

YOUNGSTOWN CITY COUNCIL MEETING
WEDNESDAY, APRIL 6, 2016
AGENDA

COMMUNICATIONS

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| COM-16-57 | 1. | Board of Control meeting was held March 3, 2016. |
| COM-16-58 | 2. | Board of Control meeting was held March 17, 2016. |
| COM-16-59 | 3. | Board of Control meeting was held March 31, 2016. |
| COM-16-60 | 4. | City Planning Commission meeting was held March 15, 2016. |
| COM-16-61 | 5. | Mahoning County Commissioners' Board meeting was held March 3, 2016. |
| COM-16-62 | 6. | Mahoning County Commissioners' Board meeting was held March 10, 2016. |
| COM-16-63 | 7. | Mahoning County Commissioners' Board meeting was held March 17, 2016. |
| COM-16-64 | 8. | Mahoning County Commissioners' Board meeting was held March 24, 2016. |
| COM-16-65 | 9. | Mahoning County Commissioners' Board meeting was held March 31, 2016. |
| COM-16-66 | 10. | Ohio Division of Liquor Control re: TREX: From Ronald L. Baclawski dba Dam Bar, 2528 Grandview Rd. & Patio, Craig Beach Lake Milton, OH 44429 to 232 Soso's LLC dba Soso's Lounge, 232 North Ave., Youngstown, OH 44502. |
| COM-16-67 | 11. | Ohio Division of Liquor Control re: NEW: to Red Carpet Events, LLC dba Blue Wolf Banquet Catering Center, 1555 S. Meridian Rd., Youngstown, OH 44511. |
| COM-16-68 | 12. | Ohio Division of Liquor Control re: TRFO: From Vashnoo, Inc. dba Rick's Food Mart, 1010 Oak St., Youngstown, OH 44506 to Jssingh, Inc., 1010 Oak St., Youngstown, OH 44506. |
| COM-16-69 | 13. | Ohio Division of Liquor Control re: TRFO: From Jihad A. Niser dba Conroy's Party Shop, 3518 South Ave., Youngstown, OH 44502 to Conroy's Quick Shop, LLC dba Conroy's Party Shop, 3518 South Ave., Youngstown, OH 44502. |
| COM-16-70 | 14. | Ohio Division of Liquor Control re: TRFO: Jihad A. Niser dba Elm Street Red & White, 1451 Elm Street, 1 st Fl., Youngstown, OH 44505 to Elm Street Red and White, LLC, 1451 Elm St., 1 st Fl., Youngstown, OH 44505. |
| COM-16-71 | 15. | Leigh A. Greene requests permission to address City Council on Wed., April 6, 2016. |
| COM-16-72 | 16. | Clarence Boles requests permission to address City Council on Wed., April 6, 2016. |
| COM-16-73 | 17. | Lauren McNally is unable to attend City Council meeting on Wed., April 6, 2016. |

REPORTS

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| REP-16-05 | 18. | City Planning Commission recommendation to adopt the Near Eastside Neighborhood Renewal Area plan, Ref. No. 03-16. |
| REP-16-06 | 19. | City Planning Commission recommendation of approval for Ref. No. 04-16/ORD 16-77 to provide for the vacation of the most eastern portion of Second Street, beginning at the eastern property line of City Lot 43730 to the most eastern end of Second Street, a length of approximately 245 feet. |
| REP-16-07 | 20. | City Planning Commission recommendation of approval for Ref. No. 01-16, a Conditional Use Permit for non-domesticated animals (chickens) at 1626 Stewart Avenue. |

- REP-16-08 21. City Planning Commission recommendation of denial for Ref. No. 02-16, request by Market Street Express, LLC for a waiver to establish a regulated use within a 500 foot radius of other regulated uses.

RESOLUTIONS

COUNCIL AS A WHOLE:

- RES-16-06 1. Honoring James Patrick Tressel as the 2016 AOH Irishman of the Year.
RES-16-07 2. Honoring Martha Zarlenga as the 2016 AOH Irishwoman of the Year.
RES-16-08 3. Recognizing and supporting April as Minority Health Month.

ORDINANCES

MAYOR McNALLY:

- ORD-16-84 4. Adopting the General Neighborhood Renewal for the Near Eastside of Youngstown as an Urban Renewal Plan. **MOVED TO PLANNING COMMITTEE**
ORD-16-85 5. Authorizing the Board of Control of the City of Youngstown to advertise for bids and enter into a contract with the lowest and best bidder who is responsible for the 2016 Street Resurfacing program. Cost of project will not exceed \$1,200,000.00.
ORD-16-86 6. Authorizing the Board of Control of the City of Youngstown to enter into all necessary Professional Service Agreements to provide construction inspection and testing for the 2016 Street Resurfacing Program. Cost of project will not exceed \$95,000.00.
ORD-16-87 7. Authorizing the Board of Control of the City of Youngstown to enter into all necessary agreements to purchase material and supplies for Traffic Engineering for Calendar Year 2016 through the Ohio Department of Transportation Cooperative Purchasing Program. Expenditures will not exceed \$50,000.00.
ORD-16-88 8. Authorizing the Board of Control of the City of Youngstown to enter into a final agreement with the State of Ohio, Director of Transportation for MAH-422-5.06 – PID No. 88929. The City of Youngstown's share will be \$173,892.00.
ORD-16-89 9. Authorizing the Board of Control of the City of Youngstown to enter into a Preliminary Consent Agreement with the Ohio Department of Transportation for Project: MAH-Coitsville Lighting/Sidewalks, PID 100156. The City agrees to pay twenty percent of the total cost of construction within the City limits which is approximately \$46,746.00.
ORD-16-90 10. Authorizing the Board of Control of the City of Youngstown to enter into a Professional Service Agreement with the Greater Warren-Youngstown Urban League, Inc. for the Human Relations Commission in an amount not to exceed \$64,000.00, and to retroactively approve the expenditures for said service for the Year 2016, beginning January 1, 2016 and through December 31, 2016.
ORD-16-91 11. Authorizing the Board of Control of the City of Youngstown to approve the purchase of two (2) new police vehicles from multiple vendors awarded to the State of Ohio Cooperative Purchasing Contract or vendors who will match pricing from said contract. Total combined cost will not exceed \$100,000.00.
ORD-16-92 12. Authorizing the Board of Control of the City of Youngstown to approve four (4) quarterly payments in the amount of \$10,000.00 each to Community Correction Association for electronic monitoring house arrest services for Calendar Year 2016.

- ORD-16-93 13. Authorizing the Board of Control of the City of Youngstown to approve reimbursement in the sum of \$32,731.00 to the United States Marshal Service.
- ORD-16-94 14. Authorizing the Board of Control of the City of Youngstown to negotiate with Associated Federal Abstract and Escrow Agency, Inc. and enter into a contract for the purchase of parcels located at 1200 Gibson Street for the expansion of the Wastewater Treatment Plant. Cost will not exceed \$51,076.00.
- ORD-16-95 15. Authorizing the Board of Control of the City of Youngstown to enter into a Professional Services Agreement with Millstone and Kannensohn for collection services. Contract shall extend from April 1, 2016 through March 31, 2017 and the cost is \$95,000.00.
- ORD-16-96 16. Authorizing the Board of Control of the City of Youngstown to reimburse the City's Liability Insurance Provider, HCC Public Risk Claim Service \$50,000.00 to satisfy the policy deductible in the matter of Layton Shepherd, Case Number 14 CV 740.
- ORD-16-97 17. Authorizing the Board of Control of the City of Youngstown to enter into a Consent Agreement and Final Order with the United States Environmental Protection Agency in settlement of the proceeding to assess a civil penalty, and further, to make payment of a cash penalty in the amount of \$20,415.00 and effectuate the performance of a supplemental performance project not to exceed \$120,000.00.
- OLIVER:**
- ORD-16-98 18. Authorizing the Board of Control of the City of Youngstown to grant a waiver of sewer and water tap-in fees charged for the proposed food pantry project being constructed by Cocca Development on Mahoning Avenue. Sewer tap-in fees for this project are estimated to be \$7,425.00 and Water tap-in fees are estimated to be \$2,755.00.
- MAYOR McNALLY:**
- ORD-16-99 19. Authorizing the acceptance of the Air Pollution Control Enforcement Program Fund 2304.30.50 (HAPE FFY 2016) in the sum of \$500.00.
- ORD-16-100 20. Appropriating and making available for expenditure the sum of \$500.00 in Air Pollution Control Enforcement Program Fund 2304.30.50 (HAPE FFY 2016).
- ORD-16-101 21. Increasing appropriations in the amount of \$718.00 in the Air Pollution Fund HAPPM 16/17 (2304.30.50).
- ORD-16-102 22. Appropriating \$2,700.00 into the Court Municipal Probation Services Fund 2904.30_5103, Professional Services.
- ORD-16-103 23. Appropriating \$7,471.00 to Fund 2102.30_5107, the Drug Law Enforcement Fund, Operating Services.
- ORD-16-104 24. Appropriating \$100,000.00 to Fund 2106.30_5825, The Police Safety Enforcement Project.
- ORD-16-105 25. Increasing appropriations by \$95,181.00 to Code 4102.30_5804, Capital Projects – PW.Misc EXP_PW Cap Project Expense.
- ORD-16-106 26. Appropriating in the amount of \$171,036.00 to the Litter Control Fund 2903 to various codes.
- ORD-16-107 27. Accepting funds from the Mahoning County Solid Waste Management District for the purpose of holding an Appliance Recycling Drive in 2016. Further, increasing appropriations by \$500.00 to Fund 2903.30_5104.

- ORD-16-108 28. Authorizing the acceptance of an additional \$118,497.00 from the Mahoning County Solid Waste Management District for general operating expenses for the 2016 Litter Control and Recycling Program.
- ORD-16-109 29. Accepting funds from the Mahoning County Solid Waste Management District for the purpose of holding an Electronic Recycling Drive in 2016. Further, increasing appropriations by \$500.00 to Fund 2903.30_5104.
- ORD-16-110 30. Accepting funds from the Mahoning County Solid Waste Management District for the purpose of holding a Tire Recycling Drive. Further increasing appropriations by \$3,000.00 to Fund 2903.30_5104.
- ORD-16-111 31. Transferring \$12,228.00 from Project Emergency Solutions Grant (ESG) 13/14 – Activity Turning Point to Project Emergency Solutions Grant 13/14 – New Activity Compass Family Services. Further, transferring \$29,987.00 from Project Emergency Solutions Grant (ESG) 14/15 – Activity Turning Point to Project Emergency Solutions Grant 14/15 – New Activity Compass Family Services.
- OLIVER:**
- ORD-16-112 32. Authorizing the expenditure in the amount of \$300.00 from the First Ward Discretionary Fund to defray expenses for the McGuffey Center Youth Basketball Clinic and Tournament.
- ORD-16-113 33. Authorizing the expenditure in the amount of \$500.00 from the First Ward Discretionary Fund to the Boys and Girls Club for the rental of dumpsters to be used in community cleanup efforts.
- RODGERS:**
- ORD-16-114 34. Authorizing the Director of Finance to transfer the amount of \$1,975.00 from the Second Ward Discretionary Fund to purchase new fencing for John White Park.
- RAY:**
- ORD-16-115 35. Authorizing the expenditure in the amount of \$500.00 from the Fourth Ward Discretionary Fund to support a summer intern to complete work on behalf of the Rocky Ridge Neighborhood Association.
- ORD-16-116 36. Authorizing the expenditure in the amount of \$1,500.00 from the Fourth Ward Discretionary Fund to support the Run of the Mill event on Steel Street.
- L. McNALLY:**
- ORD-16-117 37. Authorizing the expenditure in the amount of \$500.00 from the Fifth Ward Discretionary Fund to the Rocky Ridge Neighborhood Association for administration purposes.
- MAYOR McNALLY:**
- ORD-16-118 38. Levying special assessments for the improvement of certain City streets by Whiteway Lighting, within the corporate limits of the City of Youngstown, Ohio during the period from April 1, 2016 to March 31, 2017.
- ORD-16-119 39. Amending the Codified Ordinances of the City of Youngstown: Repealing in its entirety, Chapter 546, Property Maintenance Code and further, enacting a new Chapter 546, Property Maintenance Code to replace this section.
40. **OFF AGENDA**

MAYOR McNALLY & OLIVER:

- ORD-16-120 41. Granting a conditional use permit for keeping and maintaining wild animals located at 1626 Stewart.

PINKARD:

- ORD-16-121 42. Changing the zone classification of the property located at 1823 Salt Springs Road, City Lot Numbers 21893, 21892 and 21880, currently zoned RS-7.2 (Single Family Residential) to: RT-5.5 (One and Two Family Residential).

MOVED TO PLANNING COMMISSION

2nd READINGS

- ORD-16-64 Authorizing the Board of Control of the City of Youngstown to advertise for bids and enter into a contract to purchase a Hydraulic Catch Basin. The truck will replace a 1993 that is no longer economical to repair. The cost shall not exceed \$275,000.00.
- ORD-16-66 Authorizing the Board of Control of the City of Youngstown to negotiate and enter into a multi-year Asset Management Professional Services contract for the engineering, emergency repair, sustainability, water quality management and maintenance of City-owned water storage tanks. Annual cost will range from \$450,000.00 not to exceed \$750,000.00.

3rd READINGS

- ORD-16-55 Amending Section 1 of Ordinance 14-16, passed by Youngstown City Council on January 15, 2014, which established the Master Salary Ordinance for the City of Youngstown to create Finance Clerk positions, Position Numbers 0301-6001, 0301-6002, 0301-6003 and 0301-6004 within the City Finance Department with established pay rates for those hired after the date of March 1, 2016. **SEPARATE VOTE**
- ORD-16-56 Amending Section 1 of Ordinance 14-16, passed by Youngstown City Council on January 15, 2014, which established the Master Salary Ordinance for the City of Youngstown to amend Account Clerk positions, Position Numbers 0301-5011, 0301-5012, and 0301-5013 within the City Finance Department with established pay rates for those hired after the date of March 1, 2016. **SEPARATE VOTE**
- ORD-16-57 Amending Section 1 of Ordinance 14-16, passed by Youngstown City Council on January 15, 2014, which established the Master Salary Ordinance for the City of Youngstown to create two Accountant positions, Position Numbers 0301-4001 and 0301-4002 within the City Finance Department with established pay rates. **SEPARATE VOTE**
- ORD-16-58 Amending Section 1 of Ordinance 14-16, passed by Youngstown City Council on January 15, 2014, which established the Master Salary Ordinance for the City of Youngstown to amend the pay rate of the Accounting Coordinator position, Position Number 0301-5061 within the City Finance Department to establish steps for new hires, and to increase the rate of pay for current employees. **SEPARATE VOTE**

- ORD-16-59 Amending Section 1 of Ordinance 14-16, passed by Youngstown City Council on January 15, 2014, which established the Master Salary Ordinance for the City of Youngstown to amend the pay rate of the Accounting Coordinator position, Position Number 0301-5062 within the City Finance Department to establish steps for new hires, and to increase the rate of pay for current employees. **SEPARATE VOTE**
- ORD-16-60 Amending Section 1 of Ordinance 14-16, passed by Youngstown City Council on January 15, 2014, which established the Master Salary Ordinance for the City of Youngstown to make changes to the Accounts Payable Coordinator position, Position Number 0301-5021 within the City Finance Department to establish steps for new hires, and to increase the rate of pay for current employees. **SEPARATE VOTE**
- ORD-16-61 Amending Section 1 of Ordinance 14-16, passed by Youngstown City Council on January 15, 2014, which established the Master Salary Ordinance for the City of Youngstown to make changes to the Payroll Coordinator position, Position Number 0301-5041 within the City Finance Department to establish steps for new hires, and to increase the rate of pay for current employees. **SEPARATE VOTE**
- ORD-16-62 Amending Section 1 of Ordinance 14-16, passed by Youngstown City Council on January 15, 2014, which established the Master Salary Ordinance for the City of Youngstown to make changes to the Compliance Auditor position, Position Number 0301-5031 within the City Finance Department to reduce the number of authorized positions. **SEPARATE VOTE**