

COUNCIL MEETING MINUTES
JANUARY 29, 2025

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

Niles City Council held its regular meeting on January 29, 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-P, Lastic- P, Sollitto- P, Marino-P

It was moved by Weddell, seconded by Sheely to accept the minutes from the January 8th regular meeting and place them on file.

Motion carried.

REPORTS AND COMMUNICATIONS

FROM- Steve Ruman

Letter to city council- Roundtable meeting

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

Motion carried.

FROM- Steve Eimers

Letter to city council- Guardrail concerns

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

Motion carried.

FROM- Saint Pope John 23rd Parish

Letter to city council- CIC grant application

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

Motion carried.

FROM- Auditor's office

Statement of cash from revenue and expense- December 2024

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

Motion carried.

FROM- Auditor's office

Check report by check number- December 2024

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

Motion carried.

FROM- Niles Municipal Court
2024 Annual report

It was moved by Julian, 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 7:24 into recording)

Richard Strong- Mr. Strong wanted to talk about the guardrail issue. He is looking at the mayor's letter and he doesn't agree with what the mayor has written. Mr. Julian called for a point of order because he did not see the guardrail on the agenda for this evening. Mr. Strong said he was told by Mr. Sollitto that it was on the agenda. President Marino verified with Law Director Zuzolo that the guardrail legislation was on the agenda. Law Director Zuzolo confirmed that it was scheduled to come back to council this evening per council rules. Council must act on it this evening.

Mr. Strong stated that the mayor's letter talked about there being no engineering for this guardrail. He said the Trumbull County Engineer did it. It talks about ODOT signage and ignores the ODOT recommendation. Mr. Sollitto and Mr. Johnstone talked about this at the safety committee meeting. They said if you go back to 1971, there are 14 instances on this property according to the homeowner, Mr. Giancola. This is a well-known issue, and it is a danger. The letter ignores the residents' desires and needs for no good reason.

John Devorich: Mr. Devorich also wanted to comment on the guardrail issue. He wanted to know if this was anyone's house on council, if they would want the guardrail. He wanted to know if they were going to wait until there was a casualty or fatality to do something. They should be proactive now instead of waiting until someone gets hurt or killed. He thinks this is more serious than people think.

Abigail Bickerstaff: Ms. Bickerstaff commented on the guardrail issue. She asked council to think about what Mr. Devorich said and to do the right thing. Someone does live there and when someone dies due to the recklessness and non-proactive actions, how will they feel at the end of the day.

COUNCIL COMMITTEE REPORTS

NONE

ORDINANCES AND RESOLUTION
(Legislation began at 12:25 into recording)

Mr. Sollitto asked the mayor to reconsider his veto on the guardrail legislation. Mr. Sollitto said council is its own individual branch for legislative purposes and the mayor is the administrative branch. While the mayor has the ability to veto, it is not a common thing to happen. He thinks this can be considered a government outreach. He feels this could start a bad practice of the one-man rule. Mr. Sheely was entrusted to do research on this issue, and he did.

They have heard some people ODOT say they would not recommend it and other high ranking officials at ODOT say they would recommend a guardrail. He knows opinions vary on this issue. They have spent months debating over a guardrail that has become a personality conflict, and it needs to be laid to rest. If someone does get injured or worse, he doesn't know how the mayor will face those people. The city already owns the guardrail, and they just need to put it up. He would like for them to keep moving forward and not use something of this magnitude to be disrespectful to the other branch. Just like they shouldn't do things that they can, like shut down budgets, because they can. They need to work together.

It was moved by Sollitto, seconded by Devorich to reconsider draft no. 144-24. By doing this, council will need to vote to adopt the legislation, notwithstanding the veto. If you vote yea, it is to override the veto and if you vote nay, the veto is to sustain the mayor's veto.

YEAS: 4 (Johnstone, Sheely, Devorich, and Sollitto)

NAYS: 3 (Weddell, Julian, and Lastic)

The mayor's veto is sustained.

ORDINANCE NO. ____ (Draft No. 2-25)

**AN ORDINANCE APPOINTING AND REAPPOINTING MEMBERS TO VARIOUS
BOARDS AS REQUIRED BY THE OHIO REVISED CODE AND/OR NILES CODIFIED
ORDINANCE, AND DECLARING AN EMERGENCY**

It was moved by Julian, seconded by Lastic to give a second reading to this draft.

YEAS: 7 NAYS: 0

This Draft No. 02-25 has received its 2nd reading on the 29th day of January 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.

ORDINANCE NO. ____ (Draft No. 17-25)

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR AND/OR PARK BOARD TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR THE STEVENS PARK TENNIS AND PICKLEBALL COURT PROJECT; AND, DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 20-25)

AN ORDINANCE AUTHORIZING APPROPRIATION OF FUNDS FROM THE UNENCUMBERED LIGHT FUND TO LIGHT CONSULTANT/ENGINEERING FOR TAP GRANT; AND, DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 21-25)

AN ORDINANCE AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED FUNDS FOR FUND 217 POLICE & FIRE FOR PURCHASE OF EQUIPMENT, AND DECLARING AN EMERGENCY

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

A RESOLUTION AUTHORIZING THE CITY OF NILES TO ENGAGE THE TRUMBULL COUNTY ENGINEER TO PERFORM ENGINEERING DESIGN SERVICES FOR THE STEVENS PARK RESURFACING PROJECT AND WADDELL PARK BOWL TRACK PROJECT; AND DECLARING AN EMERGENCY

RESOLUTION NO. ____ (Draft No. 26-25)

A RESOLUTION AUTHORIZING THE SERVICE DIRECTOR TO ISSUE A REQUEST FOR QUALIFICATIONS TO SUPPORT, PROGRAM, MANAGE AND TROUBLE SHOOT SCADA SYSTEMS AS WELL AS PLCs AS A PREFERRED VENDOR FOR THE WASTEWATER TREATMENT PLANT AND PUMP STATIONS FOR THE YEARS 2025 AND 2026; AND, DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 27-25)

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

ORDINANCE NO. ____ (Draft No. 28-25)

AN ORDINANCE AUTHORIZING THE DIRECT PURCHASE OF A 2025 FORD F-550 TRUCK; AND, DECLARING AN EMERGENCY

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

YEAS: 7 NAYS: 0

Rules are suspended.

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

YEAS: 7 NAYS: 0

This consent agenda has been adopted on the 29th day of January 2025.

ORDINANCE NO. ____ (Draft No. 15-25)

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

It was moved by Julian, seconded by Weddell to give a first reading to this Draft 15-25.

YEAS: 7 NAYS: 0

This Draft No. 15-25 has received its first reading on the 29th day of January 2025.

ORDINANCE NO. ____ (Draft No. 16-25)

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

It was moved by Julian, seconded by Weddell to give a first reading to this Draft 16-25.

YEAS: 7 NAYS: 0

This Draft No. 16-25 has received its first reading on the 29th day of January 2025.

ORDINANCE NO. ____ (Draft No. 18-25)

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO A PURCHASE AGREEMENT WITH TRUMBULL COUNTY LAND REUTILIZATION CORPORATION FOR REAL PROPERTY AND DECLARING AN EMERGENCY

It was moved by Johnstone, seconded by Julian to give a first reading to this Draft 18-25.

YEAS: 7 NAYS: 0

This Draft No. 18-25 has received its first reading on the 29th day of January 2025.

ORDINANCE NO. ____ (Draft No. 19-25)

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 Devorich to give a first reading to this Draft 19-25.

YEAS: 7 NAYS: 0

This Draft No. 19-25 has received its first reading on the 29th day of January 2025.

ORDINANCE NO. ____ (Draft No. 22-25)

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 Devorich to give a first reading to this Draft 22-25.

YEAS: 7 NAYS: 0

This Draft No. 22-25 has received its first reading on the 29th day of January 2025.

ORDINANCE NO. ____ (Draft No. 23-25)

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 Devorich to give a first reading to this Draft 23-25.

YEAS: 7 NAYS: 0

This Draft No. 23-25 has received its first reading on the 29th day of January 2025.

ORDINANCE NO. _____ (Draft No. 24-25)

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 Devorich to give a first reading to this Draft 24-25.

YEAS: 7 NAYS: 0

This Draft No. 24-25 has received its first reading on the 29th day of January 2025.

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL FOR GENERAL PURPOSE

(Public comments began at 25:29 into recording)

Abigail Bickerstaff- Ms. Bickerstaff had comments on the roads, specifically from Vienna Ave to Robbins. The roads were just repaved a few months ago and they are already blowing apart and falling apart. There are several cracks already in the roads. Mayor Mientkiewicz said he realized this earlier this month. The city has already sent correspondence to ODOT and the contractors for those jobs. They did come out to inspect the areas and now the city is waiting to hear back from them on what the next steps are.

To her point, Mayor Mientkiewicz stated that it is very disheartening to see this after the investment the city has put into all of the roads. The winter so far has really taken a toll on the roads. They are noticing issues with the local projects that were completed. He is just waiting to hear back from them on what are the next steps.

Chuck Johnstone: Mr. Johnstone said he still has not seen anything done with the housing issues that he brought to council. He said not one thing has been taken care of. One of the responses he received about a house was that the owner is in jail. Mr. Johnstone understands that, but the owner has been in jail for approximately 10-15 years. The house is deplorable, and someone needs to be responsible for the property.

President Marino said there was a meeting that he attended, along with Mayor Mientkiewicz, Law Director Zuzolo, Mr. Johnstone (council) and the building department. They did ask for clarification on the process that is used when complaints come in. They were assured that when a complaint comes in, they address it immediately. They specifically addressed the area that he has been bringing up. He thought that someone would have reached out to him and given him an update. They also discussed the procedure of filing charges in court and being more aggressive. He thinks it is safe to say that all parties understand the seriousness of this concern.

Mr. Johnstone asked if this would just be prolonged and take forever to go through the court system. Law Director Zuzolo said there were perimeters put in place, and they did make hard deadlines that need to be met (unless there are extenuating circumstances). Law Director Zuzolo was unsure of which property Mr. Johnstone was directly speaking of. He said this is behavior modification and they are trying not to punish people. They want to show everyone that they are attempting to work with the homeowner. If the homeowner is making progress, they will give them time to keep moving forward. Law Director Zuzolo said he would speak directly with Mr. Johnstone about the house in question. Mr. Sollitto asked what would happen with a situation when someone is in jail. He wanted to know who would be responsible for the property and Law Director Zuzolo said it would likely fall on the city.

Mr. Johnstone asked about the property taxes for the house and Law Director Zuzolo said the city does not collect that. The property taxes are handled by the county. The city would ultimately be putting their nuisance fees and fines onto the tax duplicate so they could foreclose on the property. It is not a quick process. Mr. Johnstone said it is just utterly pathetic looking with the broken windows, boarded up windows, and etc. President Marino advised Mr. Johnstone that he was out of time.

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

Mr. Johnstone (council) said one of the main things he took from this meeting was very positive. When he was first elected last year, there were 22 properties submitted to the county for demolition. These were submitted in hopes of receiving additional funding for these properties. Since then, the previous housing/zoning inspector resigned. There is a new gentleman in there now and he wanted to put a positive light on him. He is focusing more on the rehabilitation of properties as opposed to demolition. This is better for the city. He wanted to point this out because the list was just sent back to the city, after a year of waiting for the county to respond. The county did agree to give the city extra funding, but out of the 22 houses on the list there are only 4 left.

Mr. Johnstone (council) wanted to highlight this as a positive thing because the new housing/zoning inspector is putting his effort into rehabilitation of the properties. He thinks this is what Mr. Johnstone is looking for and he is sorry that it isn't happening at the exact locations he is speaking about. He can assure people that the new inspector has a comprehensive plan on how he is going to rehabilitate some of the properties and save some of the houses. It was very jaw dropping to him to see that it took a year from when they submitted the list to hear anything

back. He knows the new inspector is working very hard on this and he will reach out to him specifically on the property that was mentioned this evening.

Law Director Zuzolo said that he cannot name the property, but he recently just got a conviction on a case with a \$2500.00 fine and 30 days or contempt of court. It is a process, but it is a slow-moving process. Mayor Mientkiewicz wanted to confirm that 156 Sayers is the major issue near Mr. Johnstone. Mayor Mientkiewicz asked if Mr. Johnstone would like to meet him and the housing director at the property tomorrow so everyone is on the same page.

Mr. Johnstone (council) wanted to thank President Marino for attending the meeting also. He said the meeting was incredibly productive. They went through their entire computer system and found a lot of open claims, prior to Mr. Durno being hired, that they were able to work through. They have been working with Law Director Zuzolo also on issues. For the record, he wanted to thank everyone for coming and putting forth the effort.

MISCELLANEOUS REMARKS

(Miscellaneous remarks began at 37:31 into recording)

Mayor Mientkiewicz wanted everyone to know that the 2025 Hometown Hero banner program is now live. The information and application are on the homepage of the city website. Mayor Mientkiewicz reminded everyone that space is limited to 130 banners, so he recommends submitting your application as soon as possible.

Mayor Mientkiewicz wanted to recognize two long term employees for their upcoming retirement. Detective Craig Aurilio from the police department and firefighter Ron Danadic from the fire department will be retiring this month. He wanted to thank them for their years of service with the city of Niles and wish them nothing but the best in their next chapter

Chief Stevens also wanted to congratulate firefighter Ron Danadic on his retirement. He is responsible for keeping the fire trucks and equipment up to date and is constantly working. He is nonstop and loves making sure that everything is up to date. He wanted to recognize him for the work that he done for the department.

Mr. Johnstone said there was a CIC meeting on January 14th and they discussed the grant program. This is something that Mr. Johnstone is very passionate about it the program has exploded this year. In the last meeting, they have put together some measures for the program and there will be a window for when applications will be accepted. Something else that was added is a new scoring matrix, that was put together by Ms. Rozenblad. Mr. Johnstone wanted to recognize her for doing a great job on the scoring matrix. There will be no question on how gets approved for a grant not that there is the scoring matrix. There have been discussions at the CIC on how to get information out the businesses about this program and he thinks the best way is word of mouth. This information is available on the city's website.

Mr. Sheely wanted to thank the street department for a job well done with the streets. He has had a few calls from residents about issues and he knows the guys are out busy working. When he gets a call, he calls down and speaks to Service Director Flarey. He wanted to thank Service Director Flarey for assisting him with getting the issues taken care of. Service Director Flarey said he was welcome and to call anytime.

Mrs. Devorich stated that she is disappointed that the mayor has chosen this issue to dig his heels in so hard on. She hopes over the next couple of days he takes some time to think about this and reconsider his position. She hasn't heard a good or valid argument as to why we are not putting the guardrail up, but she has heard several as to why we should. Now the city is in a position to be proactive instead of reactive. God forbid anything happens; the mayor would have to be the one to explain why he didn't take care of this.

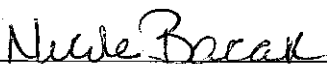
Mr. Sollitto said there is the bench program at Iowa park, and you can purchase a bench for somewhere around \$500-\$700. There will be 6 benches available to be purchased and personalized at the park. If you are interested, please contact the mayor's office for further information.

Mr. Sollitto said he is going to speak about the guardrail for probably the last time. He looks at three perimeters when he is looking for something to happen and they are: is it legal, will it harm your neighbor or city, and will it create a financial hardship for the city. He doesn't feel the guardrail issue does any of these. He doesn't think it is a weakness to show you want to compromise. He thinks it is a strength in the role of a leader. That is not meant as a backhanded slap to the mayor. He accepts the fact that working together doesn't always mean you get your way but accepting that the process went the distance and the outcome was decided through a democracy. He knows citizens are tired of hearing about it, but they did take it as far as they could. They need to cross their fingers that nothing bad happens.

President Marino reminded everyone that council meets next Wednesday on their regularly scheduled day and returns to every 1st and 3rd Wednesday.

ADJOURN

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



Nicole Bacak, Clerk of Council



Robert Marino Jr., President of Council