

COUNCIL MEETING MINUTES
AUGUST 20, 2025

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

Niles City Council held its regular meeting on August 20, 2025, 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-NP, Lastic- P, Sollitto- P, Marino-P

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

It was moved by Sollitto, seconded by Weddell to accept the minutes from the June 18th regular meeting and special meetings on June 23rd, and July 11th and place them on file.
Motion carried.

REPORTS AND COMMUNICATIONS

FROM- Auditor's office

Statement of cash from revenue and expense- May and June 2025

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

FROM- Auditor's office

Check report by check number- May and June 2025

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

FROM- Billing Department

Adjustments for June and July 2025

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

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL FOR AGENDA ITEMS

(Public comments began at 3:48 into recording)

NONE

COUNCIL COMMITTEE REPORTS

Roundtable meeting minutes- August 14, 2025

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

ORDINANCES AND RESOLUTION

(Legislation began at 4:20 into recording)

ORDINANCE NO. ____ (Draft No. 101-25)

AN ORDINANCE AUTHORIZING THE TRANSFER OF UNUSED LANDS OWNED BY THE CITY OF NILES TO THE COMMUNITY IMPROVEMENT CORPORATION OF NILES, OHIO ("CIC").

It was moved by Johnstone, seconded by Sollitto to give a third reading to this Draft No. 101-25.

YEAS: 6 NAYS: 0

It was moved by Johnstone, seconded by Sollitto to adopt this Draft No. 101-25.

YEAS: 6 NAYS: 0

This Draft No. 101-25 has been adopted on the 20th day of August 2025.

ORDINANCE NO. ____ (Draft No. 104-25)

AN ORDINANCE AMENDING CHAPTER 953.01, "CREMATION OF UNCLAIMED BODIES" OF THE CODIFIED ORDINANCE OF THE CITY OF NILES, IN PART, TO UPDATE THE FOLLOWING SECTIONS FOR CREMATION OF UNCLAIMED BODIES

It was moved by Sollitto, seconded by Devorich to give a third reading to this Draft No 104-25.

YEAS: 6 NAYS: 0

It was moved by Sollitto, seconded by Lastic to adopt this Draft No 104-25.

YEAS: 6 NAYS: 0

This Draft No. 104-25 has been adopted on the 20th day of August 2025.

ORDINANCE NO. ____ (Draft No. 106-25)

AN ORDINANCE AMENDING CHAPTER 1507.01 "PAYMENT OF FIRE LOSS CLAIMS" OF THE CODIFIED ORDINANCE OF THE CITY OF NILES, IN PART, TO PERMIT TRANSFER OF FUNDS TO ASSIGNEES; AND DECLARING AN EMERGENCY

It was moved by Sollitto, seconded by Weddell to give a second reading to this Draft No. 106-25.

YEAS: 6 NAYS: 0

This Draft No. 106-25 has received its second reading on the 20th day of August 2025.

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.

RESOLUTION NO. ____ (Draft No. 123-25)

A RESOLUTION AUTHORIZING THE MAYOR TO PREPARE AND SUBMIT AN APPLICATION OF NOMINATION TO BE ADDED TO THE OHIO ENVIRONMENTAL PROTECTION AGENCY – DRINKING WATER ASSISTANCE FUND FOR PROGRAM YEAR 2026 AND 2027 PROGRAM MANAGEMENT PLANS TO BECOME ELIGIBLE FOR FUNDING ASSISTANCE THROUGH LOANS FOR WATER DEPARTMENT LEAD SERVICE LINE IDENTIFICATION AND REPLACEMENT PURPOSES, AND DECLARING AN EMERGENCY

RESOLUTION NO. ____ (Draft No. 124-25)

A RESOLUTION ALLOWING THE MAYOR TO APPLY FOR FEDERAL CONGESTION MITIGATION/AIR QUALITY (CMAQ) FUNDS PROGRAMMED BY THE EASTGATE REGIONAL COUNCIL OF GOVERNMENTS FOR THE SR 46 & SR 169 CORRIDOR SIGNAL REPLACEMENT PROJECT

RESOLUTION NO. ____ (Draft No. 125-25)

RESOLUTION ACCEPTING THE AMOUNT AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

ORDINANCE NO. ____ (Draft No. 126-25)

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

ORDINANCE NO. ____ (Draft No. 127-25)

AN ORDINANCE AUTHORIZING APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED CAPITAL PROJECTS FUND FOR CONSULTANT FEES; AND, DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 128-25)

AN ORDINANCE APPROVING THE AMENDED AUTHORIZED STRENGTH FOR THE CITY OF NILES; REPEALING AND REPLACING ORDINANCE 55-25; AND, DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 129-25)

AN ORDINANCE AUTHORIZING THE TRANSFER OF MONIES FROM VARIOUS ACCOUNTS TO THE UNCLAIMED FUND 663 AS SEVERAL CHECKS REMAIN UNCASHED FOR MORE THAT ONE HUNDRED AND EIGHTY (180) DAYS; AND, DECLARING AN EMERGENCY

RESOLUTION NO. ____ (Draft No. 130-25)

A RESOLUTION INDICATING THE SERVICES TO BE PROVIDED FOR CERTAIN TERRITORY PROPOSED FOR ANNEXATION TO THE CITY OF NILES UPON ANNEXATION; AND, DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 132-25)

AN ORDINANCE AUTHORIZING APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED LIGHT FUND FOR CONTRACTED LABOR; AND, DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 133-25)

AN ORDINANCE AUTHORIZING APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED CEMETERY FUND FOR INDIGENT REIMBURSEMENT; AND, DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 135-25)

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF THE MATERIAL TERMS OF THE NATIONAL OPIOIDS SETTLEMENT; AUTHORIZING THE MAYOR TO EXECUTE THE SUBDIVISION PARTICIPATION FORM; AND DECLARING AN EMERGENCY

RESOLUTION NO. ____ (Draft No. 137-25)

A RESOLUTION AUTHORIZING THE SERVICE DIRECTOR TO ISSUE A REQUEST FOR QUALIFICATIONS FOR THE STILLWAGON SEWER PROJECT; AND, DECLARING AN EMERGENCY

RESOLUTION NO. ____ (Draft No. 140-25)

A RESOLUTION AUTHORIZING THE CONTRACT WITH ENVIRONMENTAL DESIGN GROUP FOR THE TRU-NILES SIGNALS INSPECTION SERVICES; AND, DECLARING AN EMERGENCY

It was moved by Sollitto to give a first reading. Law Director Zuzolo said these items need to be suspended. Mr. Sollitto rescinded his motion for the first reading.

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

YEAS: 6 NAYS: 0

Rules are suspended.

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

YEAS: 6 NAYS: 0

This consent agenda has been adopted on the 20th day of August 2025.

ORDINANCE NO. ____ (Draft No. 131-25)

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR WADDELL PARK TRACK IMPROVEMENT PROJECT; AND, DECLARING AN EMERGENCY

It was moved by Johnstone, seconded by Lastic to give a first reading to this Draft No. 131-25.

Mr. Sollitto wanted to clarify that they are talking about the track in Waddell Park to get the bid put out so they can get numbers in to get it resurfaced. It is for everyone in the park to be able to use. Mayor Mientkiewicz pointed out that there is no appropriation for this project so council will have to appropriate the money once the bids come back.

Mr. Sollitto asked if it would be back by the next meeting and Mayor Mientkiewicz explained the design needs to be completed and then the three-week advertisement for bids. Law Director Zuzolo stated since the draft is only getting a first reading, it will need to go two more readings

and then it can go out for bid, as long as it passes by emergency which requires five votes. Once the contract comes back, they will bring it back to council for appropriations.

President Marino asked if the city has enforced that rule on the suspension after readings on all ordinances and Law Director Zuzolo said yes. President Marino wanted clarification on this. Law Director Zuzolo explained that it is not just the three readings, but because of the emergency. As long as five council members approve it, then it passes by emergency. There have only been very few that have passed by four votes, which would not go into effect immediately. For those situations, it would get published and wait the thirty days before it became effective. President Marino just wanted to ensure that there are no ordinances where this has occurred and there was no action taken. Law Director Zuzolo said not to his knowledge.

Mr. Sollitto said there will be issues if this becomes a delay or a stall tactic. Himself and Mr. Johnstone have been saying since the beginning of the year that they want this finished. They have found time and need to get other things done that they didn't feel were as urgent. He has made it clear since January that he wanted this on the agenda to be done and it is now August. He is not saying they are going to drag their feet, but this project needs to happen.

Mr. Sollitto said the city certainly has enough money and if they don't, then we are doing something wrong. He knows the city has plenty of money. He isn't going to go through hoops to get something done that betters everyone there. He stated this is a long overdue project at a very reasonable cost. He is going to trust the process and that everyone is going to be above board and it is going to get done.

Law Director Zuzolo wanted to be clear that these are not his rules, and the city is following the rules of the Ohio Revised Code. He is not doing anything to delay the project. Law Director Zuzolo told Mr. Sollitto that his comments should not be directed at him, but at council because they are ones voting. He again explained the votes needed for this to pass as emergency. Mr. Sollitto said he is fine with it going three readings and respects that process. All he is saying is that the process needs to happen.

Mr. Johnstone wanted to comment on this. He said the project will be largely based on the weather. He is worried that the project will get stalled with the change of the weather. He encouraged council if they are in support of it and doing the three readings, they are in support of the project. They are not in support of suspending it, and that is their prerogative. If they vote for the three readings, they are for the ordinance. They just need to keep in mind that the project is dependent of the weather, so they need to move forward.

Mr. Sollitto agreed and said the Mr. Johnstone is concerned with the circumstances of this. He said they have got a lot done working together. He hopes that everyone is aware that they need to get this done. He doesn't want anyone being disingenuous. Law Director Zuzolo reiterated that as long as it passes with five votes on the third reading, it can go into effect immediately. It would be two- four weeks to bid from there. President Marino advised council that they can call special meetings also. Mr. Lastic wanted to be sure that this will not interrupt the programs, such as Little Red Dragons.

Mr. Sollitto said people are very excited about this happening and he feels that it seems like it more of the administration stalling this project. He isn't going to throw stones yet, but if it comes out that way, he will throw big stones. Law Director Zuzolo wanted to know why this was being directed at him. All he is doing is answering him as to the rules and laws.

YEAS: 6 NAYS: 0

This Draft No. 131-25 has received its first reading on the 20th day of August 2025.

ORDINANCE NO. ____ (Draft No. 134-25)

AN ORDINANCE AUTHORIZING THE CITY OF NILES TO PURCHASE PARK BENCHES UP TO AN AMOUNT OF \$15,000 AND SUBJECT TO FUTURE APPROPRIATIONS; AND, DECLARING AN EMERGENCY

It was moved by Weddell, seconded by Sheely to give a first reading to this Draft No. 134-25.

YEAS: 6 NAYS: 0

This Draft No. 134-25 has received its first reading on the 20th day of August 2025.

ORDINANCE NO. ____ (Draft No. 136-25)

AN ORDINANCE ADOPTING THE UPDATED PUBLIC RECORDS REQUEST POLICY FOR THE CITY; AND, DECLARING AN EMERGENCY

It was moved by Sollitto, seconded by Lastic to give a first reading to this Draft No. 136-25.

YEAS: 6 NAYS: 0

This Draft No. 136-25 has received its first reading on the 20th day of August 2025.

ORDINANCE NO. ____ (Draft No. 138-25)

AN ORDINANCE IMPLEMENTING SECTIONS 3735.65 THROUGH 3735.70 OF THE OHIO REVISED CODE, ESTABLISHING AND DESCRIBING THE BOUNDARIES OF THE NILES COMMUNITY REINVESTMENT AREA IN THE CITY OF NILES, DESIGNATING A HOUSING OFFICER TO ADMINISTER THE PROGRAM, CREATING A COMMUNITY REINVESTMENT HOUSING COUNCIL; REPEALING ORDINANCE 04-06; AND DECLARING AN EMERGENCY

It was moved by Johnstone, seconded by Sheely to give a first reading to this Draft No. 138-25.

YEAS: 6 NAYS: 0

This Draft No. 139-25 has received its first reading on the 20th day of August 2025.

ORDINANCE NO. ____ (Draft No. 139-25)

ORDINANCE TO CREATE A TIF AREA PURSUANT TO SECTION 5709.40(B) OF THE OHIO REVISED CODE; DECLARE IMPROVEMENTS TO CERTAIN PARCELS OF REAL PROPERTY LOCATED IN THE TIF AREA TO BE A PUBLIC PURPOSE AND EXEMPT FROM REAL PROPERTY TAXATION; REQUIRE THE OWNERS OF THOSE PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISH A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF THOSE SERVICE PAYMENTS; SPECIFY THE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE WITHIN THE TIF AREA THAT DIRECTLY BENEFIT THOSE PARCELS; APPROVING AND AUTHORIZING THE EXECUTION OF A TAX INCREMENT FINANCING AGREEMENT AND DECLARE AN EMERGENCY

It was moved by Johnstone, seconded by Sheely to give a first reading to this Draft No. 139-25.

YEAS: 6 NAYS: 0

This Draft No. 139-25 has received its first reading on the 20th day of August 2025.

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL FOR GENERAL PURPOSE

(Public comments began at 22:15 into recording)

Dee Sebben: Mrs. Sebben wanted to know if the electric rates were changed on the bills. President Marino said yes. Mayor Mientkiewicz said all of the utilities were changed and the new rates on the city website. Mrs. Sebben also asked if the garbage rates have increased. Mayor Mientkiewicz said they did go up when the extension was signed this year. He said the monthly base charge increase is approximately \$1.50. Mrs. Sebben said hers was increased by more than \$8.00. Mr. Sollitto explained there are many different rates and add-ons you can have. Mr. Sollitto asked her to contact them and see what her actual increase is for. She said she did, and they told her it was because Niles had an increase. Mr. Johnstone said it is a \$5.19 increase for the quarter. So, if she is paying an additional amount, there is something else added to her account.

Next, Mrs. Sebben asked why you can't rent the bike trail pavilion unless you go through the mayor's office. She thought it was part of the park department. President Marino said it is not part of the park, which is why you would go through the mayor's office. Mayor Mientkiewicz said there is no charge to rent the pavilion at the bike trail. They do not rent it because it is open for the public.

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

Mrs. Sebben asked if someone wants to have a fundraiser there, would they need to get a permit from the city. Law Director Zuzolo said fundraising is covered by Niles code 745, which says any charitable or noncharitable organizations that are attempting to solicit funds from the public in the city, they must get a license. There is a list of things in the code that have to be complied with. He believes it also states no fundraising on public property. She was told there was going to be a fundraiser there this weekend. Law Director Zuzolo asked her to contact whoever reached out to her so they could contact the city. He doesn't want the police to be called on them for not having a permit.

Lastly, Mrs. Sebben wanted to commend Mayor Mientkiewicz for doing a great job with the city of Niles. She said he is doing a wonderful job.

John Schuster: Mr. Schuster wanted to address the speeding on West Park Ave. He said it is very bad, and people are just flying down there every day. He said there are hardly any police presence over there, so it keeps getting worse. Also, he has a concern with a house on Hyde Street that has three dogs that bark excessively all the time. He doesn't know why the homeowner doesn't do anything about that.

Law Director Zuzolo asked him to give him the address about the barking dogs because the city does have an ordinance that says they cannot bark for more than five minutes during certain times. He can send a letter to the homeowner if he has the address. President Marino asked if he has spoken to Law Director Zuzolo about this issue and he said no. He advised him to meet with him to get this addressed. Mayor Mientkiewicz said they will get his concerns about speeding to the police department, so the traffic officer is aware. They have speed devices they can use and will work on getting extra enforcement there.

MISCELLANEOUS REMARKS

(Miscellaneous remarks began at 31:41 into recording)

President Marino hopes everyone had a nice summer and welcomed everyone back.

Mayor Mientkiewicz wanted to give an update on the train bridge project is moving forward. The company, APBN, is shooting for the week of Labor to begin and it will take approximately three weeks to complete. Two of the bridges that are attached to the bike trail will be painted as part of the Niles Greenway Phase Four Bike trail Expansion Project. The cost of this project was \$400,000.00 and \$300,000.00 was obtained through the state's capital budget back in 2022. The city also made an agreement with the county to put back in an easement. The city is paying \$25,000.00 and county pledged \$75,000.00 for this project.

Mr. Johnstone said he is very excited about this project and has seen a lot of comments on Facebook with people wanting to know why they aren't being painted bright red or have a giant dragon on them. He asked Mayor Mientkiewicz to speak on that. Mayor Mientkiewicz said

technically the bridges are not owned by the city. They are technically owned by Trumbull County. There are federal standard colors when it comes to painting bridges, which is what was picked for these bridges. The color was also recommended by the contractor because it will hold up better in the sun. Mr. Sollitto asked if they could explore putting a red dragon to the left of the word Niles. Mayor Mientkiewicz said he knows there was a concern about the inside of the bridges, but the county did not want to act on anything further. He will inquire about it and see what they say.

Mayor Mientkiewicz also wanted to clarify that only two of the bridges are being painted. Genesee Wyoming owns the other two bridges, that are live tracks. He started making calls about those tracks the first week was in office. He was told to stop talking about it because you aren't going to get anywhere. There was mentioned about a covering for the tracks, which could be a possibility in the future. They have said no to painting them, so hopefully the conversations continue.

Law Director Zuzolo introduced Abbey Lavelle. She is his law assistant who is waiting for her results from the bar exam and will be taking over as Clerk of Council in January.

Mr. Weddell said it was a very busy summer in the city. There are a lot of new projects happening and he is excited to be back.

Mr. Johnstone believes in late Juen there was a market at the Thomas House, which was very well received by the public. He thanked the historical society for the work they did. It was incredibly hot that day. He is excited to announce they are doing another one on October 12th @12:00 P.M. Also, there is a CIC meeting on September 25th.

Mr. Sheely wanted to add that it was a nice summer, and he loved seeing the kids enjoy the splashpad. His grandson loved it and it is a great addition to the park.

Mr. Sollitto wanted to let council know that he received a message from Linda Marchese's sister that Ms. Marchese is in a very serious intensive care type situation. He doesn't know the specifics, but she is in critical condition. He wanted to make sure she has her privacy, but he is asking people to send prayers.

He has spoken to Mr. Weddell about the dock at Kennedy Park that was put in. He went down to look at it and it is slowly being destroyed. There are four wheelers and motorbikes driving on it. He would like for Mr. Sheely to have a Safety meeting so they can put an ordinance in place about this to try and detour people from damaging it. President Marino asked if anyone has spoken to the police chief yet and no one has. He recommended that they meet with him first, so they have suggestions before the committee meeting.

Lastly, he wanted to talk about the benches. He has spoken to Mr. Johnstone about this and they talked about potentially replacing fifteen of them. He knew the mayor had a plan but decided to hold off on it until they did their mid-year budget review. He knows the mayor has some money available to replace some, but he would like to see what a more acceptable amount would be without causing hardship. They will get through the midyear budgets and see where they are at

and it will be a very nominal cost. The money that is being put into the parks, some of those benches are starting to look bad.

President Marino wanted to comment on the midyear budget reviews. He wanted everyone to beware of the State of Ohio and how the legislature is functioning now. Some of the proposals could have far reaching effects on property taxes and there is a possibility of a constitutional amendment. Council needs to remember this for when they want to spend money in the future because if and when they go into effect, could have a giant effect on how the city maintains services, with regard to property tax. He asked council to consider going back to consistent finance meetings so they can stay on top of these things.

Mr. Sollitto asked if there was an update on the marijuana dispensary money and Mayor Mientkiewicz said it is the same as it was last year. The legislature has not come up with a means of appropriations. He knows there were conversations happening and the legislation has been tabled. The money is all being rolled into a state account until the legislature comes up with a decision. As of today, the city has not received one penny of funding, and we have no projections on what we could get.

ADJOURN

It was moved by Sheely seconded by Weddell to adjourn the meeting.



Nicole Bacak, Clerk of Council



Doug Sollitto, President Pro Tem of Council