

COUNCIL MEETING MINUTES
SEPTMEBER 17, 2025

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

Niles City Council held its regular meeting on September 17, 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 and the Assistant Clerk, Abbey Lavelle, called the roll:

Weddell- P, Johnstone-P, Sheely-P, Devorich-P, Julian-P, Lastic- P, Sollitto- NP, Marino-P

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

It was moved by Weddell, seconded by Julian to accept the minutes from the September 3rd 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 1:17 into recording)

George Kuriatnyk had a question about Draft No. 151-25 wondering if this was for the residents of the City or for the City of Niles itself. Law Director Philip Zuzolo answered that this is in relation to unclaimed funds for the City of Niles entity not its residents. Mr. Kuriatnyk also had a question about Draft No. 139-25 wondering about the real estate taxes. Law Director Zuzolo answered that the taxes are paid but diverted.

COUNCIL COMMITTEE REPORTS

Julian submitted the Utility Committee Meeting Minutes from September 11, 2025.

It was moved by Julian, seconded by Sheely to accept the minutes from the September 11th Utility Committee Meeting.

ORDINANCES AND RESOLUTION

(Legislation began at 2:30 into recording)

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 Julian, seconded by Lastic to give a third reading to this Draft No. 136-25.

YEAS: 6 NAYS: 0

It was moved by Julian, seconded by Lastic to adopt this Draft No. 136-25.

YEAS: 6 NAYS: 0

This Draft No. 136-25 has been adopted on the 17th day of September 2025.

ORDINANCE NO. ____ (Amended 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 Devorich to give a third reading to this Amended Draft
No. 138-25.

YEAS: 6 NAYS: 0

It was moved by Johnstone, seconded by Lastic to adopt this Amended Draft No. 138-25.

YEAS: 6 NAYS: 0

This Amended Draft No. 138-25 has been adopted on the 17th day of September 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 INCEMENT
FINANCING AGREEMENT AND DECLARE AN EMERGENCY**

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

YEAS: 6 NAYS: 0

It was moved by Johnstone, seconded by Sheely to adopt this Draft No. 139-25.

YEAS: 6 NAYS: 0

This Draft No. 139-25 has been adopted on the 17th day of September 2025.

ORDINANCE NO. ____ (Draft No. 142-25)

**AN ORDINANCE CREATING NILES CODIFIED ORDINANCE 1159 ET SEQ TITLED:
SMALL BOX DISCOUNT STORES; AND DECLARING AN EMERGENCY**

It was moved by Johnstone, seconded by Julian to give a second reading to this Draft No. 142-25.

YEAS: 6 NAYS: 0

This Draft No. 142-25 has received its second reading on the 17th day of September 2025.

ORDINANCE NO. ____ (Draft No. 143-25)

**AN ORDINANCE CREATING NILES CODIFIED ORDINANCE 1160 ET SEQ TITLED:
SELF-SERVICE STORAGE FACILITY ESTABLISHMENTS IN THE CITY OF NILES,
OHIO, AND DECLARING AN EMERGENCY**

It was moved by Johnstone, seconded by Weddell to give a second reading to this Draft No. 143-25.

YEAS: 6 NAYS: 0

This Draft No. 143-25 has received its second reading on the 17th day of September 2025.

ORDINANCE NO. ____ (Draft No. 144-25)

**AN ORDINANCE AMENDING NILES CODIFIED ORDINANCE 351.16; AND
DECLARING AN EMERGENCY**

It was moved by Sheely, seconded by Devorich to give a second reading to this Draft No. 144-25.

YEAS: 6 NAYS: 0

This Draft No. 144-25 has received its second reading on the 17th day of September 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. 148-25)

A RESOLUTION AUTHORIZING THE CITY OF NILES TO PARTNER WITH AND HAVE BENEFICIAL ELECTRIFICATION LEAGUE (BEL) VIA AMERICAN MUNICIPAL POWER (AMP) TO SUBMIT AN APPLICATION ON BEHALF OF THE CITY TO THE APPALACHIAN REGIONAL COMMISSION (ARC) PARTNERSHIPS FOR OPPORTUNITY AND WORKFORCE AND ECONOMIC REVITALIZATION INITIATIVE (POWER) GRANT PROGRAM VIA THE STATE OF OHIO DEPARTMENT OF DEVELOPEMNT VIA CONGRESSIONALLY APPROPRIATED FEDERAL FUNDS FOR FUNDING FOR THE FEDERAL FISCAL YEAR 2025 FOR FUNDING TO BUILD ELECTRICAL CAPACITY FOR BRT EXTRUSION INC. EXPANSION; AND, DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 149-25)

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

ORDINANCE NO. ____ (Draft No. 150-25)

AN ORDINANCE APPROVING A THEN AND NOW PAYMENT REQUEST FOR C&K INDUSTRIAL SERVICES, INC. FOR ADDITIONAL REPLACEMENT OF STORM PIPES; AND DECLARING AN EMERGENCY

ORDINANCE NO. ____ (Draft No. 151-25)

A RESOLUTION AUTHORIZING THE AUDITOR TO ACT ON BEHALF OF THE CITY OF NILES AND ITS AGENCIES TO SUBMIT A CLAIM AND COLLECT UNCLAIMED FUNDS FROM THE STATE OF OHIO; AND DECLARING AN EMERGENCY

It was moved by Julian, seconded by Sheely 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 17th day of September 2025.

MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL FOR GENERAL PURPOSE

(Public comments began at 10:51 into recording)

Lois Nickel: Mrs. Nickel was back at council tonight to address an opt-out option for the installation of a smart meter on her house. She refuses the required installation of this smart meter.

Julian explained to her the result of the Utilities Committee meeting held on September 11th that over 90% of the new meters have been installed, they are certified by the FCC, they are compliant with the EPA and FDA, and there is no other reason to allow an opt-out option at this point in time. Julian further explained that her current meter model is 30+ years old and will need replaced eventually.

Mrs. Nickel refused to accept this as an answer and reiterated her concern about radiation and carcinogens that may be emitted from the new smart meters.

***Executive Session starts at 14:04 into recording

It was moved by Johnstone, seconded by Weddell to adjourn into executive session to discuss 121.22(g)(3) to discuss pending litigation.

Executive Session began at 6:13 p.m. and Council reconvened at 6:19p.m.


MISCELLANEOUS REMARKS

(Miscellaneous remarks began at 19:48 into recording)

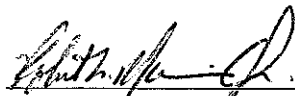
Johnstone reminded council members and attendees of the CIC Meeting on September 25, 2025, at 4:30.

ADJOURN

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



Nicole Bacak, Clerk of Council



Robert Marino Jr., President of Council