

COUNCIL MEETING MINUTES

May 7, 2025

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

Niles City Council held its regular meeting on May 7, 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 Julian, seconded by Weddell to accept the minutes from the April 16th 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 2:25 into recording)

George Kuriatnyk: Mr. Kuriatnyk wanted to ask about Draft no 75-25 for the sidewalks on Sherman. He wanted to know if they were replacing the whole area. Auditor Merlo stated it is funded by the Community Block Development grant, so it is the entire stretch of the sidewalk. He is glad to hear that it will be the whole section. He also told Law Director Zuzolo he will be submitting a public records request for information on it. Law Director Zuzolo said he will supply him with whatever he has.

COUNCIL COMMITTEE REPORTS

NONE

ORDINANCES AND RESOLUTION

(Legislation began at 4:12 into recording)

Prior to legislation, President Marino stated that the agenda needed to be amended that two drafts needed to be added to the agenda.

It was moved by Johnstone, seconded by Sheely to add drafts 90-25 and 91-25 to the agenda.

Motion carried.

ORDINANCE NO. ____ (AMENDED Draft No. 68-25)

AN ORDINANCE ENACTING NILES CODIFIED ORDINANCE (NCO) CHAPTER 169.01, INVALID TERMS AND CONDITIONS IN CITY CONTRACTS; AND DECLARING AN EMERGENCY

It was moved by Julian, seconded by Lastic to give a third reading to this Amended Draft 68-25.

YEAS: 7 NAYS: 0

It was moved by Julian, seconded by Sollitto to adopt this Amended Draft 68-25

YEAS: 7 NAYS: 0

This Amended Draft 68-25 has been adopted on the 7th day of May 2025.

ORDINANCE NO. ____ (Draft No. 74-25)

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 Sheely to give a second reading to this Draft 74-25.

YEAS: 7 NAYS: 0

This Draft No. 74-25 has received its second reading on the 7th day of May 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. 75-25)

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR SHERMAN STREET SIDEWALK REPLACEMENT; AND, DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 76-25)

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

ORDINANCE NO. ____ (Draft No. 77-25)

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

ORDINANCE NO. ____ (Draft No. 78-25)

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

ORDINANCE NO. ____ (Draft No. 79-25)

AN ORDINANCE AUTHORIZING APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED PARK FUND FOR ENGINEERING SERVICES FOR THE WALKING TRACK AT WADDELL PARK; AND, DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 80-25)

AN ORDINANCE APPROVING A THEN AND NOW PAYMENT REQUEST FOR USG WATER SOLUTION (UTILITY SERVICES CO., INC.) FOR QUARTERLY MAINTENANCE OF WATER TOWERS, AND DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 81-25)

AN ORDINANCE AUTHORIZING APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED GENERAL FUND FOR INCOME TAX REFUNDS; AND, DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 82-25)

AN ORDINANCE AUTHORIZING APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED SEWER FUND TO EQUIPMENT PURCHASES; AND, DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 83-25)

AN ORDINANCE AUTHORIZING APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED CAPITAL PROJECTS FUND FOR THE TRU MAIN STREET SIGNAL UPGRADE PROJECT; AND, DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 84-25)

AN ORDINANCE AUTHORIZING APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED GENERAL AND LIGHT FUND FOR UNEMPLOYMENT CLAIMS; AND, DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 85-25)

AN ORDINANCE APPROVING THE SOLID WASTE MANAGEMENT PLAN FOR THE GEAUGA-TRUMBULL SOLID WASTE MANAGEMENT DISTRICT; AND DECLARING AN EMERGENCY

RESOLUTION NO. ____ (Draft No. 86-25)

A RESOLUTION 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 BROWN STREET/FIRST STREET WATERLINE REPLACEMENT; AND, DECLARING AN EMERGENCY

RESOLUTION NO. ____ (Draft No. 87-25)

A RESOLUTION AUTHORIZING THE DIRECTOR OF TRANSPORTATION TO COMPLETE CONSTRUCTION OF PHASE 4 OF THE WESTERN RESERVE GREENWAY TRAIL REPLACEMENT; AND, DECLARING AN EMERGENCY

RESOLUTION NO. ____ (Draft No. 88-25)

A RESOLUTION AUTHORIZING THE MAYOR OR PARK DIRECTOR TO PREPARE AND SUBMIT AN APPLICATION AND ENTER INTO AGREEMENTS WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES TO BECOME ELIGIBLE FOR FUNDING ASSISTANCE FOR PUBLIC RECREATION PUPOSES; AND, DECLARING AN EMERGENCY

RESOLUTION NO. ____ (Draft No. 89-25)

A RESOLUTION AUTHORIZING THE DIRECTOR OF TRANSPORTATION TO COMPLETE THE SR46 TWO LANE SIGN REPLACEMENT PROJECT; AND, DECLARING AN EMERGENCY

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

President Marino asked for explanation on the appropriation for the unemployment legislation. He wanted to know if these employees were laid off and Auditor Merlo explained they were not. These are for claims that were filed after the employees left us and the city filed an appeal and lost.

Law Director Zuzolo said the two new drafts need to be suspended when they are read.

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 7th day of May 2025.

ORDINANCE NO. ____ (Draft No. 90-25)

**AN ORDINANCE AUTHORIZING APPROPRIATION BUDGET TRANSFERS; AND,
DECLARING AN EMERGENCY**

It was moved by Julian, seconded by Sheely to suspend the rule requiring three readings to this Draft No. 90-25.

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Julian, seconded by Sollitto to adopt this Draft No. 90-25.

YEAS: 7 NAYS: 0

This Draft No. 90-25 has been adopted on the 7th day of May 2025.

ORDINANCE NO. ____ (Draft No. 91-25)

**AN ORDINANCE AMENDING ORDINANCE NO. 113-24 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**

It was moved by Julian, seconded by Lastic to suspend the rule requiring three readings to this Draft No. 91-25.

Mayor Mientkiewicz clarified the reason for this legislation coming back in front of council. The new guidelines from OPWC only want one signer on the application and previously there could be two.

YEAS: 7 NAYS: 0

Rules are suspended.

It was moved by Julian, seconded by Sheely to adopt this Draft No. 91-25.

YEAS: 7 NAYS: 0

This Draft No. 91-25 has been adopted on the 7th day of May 2025.

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL FOR GENERAL PURPOSE

(Public comments began at 14:10 into recording)

Dee Sebben: Mrs. Sebben said she was at Givant Eagle last Thursday when he camera alarm went off and someone was on her property working on her yard. She went home to watch them and said they did not put down topsoil and now she has gravel in her yard. She sent a video of it to Mrs. Devorich. The company said the job is complete and she is not happy with it. She said she is not signing anything until her yard is fixed to her standards.

Mr. Sollitto tried to explain to Mrs. Sebben, and this is a two-part issue. The waiver she is signing is allowing the company to do the work and the second is her concern that they did not do good work. She needs to sign the waiver since that is agreement that was made. Mrs. Sebben again stated that she is not signing anything. Mr. Sollitto said they are going to stay on this and make sure it is completed correctly. Law Director Zuzolo clarified that this is what they talked about. She needs to sign the settlement agreement and release, which authorizes the work to be done. She isn't signing off that the work is done correctly. This is to comply with the ordinance that council passed to get this completed for her. Mrs. Sebben said her yard is a disaster.

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

Mrs. Sebben congratulated everyone who won the election. She said the city has done great things with many things like the parks, and downtown. Mrs. Sebben commented on how dirty the streets are the sewer drains. She said the city bought a sweep sweeper and it should be going around to all of the wards once a month. Mayor Mientkiewicz said he couldn't agree more with what Mrs. Sebben said about the sweet sweeper. He explained there is an established program in place that meets EPA guidelines. He directed everyone to log onto the city's website, under the street department page, to find the schedule for the street sweeper.

Mrs. Sebben wanted to know what is happening with the heavy truck traffic in her area and Mayor Mientkiewicz said he was not sure.

Mr. Johnstone wanted to clarify one of Mrs. Sebben's concerns about signing the release, which would sign away her rights with litigation. Law Director Zuzolo stated the settlement agreement is built in that if the city does this at their cost, it's implied that part of the consideration is that it

will be done properly or her litigation rests with the contract. President Marino advised Mrs. Sebben to meet with Law Director Zuzolo and have him explain everything to her.

Emma Kuznik- Mrs. Kuznik said she was here at the last meeting and had Mr. Sollitto come to her house. She wanted him to explain what he saw. Mr. Sollitto said he went to her house and thinks everyone has seen there are issues there. He knows this goes back to when Mr. Crowley allegedly had her fence torn down illegally and put back up. She is trying to get a resolution on this and she is not satisfied. He wants to know what the city can do to fix this for her. Mrs. Kuznik says she has more water there now with the new pipes that were put in. Her neighbor's new driveway is also draining into her yard. This is why she is fighting to have a sewer line put in, so she has connection.

Mrs. Kuznik is upset because the sewer department has been out already and ran a camera in this area and now, she is paying money to have another company come out and do the same thing. She is asking for all of her aggravation that she has been caused, she wants the city to pay for the sewer line put in and the connection.

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

Mrs. Kuznik said she is never going to help her neighbors now or keep her area clean anymore. President Marino asked Law Director Zuzolo if he has reviewed this case from top to bottom and he said he has not. President Marino asked if Law Director Zuzolo would do that and to provide council on guidance on what the city's obligation is and what they are required to do. Also, he would like to know what matters are civil in nature, because those would have to be handled between her and her neighbors separately. President Marino asked Mrs. Kuznik to schedule a meeting with the law director and her councilman and to bring all her documentation so he can provide council with guidance. Mrs. Kuznik agreed.

Rocky Bowell: Mr. Bowell is at council this evening to inform everyone of a few events coming up. On May 17th, they will be installing flags the Niles City Cemetery @12:00 P.M. for anyone who would like to come and help. On May 26th, the American Legion Post 106 in conjunction with the VFW 207 will host the annual Memorial Day event at the Niles City Cemetery @11:00 A.M. And lastly, a traveling replica of the Wall that Heals will be on display in Warren, Ohio. It displays the names of 58,281 members who lost their lives who served, defending our country during the Vietnam War. The exhibit is free to the public and will be on display at Packard Park May 28th- June 1st. President Marino thanked Mr. Bowell for everything that he does for the veterans.

George Kuriatnyk: Mr. Kuriatnyk said Mrs. Sebben is correct that the city is disgusting. He said it is great what the mayor said about the street sweeper, but that doesn't cut the grass, tow junk cars, paint rusted out signs, and etc. He said council has done some nice things, but they need to pick it up. He suggested they come up with other subcommittees to help them take some of things off of their plate.

Mr. Kuriatnyk asked why council has multiple readings for legislation. President Marino explained the process based on council's rules and Robert's Rules of Order. It is the discretion of council that items are giving a first reading or passed under suspension on the consent agenda which pass in total. Mr. Kuriatnyk wanted to know when in the last six years has anyone from council told him he has a great idea. President Marino said when he has a good idea, he has said that he agrees with him. He said council never says anyone has a good idea.

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

Mr. Kuriatnyk wanted to know why if the city grants a permit for work to be done, they would go back and tell the person they need to rip it up or change it. Law Director Zuzolo said the permit is issued based on the representation that the homeowner has submitted. If it is wrong, then that is on the homeowner. Law Director Zuzolo said the city does go out and look at the property along with the drawings that were submitted by the resident. They make sure that when the work is complete, it matches the drawing. Lastly, Mr. Kuriatnyk asked if the city pays for a DJ when they are here for ribbon cuttings or events and Auditor Merlo said he has never paid a bill for a DJ. Mr. Kuriatnyk also thanked Mrs. Devorich for getting back to him.

Deann Pagano: Mrs. Pagano stated that she lives on Camrose and everyone knows there is an issue with water breaks in that area. There is a lot of patching and trucks on that street, and their light posts have been terribly mishandled. Trucks back up and hit them and they are going separate ways, and they are bent. She wants to know if they can be straightened. The street that was just paved has been torn up due to breaks. Mrs. Pagano also has an issue with properties that are purchased, but vacant. She was told as long as the yard is kept up, it's fine. She has lived there for almost 60 years, and the appearance is almost embarrassing. She feels there should be an ordinance addressing the vacant homes that are purchased but have no one living in them.

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

Mrs. Pagano apologized for requesting additional time. President Marino told her never apologize for that and council is here to listen and address her concerns. Residents should come and speak their minds, in a respectful way.

Mrs. Pagano also said that parking all night on the street is a problem. Mrs. Pagano stated that the medium is torn up and used to have beautiful trees, which are now destroyed. President Marino asked for clarification on what trucks were doing this damage. She does not believe it was city vehicles, but vehicles from the companies that were hired to do the restoration.

Mayor Mientkiewicz said he will get her number after the meeting so the housing department can contact her directly. Mayor Mientkiewicz said Mr. Weddell was also concerned with the light poles and the city now has a program in place to straighten and paint those poles this summer. He said he will also have the street department come out to look at the street.

MISCELLANEOUS REMARKS

(Miscellaneous remarks began at 45:49 into recording)

President Marino asked if the city's health care was renewed already and Auditor Merlo said yes, it was due January 1st. The increase for the renewal was somewhere between 18%-22%.

President Marino asked about the trends. Auditor Merlo said as of now, revenue and expense are on par, based on projections. President Marino confirmed that the plan is shopped every year. Auditor Merlo explained that the biggest increases have been one off surgeries and prescription drugs.

President Marino was asking about this because the federal government and the Medicaid implications could have an impact on this. The private providers would have to make up the money. President Marino said Auditor Merlo and the finance committee is really going to need to engage on expenses next year. He asked council to also review this during their midyear review. They are going to have to dig their teeth into the mayor's strategic plan and address neighborhood blight issues, while keeping in mind the additional costs to run the city.

Mayor Mientkiewicz gave an update on the bridge painting company. He had a preconstruction meeting with them and the two bridges that are county owned are scheduled to begin around Labor Day.

Auditor Merlo wanted to go back to the questions about health care. Prior to the new health care broker coming in, the city was spending close to \$6 million. Over the years between himself, the administration, and the unions, there have been significant adjustments to health care over the last twelve years. The city is currently on pace with approximately \$5 million this year in health care, so costs keep going up. It's up to them to keep having conversations with the health care committee to make adjustments. President Marino mentioned there is a particular appetite in the legislature to take the unincumbered fund balances and provide them as tax refunds. This is masking a problem from his lens. It is something to keep on their radar if this happens in schools, what will happen with municipalities.

Law Director Zuzolo asked what council would like to do about the next meeting in May since the clerk and auditor will not be present. After some discussion, council decided to cancel the meeting. Mr. Johnstone wanted to remind council if this meeting does not happen, then council might have to only give two readings to the upcoming CIC legislation.

It was moved by Sollitto, seconded by Lastic to cancel the May 21st meeting and resume their regular schedule in June.
Motion carried.

President Marino noted that the vote was unanimous.

Mr. Weddell congratulated everyone that won the election, and he is looking forward to working with everyone.

Mr. Johnstone stated that voter turnout was low, as expected. To put a positive spin on that, there was right around 9% that showed in Trumbull County. He wanted to thank everyone who came out to vote. He appreciates everyone who took the time to go out and vote.

Mr. Sheely also congratulated everyone that won. He also wanted to comment on Mrs. Sebben's concerns about the storm sewers and remind people there is an ordinance about blowing grass clippings into the street. And as far as the blight in the city, there are new employees in that department, and they are doing a fantastic job. There is just too much and a lot to do. We need to be patient because they are out doing their job. He always goes and looks at a problem before he pesters people.

Mrs. Devorich thanked all of the residents that went out and voted.


Mr. Julian echoed Mrs. Devorich's comments.

Mr. Lastic thanked everyone who went out and voted.

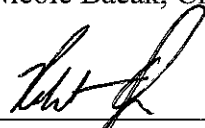
Mr. Sollitto said now that the election is over, he thinks council and administration have a lot of work to do. Right now, they are failing when it comes to growing the city. The city has taken a significant hit with the businesses that are for sale or closed in the downtown area. They need to work together on this issue. He isn't sure what incentives they can offer, but they need to look at something to get the buildings filled.

ADJOURN

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



Nicole Bacak, Clerk of Council



Robert Marino Jr., President of Council