

COUNCIL MEETING MINUTES
JUNE 18, 2025

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

Niles City Council held its regular meeting on June 18, 2025, 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 Devorich, seconded by Julian to excuse President Marino from the meeting.
Motion carried.

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

It was moved by Julian, seconded by Sheely to accept the minutes from the June 4th regular meeting and place them on file.
Motion carried.

REPORTS AND COMMUNICATIONS

FROM- Billing Department
Adjustments for May 2025

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

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL FOR AGENDA ITEMS

(Public comments began at 4:58 into recording)

NONE

COUNCIL COMMITTEE REPORTS

NONE

Law Director Zuzolo informed council that two ordinances need to be added to the consent agenda. He asked them to make a motion to add Drafts 112-25 and 113-25.

It was moved by Julina, seconded by Lastic to amend the consent agenda and add drafts 112-25 and 113-25.
Motion carried.

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 Julian to give a second reading to this Draft 101-25.

YEAS: 6 NAYS: 0

This Draft No. 101-25 has received its second reading on the 18th day of June 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 Johnstone, seconded by Sheely to give a second reading to this Draft 104-25.

YEAS: 6 NAYS: 0

This Draft No. 104-25 has received its second reading on the 18th day of June 2025.

ORDINANCES AND RESOLUTION

(Legislation began at 4:52 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. 105-25)

AN ORDINANCE TO APPROVE THE FORM AND AUTHORIZE THE EXECUTION OF THE 2027 WASTE HEAT ENERGY SCHEDULE WITH AMERICAN MUNICIPAL POWER, INC. (AMP); AND, DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 107-25)

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO CONTRACT WITH INTEGRA EXCAVATING, LLC; EASTGATE REGIONAL COUNCIL OF GOVERNMENTS FOR THE DOWNTOWN AND RIVERFRONT PARKS IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 108-25)

AN ORDINANCE AUTHORIZING THE AUDITOR TO REMIT PAYMENT OF A FIRE LOSS CLAIM TO G & G RENTAL PROPERTIES, LLC; AND, DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 109-25)

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

ORDINANCE NO. ____ (Draft No. 110-25)

AN ORDINANCE AUTHORIZING APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED SPECIAL PROJECTS FUND FOR A TECHNOLOGY GRANT; AND, DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 111-25)

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR THE FRANKLIN ALLEY UNDERGROUND PROJECT; AND, DECLARING AN EMERGENCY

RESOLUTION NO. ____ (Draft No. 112-25)

A RESOLUTION ADOPTING THE ALTERNATIVE TAX BUDGET FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2026; AND DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 113-25)

AN ORDINANCE AUTHORIZING APPROPRIATION OF FUNDS FROM THE VARIOUS UNAPPROPRIATED FUNDS FOR INVESTMENT FEES AND INTEREST INCOME EXPENSES; AND, DECLARING AN EMERGENCY

It was moved by Julian, seconded by Lastic 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 18th day of June 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 Johnstone, seconded by Sheely to give a first reading to this Draft 106-25.

YEAS: 6 NAYS: 0

This Draft No. 106-25 has received its first reading on the 18th day of June 2025.

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL FOR GENERAL PURPOSE

(Public comments began at 11:33 into recording)

Abigail Bickerstaff: Ms. Bickerstaff had a question if Integra Escavating is a union company and Mayor Mientkiewicz stated he was not sure. The project was publicly bid and Law Director Zuzolo said they were the only bidder on the project. Next, Ms. Bickerstaff asked if the city was actively going out and soliciting businesses to let them know we have available buildings. This goes back to the discussions in the round table about the Sparkle building.

Mr. Johnstone explained there is no outside company that the city would speak to about that since it is a private business and the city does not own it. The conversations tonight were around interested parties to a private seller. The only reason the city is involved in these conversations is because they would need to have a permit and meet the zoning requirements. Currently, the city has a moratorium in place. As long as the company meets the requirements and gets a permit, the city will not be involved in these talks. He explained the difference between city owned properties and privately owned properties.

Ms. Bickerstaff mentioned a few vacant properties in the city other than the Sparkle building. There is a Dollar General building downtown that she feels the city should be contacting people even if they are private sellers. She feels the city has the control and leeway to approach these businesses.

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

Mr. Johnstone explained that there is a vacancy plan that the businesses have to disclose to the city. They have to provide what their intent with the property is. The city is involved in that respect, but who they sell their property to is up to the property owner. Law Director Zuzolo wanted to note that the contract for Intregra requires prevailing wage, so they cannot undercut wages.

Emma Kuznik: Ms. Kuznik wanted to thank Mr. Sollitto, Mr. Lastic, and Mr. Johnstone for their help. Also, she wanted to apologize to Service Director Flarey. Mrs. Kuznik again stated that the city started this issue by having her fence torn down. She talked to Mr. Vigorito about this years ago and nothing was done for over 10 years, which is why she keeps coming to council. She wants the line put in but is being told it is on her neighbor's property, and she says it is not.

Mrs. Kuznik stated that all of the pictures of the fence, and of the holes in the neighbor's yard are now missing, just like her antiques. She isn't blaming the city or her neighbor, but someone wanted the pictures gone, and her antiques. She wants the mayor to make sure that she can get her line fixed.

Mr. Sollitto said they did refer this over the law director since it is a legal question. Law Director Zuzolo said he has spoken to Mrs. Kuznik about this issue. She thanked him for sending the letter, but it didn't do any good. If her neighbor doesn't think Mrs. Kuznik is in compliance, then she needs to produce evidence otherwise. If she does produce evidence, then a judge will have to make a determination as where the property line is and they will have to go to civil court. He explained this to her neighbor also.

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

Mrs. Kuznik wants to make sure that the mayor rights the wrong that was done to her and allows her to put the line in on her property. Law Director Zuzolo asked for clarification because he thought she had to connect to the pipe that is on her neighbor's property. He said it is also likely that an easement was made by the previous owners of the houses. Mrs. Kuznik also said they aren't sure if the city screwed up the lines when they put in the new pipes. There was a camera that ran through the pipe, and they could only see so much because of the muddy water. She just wants the okay to put the line in so fix her problem.

Law Director Zuzolo said he is going to need to clarify a few things because he is under the impression that the line on both properties or she needs to connect to it from her neighbor's property. If she has to connect to it from her neighbor's property, they will need to work something out. They cannot force the neighbor to let her connect. He also told Mrs. Kuznik that Mr. Wheeler from the city will be out to look at her property, about the rain. He has been out there twice but has not seen anything yet.

Sharon Profato: Ms. Profato said she has spoken to many of the people at council tonight (Mr. Lastic, Mayor Mientkiewicz, etc.) about her issue on Ohio Ave. She wanted to thank everyone for talking to her. Her issue is two years in the making and last year it got worse. She wanted to be clear that it is not about kids playing basketball. They love children and want them to play. However, this has been a disastrous nightmare. Ms. Profato said Mr. Sollitto has been great. He came over and observed her concerns. It is a lot of swearing and harassment from adults and children. They have gone down so many different paths to try and rectify this, and nothing has worked. Ms. Profato thanked Mr. Lastic and the mayor for listening to her. She thanked the clerk for all of her assistance. She does not know what to do at this point.

Ms. Profato stated that she does not go home anymore and has been staying with her parents because of the issues going on. She is currently working with a realtor to move. She doesn't know what the resolution is. Council Pro Tem President Sollitto said he has been at her house and spoken to her neighbors as well. Council Pro Tem President Sollitto said if she is being threatened, she needs to report that. Law Director Zuzolo agreed, and he has instructed her of this also. The next part to it, which council is not ready to move on, is the basketball hoop. The city does have an ordinance, and it is legal to be in the street, and it is an enforcement issue. Ms. Profato said they want the kids to play and should be at the park since the city put a lot of money into them. She stated that these are not normal people.

Law Director reiterated that if they are causing issues in the street, then she needs to call the police, Ms. Profato said she has before multiple times and everyone just thinks it is children playing and it is not. She has lived in her home for 22 years and has never had issues like this before with other families that lived there. She said it is a nightmare and that is why they started the petition.

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

Ms. Profato said she can't live in her home or have people over because of the issues. Law Director Zuzolo stated they had spoken on a three-way call, and he had spoken to the police chief. If she has an issue, she needs to call the police. He asked if she had made a call since they spoke, and she said no. She is worried about calling because the adults now are being aggressive. She wanted to have some anonymity. She is a person who normally does not get scared of people, but now she feels like she is a marked individual.

Law Director Zuzolo said there will be discretion on the police's side. If children are just playing basketball in the street, they are not going to enforce that, but he asked her to still call and make her complaint. If she is not getting a response, she needs to request a supervisor. She asked if there was something that was implemented and enforced to stop these things from happening. Law Director Zuzolo again reiterated that she needs to document by calling the police. From there, she can escalate it and file a civil protection order if necessary. Ms. Profato asked about a codified ordinance, and again Law Director Zuzolo said she needs to call the police. He can't tell her anything else, since the city already has an ordinance. They are not going to do another ordinance since one already exists.

Law Director Zuzolo wanted to clarify if this was really kids playing in the street or is it worse than that. She said it is worse than that. Law Director Zuzolo said it wouldn't even be about the ordinance with kids playing in the street, it would be disorderly conduct. He can't do anything without founded calls. He again advised her to call the police department and make a report. Council Pro Tem President Sollitto said it is being made public, and the law director is giving her advice on what to do and she needs to make the call to the police department. If there is proof that she is calling and nothing is being done or enforced, then it becomes an issue that the law director will have to address with the chief. Law Director Zuzolo again asked if she had called since they last spoke and she said no. He wanted to be clear that he can't even go to the police and say they haven't addressed this because she had not called. Council Pro Tem President Sollitto said she has stated her case, but she needs to document it.

MISCELLANEOUS REMARKS

(Miscellaneous remarks began at 34:52 into recording)

Mayor Mientkiewicz said today the program with Service Line Warranty of America by Home Serve went live. Mailers went out to the residents of the city this morning and there is information about the plans on the city's website. This is an opt in program.

Auditor Merlo wanted to go back to Ms. Bickerstaff's comments earlier. He said there have been conversations with Mr. Johnstone, his office law director, and administration about a lot of things coming down the pipe. Utilizing economic development tools to address not only those areas of concern, like Sparkle market, but the revitalization of downtown. He thinks these are positive things that will help market all types of properties that the city has to remark downtown.

Mr. Johnstone wanted to go back to the roundtable earlier the conversations about the small box discount stores. He does believe that there is a scenario that is beneficial to everyone. He is urging council to call a committee meeting to discuss this. The only thing he is requesting is a change to the zoning laws to reflect those concerns. To say we are going to roll the dice and lose out, that is not something he is for. He is advocating for change in the housing and zoning laws to shape these businesses and to make sure they fit the vision of the city. He would like to call a roundtable to discuss this. He would like to do this so the city does not miss out. Council Pro Tem President Sollitto agreed that a roundtable is a good idea.


Council Pro Tem President Sollitto said he didn't want Ms. Profato to come in here and think their concerns fall on deaf ears. Sometimes, it takes time to get there, and they need the documentation to get there. He understands it is frustrating not to have a resolution right away, but it does take time.

ADJOURN

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



Nicole Bacak, Clerk of Council



Robert Marino Jr., President of Council