

Village of Lowellville Regular Council Meeting

1/14/26 6:30 PM

Pledge of Allegiance

Mayor Iudiciani called meeting to order

Roll Call: Don D'Onofrio, Leslie Daniels, Dave Durbin, Ryan McNicholas, Dom Piscitelli

In attendance: Mayor Iudiciani, Village Administrator Joann Esenwein, Solicitor James Lanzo, Fiscal Officer Tina Strait

Motion to excuse Joe Donatelli moved D'Onofrio, 2<sup>nd</sup> Daniels

Roll call – yes

Mayor asking council to go out of regular order of business to hear public request, our engineer, and zoning.

Moved by D'Onofrio 2<sup>nd</sup> McNicholas

Roll Call – yes

Public Request – Mike and Michele Macias 345 W Wood St.

Mayor providing summary to council and solicitor: Macias got a survey to install fence, requested permit, issued permit. Neighbor has complaints, sent by email, Nick issued permit, revoked it due to neighbor complaint. Mayor feels since they had professional licensed survey done permit should be good.

Solicitor –

- we (Lowellville) do not adjudicate property disputes
- You applied for a permit, it was issued, this is a property dispute, issue is between yourselves and neighbor
- You and your neighbor should be in court, we do not adjudicate anything.

Mr. & Mrs. Macias –

- it's escalating, neighbor won't talk to us, writes saying she has talked to us and tried working it out but never once.
- If I walk outside, she goes back into the house.
- Don't know what to do. I've called an attorney; she's posted online that we are pedophiles because we have cameras on the side of garage. Camera does not face any of her windows, it's my yard because they pulled my stakes out and run next to my garage.
- We've had a fire in garage. I don't know where to go from here.

Solicitor –

- We are not unsympathetic
- They believe their property is being infringed upon on.

- It is not our place to adjudicate a dispute between neighbors.
- I feel bad that one party or the other won't talk to one another.
- It's just not our place to adjudicate a dispute between the two of you.
- As far as the withdrawal of the permit or issuing of the permit I encourage you, if you want to do something, reapply and we will reexamine carefully.
- I'm sure the zoning inspector, for whatever reason he found, withdrew at the time, if you want, reapply.
- If they want to file for an injunction relief, we would have a hearing on the permit.
- There is a proper pre-session, you guys did what you were supposed to do.
- No one raised the issue with us that there was some kind of dispute.
- The only dispute we adjudicate here is if a permit was wrongfully denied and you could appeal with us and go through that process but a dispute between you and your neighbor is not the village's business. That would go through the courts.

Daniels – what are you looking for, the reason why it was revoked?

- Macias-told it was revoked because she filed something against you.
- We are so unsure of where to even put the fence, at first, we had 2 sections, from the back of the garage to the back yard, to the front of the garage to the front on the property line. Now it's a foot back from the property line and I can go all the way. Now it's 5' from the property.

Mayor – what is the set back on the side of the property?

- Zoning-They are allowed to go to the property line, in this case they can't because if they go to the property line they can't get to their house. There is no room. Me and Bobby (Coppola) when there, they have to leave room, can not go on property line.
- The ordinance says they can. The reason why I revoked it was to protect them, if they neighbor wins, they will have to tear down their fence.
- Mayor-how much room is there to put the fence?
- They have 37", they could move it a foot back so it would be 48" that it would leave.
- Put the fence up and be done. Fence is ordered and paid in full sitting on a truck. Just give me the right answers.
- Solicitor-reapply for the permit.
- Mayor-the question will be 5' vs 47" for the set back from the property line. You can't go 5' in, it will be in your driveway.
- Solicitor-we don't have a setback on the sides but I do agree it should be at least a foot.
- Reapply, if it gets denied there is a repeal process.
- Macias-Could I go a foot like I was told to originally or do I have to go 5'.
- Mayor-Nick, are you in agreement that we have no set back?
- The problem isn't the back or front, it's the middle (side of property). If you go from the back fence to the front fence and run a straight line, no problem.
- Mayor-are you okay with that, how much does that give in between? That would be 37" from the property line to the neighbor's house and I would go in foot from there.
- Mayor-reapply for permit, put up fence and if it goes to court, go to court.

- Zoning-she (neighbor) filed against the survey company stating the survey was wrong. Would recommend not putting up fence till that is settled. She (neighbor) has not got her own survey done.
- Macias-All I want is to reapply for my permit go 12" off of the pins from the front of my house to the back yard.
- Mayor-they have met the zoning rules.

#### Zoning Inspector-Nick Ruozzo

- Can sales tax be put on delivery items? Solicitor – no
- Can we demand landlords to do background checks on tenants? Some don't even know where their tenants work.
  - Solicitor-State of Ohio – if it's discovered someone renting property is a sex offender and that property is within the appropriate distance of schools, daycare etc. the landlord has a duty to evict.
- Most landlords have not submitted their registrations.
  - Solicitor – you can force them to comply by taking them to court.

#### Zach – MS Consultants (outlined provided with more detail information):

- OEPA F&O - Joann and myself need to respond to email received. Send manhole inspections. Mayor would like to have conference call with you, Joann and Breanna
- Fire Station – pending PEMB. Once get more info would like to schedule a meeting.
- W Water St & Riverfront Park – construction delayed due to weather. Change orders listed. So far, \$42,455.00 under cost.
- Internal teams suggest meeting with Eastgate
- Parson's Ave – tentative to finish by end of February. Currently at intersection of Wood and Parson's on stormwater infrastructure. Did meet with contractors in regards to change orders. No final decision made yet.
- OPWC – Pending small government (March/April)
- Mahoning Co. CDBG – Anna, likes to be sole sourced funding, 2" or deeper=road rehabilitation, usually around \$200,000.00
- They will not fund resurfacing, but will fund rehabilitation
- Mayor interested in grant that Struthers received. Maybe we can for WWTP? Approx. \$250,000.00 Per Zach – let him know name of grant and he will look into it for us.

#### Fire Chief - Dave Harris

- Southside fire station backwall needs repaired. Call Servpro, National Fire to investigate the problem
- Mayor – emergency evacuation plan, Boggia did one, can you locate, please

#### Police Chief Alli –

- He provided information in safety meeting

Mayor request to go back to regular order of business. Motion moved McNicholas, 2<sup>nd</sup> Durbin

Roll Call – yes

Minutes from the previous meetings-motion to not read moved by McNicholas, 2<sup>nd</sup> Piscitelli

Roll Call – yes

Motion to send claims to the claims committee for approval moved McNicholas, 2<sup>nd</sup> Piscitelli

Roll Call – yes

Motion claims be approved and placed on the pay ordinance moved by D'Onofrio, 2<sup>nd</sup> Piscitelli

Roll Call – yes

Correspondence read by fiscal officer

Comments: McNicholas Recycle Agreement who is contact? A: County / Can we get a contact person? The yellow recycle bins are too small. The county tax delinquencies from auditor, do we know who the people are? A: on their website you can find by parcel numbers. Mayor-we sent list with names. A: that was for sewer liens to the county. The list from auditor is showing \$273,051.49 in delinquencies on property tax. Mayor talked to Manny, names (sewer list) that are no longer property owners the sewer stays with the property and assessed by parcel numbers? Yes, be sure to fill out all property numbers, amount you wish to put on, send resolution with spreadsheet. Joann will complete the spreadsheet. This has approx. \$98,000.00 on it.

Improvements Committee – Joe Donatelli

- Not in attendance

Finance Committee – Ryan McNicholas

- Will have meeting on 1/21/26 at 6:30 PM to review finances

Safety Committee – Dave Durbin

- Had meeting tonight at 6:00
- Questions in regards to new Fire Station and use – this will not be a shelter. Don says he saw it stated shelter somewhere.
- E-Bikes/E-Scooters/Golf Cart registration/Inspections

Utility Committee – Leslie Daniels

- Nothing at this time
- Aggregate is up this year for electric
- Who is our gas aggregate? Consultant with Optics – Dave Ferro
- Increased sewer rates January – not showing yet. Call Aqua to make sure they are aware. We have no contact person.

Claims Committee – Dom Piscitelli

- #1 Cochran – water pump repair on police truck. Cost was over estimate.

Ordinance Committee – Don D’Onofrio

- Liens on property tax for sewer
- Salary ordinance
- Would like to update, in the future, to have each department have its own ordinance
- Joann is requesting committee update the policy and procedure manual, as well so we can give to employees

Solicitor Report – James Lanzo

- Please review the salary ordinance

Mayor Report – James Iudiciani

- Day Care Center is being run, advertised on Facebook. Do we have ordinance on this? State requirements are needed. Village was not aware, will need looked at with state. Met zoning requirements?
- Jen from Aqua recommended we send the lien document to her showing the addresses and names and will try to get us a contact person.
- Village of McDonald lost \$200,000.00. They took out 1% of income tax.
  - Requested Tom Collins to contact RITA to get numbers
  - Ex: you work in Struthers you pay 2% then you would pay 1% to us.

Legislation-

- Fiscal Officer asking about section 2 & 3 of the ordinance 4177 (can be removed)
- Fiscal Officer asking about contract for ordinance 4176, does anyone have? Will have to call Mahoning Co Fair Housing to get a copy.
- Certifying Delinquent Sewer Bills to the Auditor of Mahoning Co for placement on the Mahoning Co Tax Duplicate.
  - Attach spreadsheet
- Motion to suspend the rules moved by D’Onofrio, 2<sup>nd</sup> Daniels
- Roll Call – yes
- Motion to pass moved by D’Onofrio, 2<sup>nd</sup> Daniels
- Roll Call – yes
- Ordinance submitting the question of a renewal levy for the purpose of providing funds for current expenses of the village pursuant to Ohio revised code section 5705.19 (A) and 5705.191 and declaring an emergency
  - Solicitor read the ballot language
  - Reads .45 should read \$45.00 and questions regarding the \$35.00 vs \$45.00
  - Will check with auditor in regards to these numbers
- Motion to suspension of the rules moved by McNicholas, 2<sup>nd</sup> Durbin
- Roll Call - yes
- Motion to move on passage moved by Piscitelli, 2<sup>nd</sup> D’Onofrio
  - Comment: Mayor-we have to promote and do language-you may want to put in a committee.
  - Daniels provided a resident information sheet for council to look over

- More discussion regarding the dollar amounts on papers
- Will need to talk with auditor office regarding what is correct, Joann will call
- Solicitor will send corrected copy
- Motion to move on passage pending corrections moved by Daniels, 2<sup>nd</sup> D'Onofrio
- Roll Call – yes
- Salary ordinance – committee setting up meeting 1/21/26 and provide agenda to fiscal officer
- Motion to move salary ordinance to 3<sup>rd</sup> reading moved by McNicholas, 2<sup>nd</sup> Piscitelli
- Roll Call – yes
- Motion to move ordinance repealing prior ordinance 4121 to 3<sup>rd</sup> reading moved by D'Onofrio, 2<sup>nd</sup> Daniels
- Roll Call – yes

Village Administrator – Joann Esenwein

- Requesting permission to sign AA contract
  - Motion to approve moved by D'Onofrio, 2<sup>nd</sup> Piscitelli
  - Roll Call - yes
- Requesting permission to sign CyberSecurity Agreement
  - Motion to approve moved by Durbin, 2<sup>nd</sup> Piscitelli
  - Roll Call - yes
- Requesting permission to sign lease agreement with Mahoning Co. Board of Commissions for Mahoning Co. Solid Waste Management District.
  - Motion to approve moved by Daniels, 2<sup>nd</sup> D'Onofrio
  - Roll Call – yes
- Crescendo club requesting donation for placemat sponsor
  - Motion to donate \$100.00 moved by D'Onofrio, 2<sup>nd</sup> McNicholas
  - Roll Call – yes
- Email received from ODOT for Village Mowing Program
  - Everyone in agreement to participate
  - Joann will let them know, yes
- Baseball fields – school board did pass taken it back
  - Next steps by school – get it certified, and figure out their process
  - Mayor asking Solicitor – we have a 100-year lease what do we need to do?
    - Just terminate the lease but you have to record it
- Roof repair – will need to make sure it's in our budget
- Street crew conversation from last month – please review in finance meeting

Old Business –

McNicholas will be sending Council a form to fill out for newsletter

New Business –

Fiscal Officer –

- The audit is happening.

- Unable to find Dec 2023 or Feb 24 minutes that they are requesting. Would like to know if anyone on council has them? McNicholas checked his files and does not have.
- Mayor says there is a green minute book but I am unable to locate it. He will stop in and look for it.
- Youngstown-Warren Regional Chambers – last year was \$522.50 this year \$816.50
  - Did you want to do Foundation Donation-in 2025 you did
  - Joann will call them
- Informed council we received updated property tax report, will be a little more in revenue than previous report

D’Onofrio –

- Requesting for everyone to not choose reply all to emails, text, especially thumbs up replies
- Solicitor suggest all correspondence is done by email, not text

Durbin –

- Resident asking if zoning board will be up for re-zoning lots for homes to be built
- Mayor – they would have to ask for variance

Zoning Board

Mayor recommendation to remove Bob Pallozzi, moved to Florida. Add Bob Coppola

Motion moved by D’Onofrio 2<sup>nd</sup> Daniels

- Comment: Daniels – what would happen if Coppola didn’t want to do? Mayor-you would ask if anyone wanted to join.

Roll Call – yes

Design & Review Board

- Need 4 members, please ask around

McNicholas requested update on WWTP

- Mayor had meeting and provided information, the county will hire engineering firm and do study

Motion to go into executive session for:

- Contractual questions for the proposed new fire station building
- Workers Comp. lawsuit
- Court of claims lawsuit
- Personnel and protocol on proper procedures for purchasing services
- Invite: Mayor, Solicitor, Administrator, Fiscal Officer

Moved by D’Onofrio, 2<sup>nd</sup> Daniels

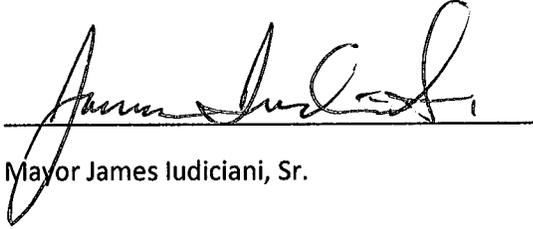
Roll Call – yes

Motion moved by D'Onofrio to return to regular order of business, 2<sup>nd</sup> Durbin

Roll Call – yes

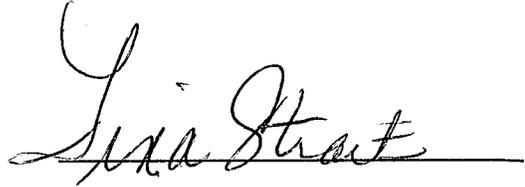
Motion moved by McNicholas for adjournment 2<sup>nd</sup>, D'Onofrio

Roll Call – yes



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Mayor James Iudiciani, Sr.



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Fiscal Officer, Tina Strait