters and Allied Trades. Mr. Taylor wanted to give tell everyone a story that is beneficial for the city. Back in 2021, he had a conversation with Mayor Mientkiewicz about getting the bridges painted in the city. Mr. Taylor was happy he asked because he had 20 bridge contractors that would love to do the bridges. He said they agreed to follow the ODOT rules on getting them painted.

They started looking for funding for this and Mr. Taylor reached out to State Representative Mike Loychik about getting funding from grants for the project. Mike Loychik went to Randy Smith for assistance in securing funds and Randy Smith was a great help. Mike Loychik went to the state and was able to secure \$300,000.00 for these bridges to be painted. Mr. Taylor informed Mayor Mientkiewicz about the approved funding but based on estimates he felt they might need a little more funding from the city.

Mayor Mientkiewicz said that council did earmark money for the overage in this project for easement issues. Mr. Taylor did then go to the commissioners for this project and explained there was state and local funding already approved. Since these bridges are the commissioners, he was asking if they would be able to chip in for the project as well. The commissioners did agree to give \$69,000.00 for this project.

Council Pro Tem President Sollitto informed Mr. Taylor that he was out of time and need to ask for an additional three minutes.

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

Mr. Taylor said he is happy to announce that after some easement and title issues, everything was able to be worked out and the project went out for bid. The project was awarded for less than the estimate and one of his local bridge contractors will be doing the painting. Mr. Taylor is glad to see that the city is getting two out of the four bridges painted. He knows there are letters going out to the railroad companies that own the other two bridges to hopefully get support to have them paint the bridges.

Council Pro Tem President Sollitto asked if when the bridges do get painted, if there was a certain color it had to be or if the city could paint them Niles Red Dragon colors. Mr. Taylor said there isn't a set color that it has to be. He can check and see if that is part of the bid specs for the project. Council Pro Tem President Sollitto said he would like for him to do that because there are a lot of people asking if the color can be changed. Mr. Johnstone agreed and stated that he gets asked that constantly. Mr. Johnstone wanted to thank Mr. Taylor, the administration, people at the county and state, and everyone who had a hand in getting this approved. Council Pro Tem President Sollitto said the paint color is not a deal breaker, but they would just like to know if there are options available. Mr. Taylor said he will reach out and let us know.

Dee Sebben: Mrs. Sebben wanted to give an update on the veteran's dinner scheduled for November 10th. Mrs. Sebben said they are doing something different this year and are going to make a slideshow with all of the local veterans (past/present). Photos of the veterans can be submitted via email or in person. They can be dropped off to Albie's Florist on Robbins Ave. or emailed to albies1328@gmail.com. When submitting the photo, Mrs. Sebben would like to have a little history of the person, such as what branch of service he/she belonged to. Mrs. Sebben asked if she could get a list of those veterans on the banners throughout the city because she would like to personally invite those veterans to the dinner. Mayor Mientkiewicz advised her to contact Denise in the park department and she can get her a list.

Lastly, Mrs. Sebben asked what was going on in Waddell Park. Mayor Mientkiewicz explained this was the construction for the Waddell Park Improvement Grant, which is \$4.5 million to improve the park. Right now, Wilder field is stripped, and concrete curbs and drainage is being installed. They are waiting on the turf and fencing installation. Fedor, Stabile, and South fields are being stripped this week and they have begun the curbing, drainage and fencing. They have begun the digging for the splash pad and playground area on the south end of Sharkey Drive. The final piece will be the paving of the road next spring. Mrs. Sebben asked if the splash pad was going in the same spot as the pool and Mayor Mientkiewicz said it was going across the street. Mrs. Sebben asked if they can put up volleyball nets and Mayor Mientkiewicz said the park board has been talking about that.

Noah Williams: Mr. Williams stated that he is founder of Noah Williams Pyrotechnics. Mr. Williams was setting off fireworks on New Year's because the state of Ohio has a law that says you can do fireworks on certain holidays. Somewhere between 8:00 P.M.-9:00 P.M., about 20 minutes into him setting off his fireworks, someone contacted the police, and three cop cars showed up. He was informed that the city has a local ordinance in place that you can only set off fireworks on July 3rd -5th. Mr. Williams was update about this and on January 2,2024, he came to the city building to talk to Mayor Mientkiewicz about this and to see the ordinance. He feels that there is a disadvantage to this because if it rains on those three days, you cannot do fireworks.

Law Director Zuzolo said the statue that was passed by the state specifically allows municipalities to adjust their dates as to when fireworks can be set off. Council at that time decided those were the dates they were going to allow fireworks within the city. Mr. Johnstone asked if it was the same for businesses as residents, because the Scrappers do fireworks very frequently. Mr. Johnstone asked if there was special permitting for this and if Mr. Williams would be eligible to apply for that. Law Director Zuzolo said he would have to look into, but he thinks so. Mr. Johnstone told Mr. Williams to follow up with the law director on this. Council Pro Tem President Sollitto agreed and asked him to speak to Law Director Zuzolo.

MISCELLANEOUS REMARKS

(Miscellaneous remarks began at 26:03 into recording)

Auditor Merlo wanted to update everyone that budgets for 2025 will be beginning soon. He will get dates that work for himself and the mayor and put together a schedule. He will send out the

dates to council and if those departments fall under their committees, they are more than welcome to attend. He wanted council to be on the look out for this schedule within the next week or two.

Mr. Johnstone wanted to inform every one of the 5th annual Halloween party and pumpkin walk at the McKinley Memorial Library on October 19th from 5:00 P.M. -7:30 P.M. This is a fantastic event for kids, and it is completely free for people to attend. He wanted to encourage people to attend the event.

Mr. Lastic informed council that he might not be at the next meeting on October 16th.

Council Pro Tem President Sollitto asked Mayor Mientkiewicz for another update on Iowa park and the basketball hoop going up. Mayor Mientkiewicz said the hoop is in hands of the contractor and they are just waiting for them to install it. Mr. Johnstone asked if there was an update on the tree removal. Mayor Mientkiewicz said he believes just one or two trees are left. The city's crew has a few other projects going on so he has instructed the park director to get quotes to get this taken care from an outside company.

ADJOURN

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



Nicole Bacak, Clerk of Council



Robert Marino Jr., President of Council