

CITY COUNCIL MEETING
WEDNESDAY, SEPTEMBER 21, 2016

CITY COUNCIL CONVENED IN REGULAR SESSION AND WAS CALLED TO ORDER BY PRESIDENT CHARLES P. SAMMARONE. ON A CALL OF THE ROLL THE FOLLOWING MEMBERS RESPONDED TO THEIR NAMES: BASIA ADAMCZAK, ANITA DAVIS, LAUREN MCNALLY, JULIUS T. OLIVER, NATE PINKARD, MIKE RAY, TJ RODGERS, AND CHARLES P. SAMMARONE, 8. COUNCIL SWORE ALLEGIANCE TO THE FLAG. THE MINUTES FROM JUNE 15, 2016, JULY 13, 2016, AND AUGUST 17, 2016 WERE APPROVED.

COMMUNICATIONS

COM-16-164 BOARD OF CONTROL MEETING WAS HELD AUGUST 18, 2016. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-16-165 BOARD OF CONTROL MEETING WAS HELD SEPTEMBER 1, 2016. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-16-166 CITY PLANNING COMMISSION MEETING WILL BE HELD SEPTEMBER 15, 2016. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-16-167 CITY PLANNING COMMISSION MEETING WAS HELD SEPTEMBER 20, 2016. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-16-168 CIVIL SERVICE COMMISSION MEETING WAS HELD SEPTEMBER 20, 2016. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-16-169 HUMAN RELATIONS COMMISSION MEETING WAS HELD SEPTEMBER 13, 2016. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-16-170 MAHONING COUNTY COMMISSIONERS' BOARD MEETING WAS HELD AUGUST 18, 2016. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-16-171 MAHONING COUNTY COMMISSIONERS' BOARD MEETING WAS HELD AUGUST 23, 2016. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-16-172 MAHONING COUNTY COMMISSIONERS' BOARD MEETING WAS HELD SEPTEMBER 1, 2016. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-16-173 MAHONING COUNTY COMMISSIONERS' BOARD MEETING WAS HELD SEPTEMBER 8, 2016. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-16-174 MAHONING COUNTY COMMISSIONERS' BOARD MEETING WAS HELD SEPTEMBER 12, 2016. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-16-175 MAHONING VALLEY SANITARY DISTRICT BOARD MEETING WAS HELD AUGUST 31, 2016. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-16-176 GWENDOLYN FISH LETTER THANKING COUNCIL FOR SUPPORT FOR TRIP TO MOTOWN. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-16-177 OHIO DIVISION OF LIQUOR CONTROL RE: STCK: WALGREEN CO. DBA WALGREENS #06675, 2560 BELMONT AVE., YOUNGSTOWN, OH 44505. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-16-178 OHIO DIVISION OF LIQUOR CONTROL RE: NEW: TRAVIS F. ALEXANDER DBA WHISKEY'S 1375 LOGAN AVE., YOUNGSTOWN, OH 44505. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-16-179 OHIO DIVISION OF LIQUOR CONTROL RE: TRFO: FROM ANTONIO PASCARELLA DBA EVERGREEN TAVERN & PATIO, 2800 SOUTH AVE., YOUNGSTOWN, OH 44502 TO GINA MELFI DBA EVERGREEN TAVERN & PATIO, 2800 SOUTH AVE., YOUNGSTOWN, OH 44502. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-16-180 OHIO DIVISION OF LIQUOR CONTROL RE: TRFO: FROM 1830 VISTA LOUNGE, INC. DBA VISTA LOUNGE, 1830 DONALD AVE., 1ST FL. & BSMT., YOUNGSTOWN, OH 44509 TO LVM ENTERPRISES, LLC DBA VISTA LOUNGE, 1830 DONALD AVE., 1ST FL. & BSMT., YOUNGSTOWN, OH 44509. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-16-181 HEALTH COMMISSIONER ERIN BISHOP IS UNABLE TO ATTEND CITY COUNCIL MEETING ON SEPTEMBER 21, 2016. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-16-182 CLARENCE BOLES REQUESTS PERMISSION TO ADDRESS CITY COUNCIL ON SEPTEMBER 21, 2016. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-16-183 JUANITA THOMPSON REQUESTS PERMISSION TO ADDRESS CITY COUNCIL ON SEPTEMBER 21, 2016. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-16-184 JAMES TRESSA REQUESTS PERMISSION TO ADDRESS CITY COUNCIL ON SEPTEMBER 21, 2016. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-16-185 MARSHALL CONEY REQUESTS PERMISSION TO ADDRESS CITY COUNCIL ON SEPTEMBER 21, 2016. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-16-186 POLICE CHIEF ROBIN LEES RECOMMENDING TRICK OR TREAT HOURS BE SET FROM 5:00 P.M. TO 7:00 P.M. ON MONDAY, OCTOBER 31, 2016. WAS READ AND UPON MOTION OF MR. PINKARD WAS MOVED TO A ROLL CALL VOTE: YEAS, 7, NAYS, NONE. CARRIED

REPORT

REP-16-20 PLANNING COMMITTEE SIGNED OUT ORD-16-195 ENTITLED: "CHANGING THE ZONE CLASSIFICATION OF PROPERTIES LOCATED BETWEEN OAK STREET, N. FRUIT STREET, HIMROD AVENUE AND THE MADISON AVENUE EXPRESSWAY FROM RT-5.5, ONE AND TWO FAMILY RESIDENTIAL AND PROPERTIES LOCATED BETWEEN HIMROD AVENUE, S. PEARL STREET, ROSE STREET AND S. LANE AVENUE FROM RM-1.5, MULTI-FAMILY RESIDENTIAL TO: IG (INDUSTRIAL GREEN)." WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

CERTIFICATE

CERT-16-05 FISCAL OFFICER'S CERTIFICATE: ACQUIRING VEHICLES INCLUDING FRONT-END LOADERS, TRACTORS AND TRAILERS FOR THE CITY SERVICE DEPARTMENT. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

RESOLUTION

RES-16-26 RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR (CITY COUNCIL). WAS READ

THE FIRST TIME AND UPON MOTION OF MR. PINKARD THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 7. NAYS, NONE.

THE RESOLUTION WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORDINANCES

ORD-16-304 PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN THE PRINCIPAL AMOUNT OF \$1,100,000.00, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF ACQUIRING VEHICLES FOR THE CITY SERVICE DEPARTMENT, INCLUDING FRONT-END LOADERS, TRACTORS AND TRAILERS; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-16-305 AUTHORIZING THE BOARD OF CONTROL TO ENTER INTO A DEVELOPMENT AGREEMENT WITH NOBLE CREATURE CASK HOUSE, LLC IN AN AMOUNT NOT TO EXCEED \$12,000.00 FOR ELIGIBLE EXPENSES; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-16-306 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO CONTRIBUTE \$25,000.00 TO THE YOUNGSTOWN BUSINESS INCUBATOR (YBI) FOR THE 4TH YEAR PAYMENT AS ORIGINALLY AGREED UPON THROUGH ORDINANCE NO. 13-224, PASSED BY CITY COUNCIL ON JULY 24, 2013; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-16-307 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ENTER INTO A CONTRACT WITH MS CONSULTANTS, INC., TO PERFORM SITE INVESTIGATION AND REMEDIATION FOR PROJECT CITY ASPHALT & PAVING, 1415 GIBSON STREET. COST WILL NOT EXCEED \$76,672.00; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-16-308 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ENTER INTO A PROFESSIONAL SERVICE AGREEMENT WITH THE YOUNGSTOWN NEIGHBORHOOD DEVELOPMENT CORPORATION (YNDC) FOR COORDINATION OF NON-CONSTRUCTION SAFETY RELATED ACTIVITIES. AGREEMENT WILL BE FOR A TWO-YEAR PERIOD AND THE COST OF SERVICES NOT TO EXCEED \$30,000.00; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-16-309 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ENTER INTO A LOCAL PARTICIPATION AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE SAFE ROUTES TO SCHOOL (NON-CONSTRUCTION) GRANT. THE GRANT IS FOR A TWO-YEAR PERIOD AND IS FOR AN AMOUNT NOT TO EXCEED \$30,000.00; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-16-310 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO DIRECT THE OHIO EDISON COMPANY TO INSTALL ONE (1) 100 WATT HIGH PRESSURE SODIUM STANDARD LIGHT WITH A 6 FOOT ARM AT THE INTERSECTION OF CLAY STREET AND DRUMMOND ON EXISTING POLE 18-720 TO CORRECT A SAFETY HAZARD FOR VEHICULAR TRAFFIC IN THAT AREA. THE COST TO THE CITY WILL BE APPROXIMATELY \$1,421.32 FOR INSTALLATION AND \$5.00 MONTHLY FOR OPERATION; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-16-311 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO DIRECT THE OHIO EDISON COMPANY TO INSTALL ONE (1) 100 WATT HIGH PRESSURE SODIUM STANDARD LIGHT WITH A 6 FOOT ARM AT ON WEST DENNICK AVENUE ON EXISTING POLE 11-1041 TO CORRECT A SAFETY HAZARD FOR VEHICULAR TRAFFIC IN THAT AREA. THE COST TO THE CITY WILL BE APPROXIMATELY \$1,281.28 FOR INSTALLATION AND \$5.00 MONTHLY FOR OPERATION; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-16-312 AUTHORIZING THE ACCEPTANCE OF FUNDS IN THE AMOUNT OF \$24,225.00 FROM AN OHIO EPA LITTER COLLECTION AND PREVENTION GRANT FOR FINANCIAL SUPPORT OF OUR LITTER COLLECTION, PREVENTION, AND TIRE AMNESTY PROGRAMS. FURTHER, APPROPRIATING \$24,225.00 TO THE LITTER CONTROL PROJECTS, FUND 2903; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-16-313 AUTHORIZING THE ACCEPTANCE OF THE 2016 JUSTICE ASSISTANCE GRANT, AWARD #2016-DJ-BX-083, IN THE AMOUNT OF \$56,266.00, AWARDED TO THE CITY OF YOUNGSTOWN POLICE DEPARTMENT BY THE BUREAU OF JUSTICE ASSISTANCE FOR THE PERIOD OF OCTOBER 1, 2015 TO SEPTEMBER 30, 2019. FURTHER, INCREASING APPROPRIATIONS TO CODE 2101.12.202_5871, POLICE PROJECT EXPENSES BY THE AMOUNT OF \$56,266.00; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-16-314 AUTHORIZING THE BOARD OF CONTROL TO MAKE PAYMENT TO THE MAHONING COUNTY SHERIFF'S OFFICE IN THE AMOUNT OF \$28,133.00 PER THE INTER-LOCAL AGREEMENT OUTLINED IN CITY ORDINANCE 16-166; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-16-315 AUTHORIZING THE ACCEPTANCE OF THE AIR POLLUTION CONTROL CORE PROGRAM FUNDS (HAPC 2015-16) IN THE SUM OF \$340,072.00, TO ACCEPT AND APPROVE THE CORE BUDGET FUNDS FOR THE AIR POLLUTION FISCAL YEAR 2016-17; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-16-316 APPROPRIATING AND MAKING AVAILABLE FOR EXPENDITURE THE SUM OF \$340,072.00 IN THE AIR POLLUTION CONTROL CORE PROGRAM WAGES FUND 2304.30.50_5001 (HAPC 2016-17); AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE

FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-16-317 APPROPRIATING \$30,000.00 OF OHIO DEPARTMENT OF TRANSPORTATION, SAFE ROUTES TO SCHOOL, NON-CONSTRUCTION FUNDING; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-16-318 APPROPRIATING AND DISBURSING \$262,253.00 OF HUD SHELTER PLUS CARE GRANT, CDA – FY 2016 HUD SPC; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-16-319 APPROPRIATING \$16,000.00 INTO THE COURT CAPITAL IMPROVEMENTS FUND 4001.30_5205, EQUIPMENT; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-16-320 APPROVING OF A CONTINUATION OF A TAX EXEMPTION FOR ALL COMPANIES WITH ACTIVE ENTERPRISE ZONE AGREEMENTS IN 2015 AS RECOMMENDED BY THE TAX INCENTIVE REVIEW COUNCIL; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE

EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-16-321 REMOVING A SPECIAL ASSESSMENT IN ACCORDANCE WITH ORDINANCE 15-284 FOR COSTS ASSOCIATED WITH DEMOLITION, GRASS CUTTING, AND BOARDING UP THAT WAS ASSESSED BY THE CITY OF YOUNGSTOWN FOR THE PROPERTIES AND AMOUNTS LISTED IN EXHIBIT "A"; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-16-322 AUTHORIZING THE DIRECTOR OF FINANCE TO DECLARE TWO (2) FIRE TRUCKS AND FOUR (4) PASSENGER VEHICLES AS SURPLUS; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-16-323 AUTHORIZING THE DIRECTOR OF FINANCE TO TRANSFER THE AMOUNT OF \$500.00 FROM THE THIRD WARD DISCRETIONARY FUND INTO THE PARK AND RECREATION EXPENSE CODE TO PURCHASE GAMES, TOYS AND SUPPLIES FOR ARLINGTON VILLAGE; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-16-324 AUTHORIZING THE EXPENDITURE IN THE AMOUNT OF \$200.00 FROM THE FIRST WARD DISCRETIONARY FUND TO OAK HILL COLLABORATIVE FOR

ENHANCEMENTS TO THE CLARENCE ROBINSON CENTER SITE; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-16-325 AUTHORIZING THE EXPENDITURE IN THE AMOUNT OF \$500.00 FROM THE FIRST WARD DISCRETIONARY FUND TO BE USED FOR OPERATING EXPENSES FOR FIRST NIGHT YOUNGSTOWN; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-16-326 AUTHORIZING THE EXPENDITURE IN THE AMOUNT OF \$500.00 FROM THE SECOND WARD DISCRETIONARY FUND TO BE USED FOR ELECTRICAL SERVICES ON A COMMUNITY PAVILION; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-16-327 AUTHORIZING THE EXPENDITURE IN THE AMOUNT OF \$800.00 FROM THE THIRD WARD DISCRETIONARY FUND TO BE USED IN SUPPORT OF A NEIGHBORHOOD IMPROVEMENT PROJECT AT A VACANT LOT AT 330 CRANDALL AVENUE; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-16-328 AMENDING SECTION 1 OF ORDINANCE NO. 16-175, PASSED BY YOUNGSTOWN CITY COUNCIL ON JUNE 1, 2016, WHICH ESTABLISHED THE MASTER SALARY ORDINANCE FOR THE CITY OF YOUNGSTOWN TO MAKE THE FOLLOWING CHANGES TO THE SPECIFIED POSITION WITHIN THE DIVISION OF PROPERTY CODE ENFORCEMENT OF THE DEPARTMENT OF PUBLIC WORKS: **AMEND THE TITLE OF POSITION NO. 0883-6000, ACCOUNT CLERK LANDLORD REGISTRATION TO REGISTRATION COORDINATOR, INCREASING THE HOURLY RATE, AND MAKING THE POSITION FULL-TIME**; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-16-329 AMENDING SECTION 1 OF ORDINANCE NO. 16-175, PASSED BY YOUNGSTOWN CITY COUNCIL ON JUNE 1, 2016, WHICH ESTABLISHED THE MASTER SALARY ORDINANCE FOR THE CITY OF YOUNGSTOWN TO MAKE THE FOLLOWING CHANGES TO THE SPECIFIED POSITION WITHIN THE DIVISION OF PROPERTY CODE ENFORCEMENT OF THE DEPARTMENT OF PUBLIC WORKS: **AMEND THE TITLE OF POSITION NO. 0883-0490, ASSISTANT CHIEF ENFORCEMENT OFFICER TO CODE ENFORCEMENT COORDINATOR, DECREASING THE HOURLY RATE, AND MAKING THE POSITION PART-TIME**; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-16-330 **REPEALING, IN ITS ENTIRETY, ORDINANCE NO. 16-77**, PASSED BY YOUNGSTOWN CITY COUNCIL ON APRIL 20, 2016, WHICH AUTHORIZED THE CITY OF YOUNGSTOWN, PURSUANT TO OHIO REVISED CODE 723.05 AND 723.08, TO PROVIDE FOR THE VACATION OF THE MOST EASTERN PROPERTY LINE OF CITY LOT 43730 TO THE MOST EASTERN END OF SECOND STREET, A LENGTH OF APPROXIMATELY 245 FEET; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-16-331 AUTHORIZING THE USE OF SPOT BLIGHT ELIMINATION PURSUANT TO CITY ORDINANCE 1104 FOR THE PROPERTY LOCATED IN THE FIRST WARD AT 2126 MARKET STREET., YOUNGSTOWN, OHIO 44507 OWNED BY SOUTHSIDE PARTNERSHIP OF WARREN, OHIO; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD WAS MOVED TO THE **PLANNING COMMISSION**.

THIRD READING

ORD-16-237 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO NEGOTIATE TERMS AND ENTER INTO NECESSARY AGREEMENTS WITH ODYSSEY MOTION PICTURES, LLC AND ALPHA PICTURES TO PROVIDE A FLOAT LOAN FOR AN AMOUNT NOT TO EXCEED \$2 MILLION; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE THIRD TIME.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND **DEFEATED** BY A VOTE OF YEAS, 7. NAYS, NONE.

SIGNED OUT OF COMMITTEE

ORD-16-195 CHANGING THE ZONE CLASSIFICATION OF PROPERTIES LOCATED BETWEEN OAK STREET, N. FRUIT STREET, HIMROD AVENUE AND THE MADISON AVENUE EXPRESSWAY FROM RT-5.5, ONE AND TWO FAMILY RESIDENTIAL AND PROPERTIES LOCATED BETWEEN HIMROD AVENUE, S. PEARL STREET, ROSE STREET AND S. LANE AVENUE FROM RM-1.5, MULTI-FAMILY RESIDENTIAL TO: IG (INDUSTRIAL GREEN); AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE SECOND TIME AND UPON MOTION OF MR. RODGERS WAS **AMENDED TO ONLY INCLUDE THE PROPERTIES BETWEEN OAK STREET, N. FRUIT STREET, HIMROD AVENUE AND THE MADISON AVENUE EXPRESSWAY.**

UPON A CALL OF THE ROLE, THE MOTION TO AMEND WAS PASSED, YEAS, 7. NAYS, NONE. UPON MOTION OF MR. RODGERS THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 7. NAYS, NONE.

THE AMENDED ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

LATE

ORD-16-332 APPROPRIATING \$375,000.00 INTO FUNDING CODE 4106.03.300_5202 FOR ALL COSTS ASSOCIATED WITH THE ACQUISITION OF PROPERTY BOUNDED BY OAK STREET, LANE AVENUE, HIMROD AVENUE, AND THE MADISON AVENUE EXPRESSWAY IDENTIFIED AND IN ACCORDANCE WITH THE NEAR EAST SIDE URBAN RENEWAL PLAN; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

UPON MOTION COUNCIL ADJOURNED.

APPROVED: WEDNESDAY, OCTOBER 5, 2016


CLERK


PRESIDENT OF COUNCIL