

YOUNGSTOWN CITY COUNCIL MEETING
WEDNESDAY, OCTOBER 6, 2021
AGENDA
5:30 PM

COMMUNICATIONS

- | | | |
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| COM-21-167 | 1. | Board of Control meeting was held September 16, 2021. |
| COM-21-168 | 2. | Board of Control meeting was held September 30, 2021. |
| COM-21-169 | 3. | Design Review Committee meeting was held October 5, 2021. |
| COM-21-170 | 4. | Mahoning County Commissioners Board meeting scheduled for September 16, 2021 was cancelled. |
| COM-21-171 | 5. | Mahoning County Commissioners Board meeting was held September 23, 2021. |
| COM-21-172 | 6. | Mahoning County Commissioners Board meeting was held September 30, 2021. |
| COM-21-173 | 7. | Mahoning Valley Sanitary District regular Board of Directors meeting was held September 29, 2021. |
| COM-21-174 | 8. | First Energy notification re: OPSB Case No. 19-187-EL-BTX, Application to the Ohio Power Siting Board for a Certificate of Environmental Compatibility and Public need for the Lincoln Park-Riverbend 138 kV Transmission Line Project ("Project"). |
| COM-21-175 | 9. | Letter from Robert J. Vitullo, Jr. re: opposing employee bonus for vaccine. |
| COM-21-176 | 10. | Letter from Debbie Covino re: opposing employee bonus for vaccine. |
| COM-21-177 | 11. | Letter from Gary Dougherty of American Diabetes Association re: support for the Healthy Beverage ordinance. |
| COM-21-178 | 12. | Ohio Division of Liquor Control notice re: TRFO to: Anibas, LLC, 1 st Fl. & Bsmt. & Patio, 3161 Mosier Pl., Youngstown, OH 44510, Permit # 0186027; From: Slicks, LLC, dba Borderline Bar & Grille, 1 st Fl. & Bsmt. & Patio 3161 Mosier Pl., Youngstown, OH 44510, Permit # 8233574. |
| COM-21-179 | 13. | Ohio Division of Liquor Control notice re: NEW to: Common Goods Studio, LLC, 2000 Canfield Rd., Youngstown, OH 44511, Permit # 1662850. |
| COM-21-180 | 14. | Councilwoman Basia Adamczak is unable to attend City Council meeting on October 6, 2021. |
| COM-21-181 | 15. | Valerie Weber requests permission to speak before City Council on September 15, 2021. |
| COM-21-182 | 16. | Nicolette Powe requests permission to speak before City Council on October 6, 2021. |
| COM-21-183 | 17. | Dustin Holfinger requests permission to speak before City Council on October 6, 2021. |
| COM-21-184 | 18. | Kimberly McConville requests permission to speak before City Council on October 6, 2021. |
| COM-21-185 | 19. | Police Chief Carl Davis recommending Trick or Treat hours be set from 5:00 p.m. to 7:00 p.m. on Sunday, October 31, 2021. |

ROLL-CALL VOTE - SET

PLEASE SILENCE CELL PHONES.

REPORTS

- REP-21-25 20. City Planning Commission recommended **approval** of REF 08-21, ORD-21-101 entitled: "Changing the zone classification of the properties located at Albert Street, City Out Lot Numbers 28115, 28116, 28117, 28118, 28119, 28121, 28122 (Parcel Number 53-103-0-044.00.0), 28122 (Parcel Number 53-103-0-044.01-0), 28123 and 28124 currently zoned RS-7.2 (Residential Single Family), to: I-G (Industrial Green)."
- REP-21-26 21. City Planning Commission recommended **approval** of REF 09-21, ORD-21-102 entitled: "Changing the zone classification of the property located at Atkinson Avenue, City Out Lot Numbers 56701 and 56702, currently zoned RS-7.2 (Residential Single Family), to: I-G (Industrial Green)."
- REP-21-27 22. City Planning Commission recommended **approval** of REF 10-21, ORD-21-103 entitled: "Changing the zone classification of the property located at Bennington Avenue, Lot Number 1338, currently zoned RS-7.2 (Residential Single Family), to: I-G (Industrial Green)."
- REP-21-28 23. City Planning Commission recommended **approval** of REF 11-21, ORD-21-104 entitled: "Changing the zone classification of the properties located at Commonwealth Avenue, City Out Lot Number 1345 (Parcel Number 53-104-0-055.00.0), City Out Lot Number 1345 (Parcel Number 53-103-0-044.01-0), City Out Lot Number 1345 (Parcel Number 53-103-0-044.01-0), City Out Lot Number 1349 (Parcel Number 53-104-0-060.00-0), City Out Lot Number 1349 (Parcel Number 53-104-0-056.00-0), City Out Lot Number 1349 (Parcel Number 53-104-0-058.00-0), and City Out Lot Number 1349 (Parcel Number 53-104-0-059.00-0), currently zoned RS-7.2 (Residential Single Family), to: I-G (Industrial Green)."
- REP-21-29 24. City Planning Commission recommended **approval** of REF 12-21, ORD-21-105 entitled: "Changing the zone classification of the property located at Garland Avenue, City Out Lot Number 1348, currently zoned RT-5.5 (One and Two Family Residential) to I-G (Industrial Green)."

RESOLUTION

COUNCIL AS A WHOLE:

- RES-21-14 1. Honoring Ray G. Carter, Sr.

ORDINANCES

MAYOR BROWN:

- ORD-21-288 2. Authorizing the Board of Control of the City of Youngstown to make payment in the amount of \$33,243.84 to Lindy Paving for emergency roadway repairs to a main water line break on Mahoning Avenue.
- ORD-21-289 3. Authorizing the Board of Control of the City of Youngstown to make payment in an amount not to exceed of \$33,435.00 to Ohio CAT for the programming of the control functions of the HVL switches.

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- ORD-21-290 4. Authorizing the Board of Control of the City of Youngstown to make payment in the amount of \$72,736.87 to Utility Contracting for emergency roadway repairs to two main water line breaks on Glenwood Avenue between Ferndale Avenue and W. Judson Avenue.
- ORD-21-291 5. Authorizing the Board of Control of the City of Youngstown to waive formal bidding pursuant to Section 735.051 of the Ohio Revised Code, and make payment to Jack Doheny for \$48,973.85, for emergency repairs to Vactor Truck #955.
- ORD-21-292 6. Authorizing the Board of Control of the City of Youngstown to waive formal bidding pursuant to Section 735.051 of the Ohio Revised Code, and make payment to A.P. O'Horo Company for \$85,797.61, for emergency repairs to a 24 inch sanitary sewer along Ax Factory Stream near Meridian Road.
- ORD-21-293 7. Authorizing the Board of Control of the City of Youngstown to waive formal bidding pursuant to Section 735.051 of the Ohio Revised Code, and make payment to A.P. O'Horo Company for \$113,060.67, for emergency repairs to the Grit Building at the Wastewater Treatment Plant.
- ORD-21-294 8. Authorizing the Board of Control of the City of Youngstown to waive formal bidding pursuant to Section 735.051 of the Ohio Revised Code, and make payment to Marucci and Gaffney for \$218,095.29, for emergency replacement of 300 feet of 12 inch sanitary line with fourteen lateral connections in the 400 block of North Schenley.
- ORD-21-295 9. Authorizing the Board of Control of the City of Youngstown to expend an amount not to exceed \$35,875.00 to Donnell Ford, 7955 Market Street, Youngstown, OH 44512, for the purchase of one (1) 2021 Ford Interceptor for the Youngstown Fire Chief.
- ORD-21-296 10. Authorizing the Board of Control of the City of Youngstown to approve a blanket purchase order for the 2021 Calendar Year in an amount not to exceed \$40,000.00 for Lyden Oil Company.
- ORD-21-297 11. Authorizing the Board of Control of the City of Youngstown to make application and enter into necessary grant agreements with Eastgate Regional Council of Governments and the State of Ohio for a Congestion Mitigation/Air Quality (CM/AQ) Grant to warrant and rehabilitate traffic signals at 17 intersections along Market Street from Midlothian Boulevard to Woodland Avenue, and Indianola Avenue from Glenwood Avenue to South Avenue. Grant amount request will not exceed \$3,500,000.00 and there is no local match required.
- ORD-21-298 12. 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~~ for the removal and disposal of dead animals located in the City of Youngstown. Duration of the contract will be for a two-year period with one (1) consecutive two-year term at the cost of the initial contract. **AMENDED & PASSED**
- ORD-21-299 13. Authorizing the Board of Control of the City of Youngstown to reimburse the City's Liability Insurance Provider, Tokio Marine HCC Public Risk Group, \$50,000.00 to satisfy the policy deductible for Claim Number 191618, in the matter of Ryan Weaver-Hymes vs. City of Youngstown, Case Number 4:20-CV-00579.
- ORD-21-300 14. Authorizing the acceptance of the IDEP and STEP Grant (#IDEP/STEP-2022-YOUNGSTOWNPOLICEDEPARTM-00037) awarded to the Youngstown Police

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Department by the Ohio Department of Public Safety in the amount of \$44,903.64 with no local match for the period of October 1, 2021 through September 30, 2022.

- ORD-21-301 15. Appropriating \$1,000.00 into 2103.30_5107 The Law Enforcement Operating Services Fund and make payment to Fusillo Catering Inc., 3540 Ohio Trail, Youngstown, Ohio for food services for the 2021 Police Memorial Week luncheon which the Youngstown Police Department co-hosts annually.
- ORD-21-302 16. Appropriating \$8,500.00 to the Amphitheater Fund under 4110.30_5107 to rotate the roofing structure 180 degrees on Building E.
- ORD-21-303 17. Reducing appropriations by \$92,836.00 in G/L 2601.30_5803 – CDA Project Expense.
- ORD-21-304 18. Removing Special Assessments in accordance with Ordinance 15-284, Ordinance 16-278, Ordinance 17-334, Ordinance 18-252, Ordinance 19-279, and Ordinance 20-241, for costs associated with the demolition of structure, grass cutting, or boarding of structures that were assessed by the City of Youngstown for the properties and amounts listed in Exhibit “A”, which is hereto attached.

OLIVER:

- ORD-21-305 19. Authorizing the expenditure in the amount of \$1,000.00 from the First Ward Discretionary Fund 1001.01.001_5107, Operating Services to cover costs associated with food, decorations, and professional services for a Chaney-East Rally and Picnic to be held October 18, 2021 at the Youngstown Amphitheater.

DAVIS:

- ORD-21-306 20. Authorizing the expenditure in the amount of \$750.00 from the Sixth Ward Discretionary Fund 1001.01.006_5107, Operating Services to be used by Boston Avenue Neighbor Association (BANA) to offset costs of ongoing maintenance and beautification of Happy Place Sanctuary Project.
- ORD-21-307 21. Authorizing the expenditure in the amount of \$2,000.00 from the Sixth Ward Discretionary Fund 1001.01.006_5107, Operating Services to the Boulevard Park Block Watch for blueberry maintenance at 4019 Erie and holiday decorations for the neighborhood.

MAYOR BROWN:

- ORD-21-308 22. **Amending Sub-Section (b) of Section 163.30, Longevity Payment** of the Codified Ordinances of the City of Youngstown.

MOVED TO FINANCE COMMITTEE

- ORD-21-309 23. **Amending Section 163.54, College Education Bonus for Management Employees** of the Codified Ordinances of the City of Youngstown.
- ORD-21-310 24. Authorizing the City of Youngstown to waive the provisions of the Ohio Revised Code Section 4117.14(G)(11) and extend the period for the issuance of a fact finding report as it may determine necessary with regard to labor negotiations with the Youngstown Police Association/Patrol Unit and the Ohio Patrolmen's Benevolent Association (YPA/OPBA).

SECOND READINGS

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- ORD-21-277 Authorizing the Board of Control of the City of Youngstown to approve a blanket purchase order for the 2021 Calendar Year in an amount not to exceed \$45,000.00 for Bell Equipment, Co., for the repairing of the City of Youngstown sanitation trucks in the Sanitation Department.
- ORD-21-278 Authorizing the Board of Control of the City of Youngstown to approve payment not to exceed \$84,710.00 to Zesco Inc., for the refurbishing of two variable frequency drives that run the motors and water pumps at the Webb Road Pumping Station.
- ORD-21-279 Authorizing the Board of Control of the City of Youngstown to enter into a two (2) year contract extension with Republic Services for solid waste disposal. Contract will be extended to: For 2022 - \$21.30 per ton. For 2023 - \$22.15 per ton.
- ORD-21-280 Authorizing the Board of Control of the City of Youngstown to enter into a final construction agreement with the State of Ohio, Director of Transportation for ODOT Project MAH-IR 680-0.68/3.73: PID 1058.57. Cost of project will not exceed \$253,030.00.
- ORD-21-281 Authorizing the Board of Control of the City of Youngstown to enter into a final construction agreement with the State of Ohio, Director of Transportation for ODOT Project MAH/TRU US 422/VAR 1.90, PID 91900. City's share be \$33,798.00.
- ORD-21-282 Authorizing the Board of Control of the City of Youngstown to request for proposals ~~and enter into a contract~~ with multiple vendors to provide security services within city parks from 2021 through 2022. **AMENDED & PASSED**
- ORD-21-283 Authorizing the expenditure in the amount of \$2,500.00 from the President of Council Discretionary Fund 1001.01.008_5107, Operating Services to the Youngstown Flea for technical design and print services for mock-ups of the East End, Downtown Development Project.
- ORD-21-284 Authorizing a marketing and rewards budget not to exceed \$43,200.00 be incorporated in the Business Development Fund as part of the 2022 budget.
- ORD-21-285 **Amending Ordinance Number 21-192**, passed by Youngstown City Council on June 2, 2021, which appropriated \$18,000.00 in the Youngstown Municipal Court Indigent Alcohol Treatment Fund, to pay Meridian Health Care Services to provide drug screening and services for probation, Veterans Court, and Drug Court participants. **The amendment being: to increase the appropriation from \$18,000.00 to \$25,000.00.**
- ORD-21-286 Levying a special assessment for costs associated with the demolition, grass cutting, boarding up, excessive waste and abatement that was incurred by the City of Youngstown for the properties and amounts listed in Exhibit "A", which is hereto attached and made a part hereof.
- ORD-21-287 **Enacting Section 1715.061, Beverages offered with Children's Meals**, under Chapter 1715, Food Establishments and Service Operations, of the Codified Ordinances of the City of Youngstown, to require that food service operations offer healthy beverages as the default option for Children's meals.

THIRD READINGS

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- ORD-21-270 Authorizing the acceptance of the Project Safe Neighborhood “Operation Steel Penguin” 2020 Grant (#2020-PS-PSN-440), in the amount of \$25,000.00, awarded by the Ohio Department of Public Safety with no in-kind match for the period of July 1, 2021 through December 31, 2022.
- ORD-21-271 Appropriating \$20,000.00 to 2103.30_5107, The Law Enforcement Operating Services Fund for a surveillance system of the Water Department’s parking lot on Federal Street. Appropriation was approved by ORD-18-136.
- ORD-21-272 Appropriating \$25,000.00 to Police Code 2101.12.202_5817, The Police Project. This grant shall be utilized to reduce gun violence.
- ORD-21-273 Appropriating \$35,000.00 to Fund 2101.12.202_5817, The Police Project. This grant shall be utilized to reduce gun violence.
- ORD-21-276 Amending the codified ordinances of the City of Youngstown: **Enacting Section 163.69, Proof of COVID-19 Vaccination Bonus for all Youngstown City Employees: effective immediately \$1,000.00.** **TIED VOTE**

PUBLIC HEARINGS

- ORD-21-101 Changing the zone classification of the properties located at Albert Street, City Out Lot Numbers 28115, 28116, 28117, 28118, 28119, 28121, 28122 (Parcel Number 53-103-0-044.00.0), 28122 (Parcel Number 53-103-0-044.01-0), 28123 and 28124 currently zoned RS-7.2 (Residential Single Family), to: I-G (Industrial Green).
PUBLIC HEARING SET FOR FRIDAY, OCTOBER 29, 2021 @ 2:00 P.M.
- ORD-21-102 Changing the zone classification of the property located at Atkinson Avenue, City Out Lot Numbers 56701 and 56702, currently zoned RS-7.2 (Residential Single Family), to: I-G (Industrial Green).
PUBLIC HEARING SET FOR FRIDAY, OCTOBER 29, 2021 @ 2:05 P.M.
- ORD-21-103 Changing the zone classification of the property located at Bennington Avenue, Lot Number 1338, currently zoned RS-7.2 (Residential Single Family), to: I-G (Industrial Green).
PUBLIC HEARING SET FOR FRIDAY, OCTOBER 29, 2021 @ 2:10 P.M.
- ORD-21-104 Changing the zone classification of the properties located at Commonwealth Avenue, City Out Lot Number 1345 (Parcel Number 53-104-0-055.00.0), City Out Lot Number 1345 (Parcel Number 53-103-0-044.01-0), City Out Lot Number 1345 (Parcel Number 53-103-0-044.01-0), City Out Lot Number 1349 (Parcel Number 53-104-0-060.00-0), City Out Lot Number 1349 (Parcel Number 53-104-0-056.00-0), City Out Lot Number 1349 (Parcel Number 53-104-0-058.00-0), and City Out Lot Number 1349 (Parcel Number 53-104-0-059.00-0), currently zoned RS-7.2 (Residential Single Family), to: I-G (Industrial Green).
PUBLIC HEARING SET FOR FRIDAY, OCTOBER 29, 2021 @ 2:15 P.M.
- ORD-21-105 Changing the zone classification of the property located at Garland Avenue, City Out Lot Number 1348, currently zoned RT-5.5 (One and Two Family Residential) to I-G (Industrial Green).
PUBLIC HEARING SET FOR FRIDAY, OCTOBER 29, 2021 @ 2:20 P.M.

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ADJOURNMENT

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