

YOUNGSTOWN CITY COUNCIL MEETING
WEDNESDAY, DECEMBER 18, 2019
AGENDA

COMMUNICATIONS

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| COM-19-254 | 1. | Board of Control meeting was held December 5, 2019. |
| COM-19-255 | 2. | Special City Planning Commission meeting was held December 11, 2019. |
| COM-19-256 | 3. | Letter from Law Director Jeff Limbian re: City of Youngstown response to vote of No Confidence from the Youngstown Fire Department Union members. |
| COM-19-257 | 4. | Mahoning County Commissioners meeting was held December 5, 2019. |
| COM-19-258 | 5. | Mahoning County Commissioners meeting was held December 12, 2019. |
| COM-19-259 | 6. | Ohio Division of Liquor notice re: TRFO: To: Goldentoe Enterprises, LLC dba Steel City Bar and Grille, 1 st Fl. & Patio, 1418 E. Midlothian Blvd., Youngstown, OH 44502 Permit # 3253347. From: JZP Properties, LLC dba Spirits Ultralounge, 1 st Fl. & Patio, 1418 E. Midlothian Blvd., Youngstown, OH 44502. |
| COM-19-260 | 7. | Dominion Energy Notice of Filing New PIR Adjustment Case: PUCO Case No. 19-1944-GA-RDR to amend the Automated Meter Reading (AMR) Cost Recovery Charge. |
| COM-19-261 | 8. | Jimma McWilson requests permission to address City Council on December 18, 2019. |
| COM-19-262 | 9. | Madonna Chism Pinkard requests permission to address City Council on December 18, 2019. |
| COM-19-263 | 10. | Hector Colon requests permission to address City Council on December 18, 2019. |
| COM-19-264 | 11. | Kevin Tarpley requests permission to address City Council on December 18, 2019. |
| COM-19-265 | 12. | Bishop Kenneth W. Paramore requests permission to address City Council on December 18, 2019. |
| COM-19-266 | 13. | Terrance Jordan requests permission to address City Council on December 18, 2019. |
| COM-19-267 | 14. | Raymond Fletcher requests permission to address City Council on December 18, 2019. |
| COM-19-268 | 15. | Najeebah Butler requests permission to address City Council on December 18, 2019. |

REPORTS

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| REP-19-50 | 16. | Planning Commission recommended denial of REF 25-19, ORD-19-299 entitled: "Changing the zone classification of the property located at Zedaker Street, City Lot Number 35854, currently zoned RS-7.2, Single Family Residential to: MU-C (Mixed Use-Community)." |
| REP-19-51 | 17. | Planning Commission recommended denial of REF 32-19, ORD-19-316 entitled: "Changing the zone classification of the property located at 54 Milton Avenue, City Lot Number 17742, currently zoned, RS-7.2, (Single Family Residential) to RT-5.5 (One and Two Family Residential)." |

Please silence all cell phones.

- REP-19-52 18. Planning Commission recommended **denial** of REF 33-19, ORD-19-317 entitled: "Changing the zone classification of the property located at 953 Winona Drive, City Lot Number 34517, currently zoned, RS-12, (Single Family Residential) to RT-5.5 (One and Two Family Residential)."
- REP-19-53 19. Planning Commission recommended **approval** of REF 31-19, ORD-19-318 entitled: "Changing the zone classification of the property located at E. Woodland Avenue, City Lot Numbers 1667 and 1668, currently zoned, MU-C (Mixed Use-Community) to RS-7.2, (Single Family Residential)."
- REP-19-54 20. CPED Committee signed out ORD-19-331 entitled: "Transferring various listed amounts within the CDA Fund to reallocate funds from closed activities to amend an agreement with United Way."
- REP-19-55 21. Finance Committee signed out ORD-19-338 entitled: "Authorizing the Board of Control of the City of Youngstown to approve a Professional Services Agreement with Michael Abouserhal in an amount not to exceed \$50,000.00. This will amend the maximum payment from \$25,000.00 to \$50,000.00 under a Professional Services Agreement approved by BOC-19-372."
- REP-19-56 22. Finance Committee signed out ORD-19-339 entitled: "Amending Section 935.20, Rates, of Chapter 935, Sewer Charges, of the Codified Ordinances of the City of Youngstown to adopt the sewer rate schedule: 4% increase annually from January 1, 2020 through January 1, 2024."

RESOLUTIONS

RAY:

- RES-19-27 1. Objecting to the renewal of liquor permits for Kyara Austin, dba Fyrst Lounge, License 2740122, 207 Steel Street, Youngstown, Ohio 44509; and requesting a hearing on the renewal, to be held in Mahoning County, as issued by the Ohio Department of Commerce, Division of Liquor Control Commission.

DAVIS:

- RES-19-28 2. Objecting to the renewal of liquor permits for Sadiya Sow, dba Club Amazing 1st Floor and Basement, License 7450136, 21 W. Hylda, Youngstown, Ohio 44507; and requesting a hearing on the renewal, to be held in Mahoning County, as issued by the Ohio Department of Commerce, Division of Liquor Control Commission.

ORDINANCES

MAYOR BROWN:

- ORD-19-356 3. To adopt and approve the appropriation of the Year 2020 Temporary Operating Budget contained in Exhibit "A", hereto attached and made a part hereof.
- ORD-19-357 4. Authorizing the Board of Control of the City of Youngstown to approve payment in the amount of \$25,804.10 to Cerni Motor Sales for repairs to Lo-Boy #5510, which is used to move the excavator for demolition.
- ORD-19-358 5. Authorizing the Board of Control of the City of Youngstown to make payment in an amount not to exceed \$25,900.00 for the Wastewater Treatment Plant's NPDES Discharge Fees from the Ohio EPA.

- ORD-19-359 6. Authorizing the Board of Control of the City of Youngstown and the Youngstown Water Department to apply for a license to operate, as required by the State of Ohio EPA (in accordance with House Bill #152). Estimated cost is \$47,932.00.
- ORD-19-360 7. Authorizing the Board of Control of the City of Youngstown to negotiate and acquire fee title to various parcels of land for public right-of-way purposes for improvements related to the MAH Youngstown SMART2 Network Project. Further, authorizing the BOC to enter into the necessary agreements for access, easements, and right of entry for the MAH Youngstown SMART2 Network Project. Cost of the acquisition will not exceed \$10,000.00.
- ORD-19-361 8. Authorizing the acceptance of a grant in the amount of \$5,000.00 awarded to the Youngstown Fire Department from the Marathon Petroleum First Responder Grant Program. Funds will be used for the purchase of four gas detection meters per the approved grant application before December 31, 2019.
- ORD-19-362 9. Authorizing the acceptance of a grant in the amount of \$30,000.00 from the Bill and Melinda Gates Foundation for the use of the City of You messaging campaign to be used in 2020 in collaboration with Youngstown City Schools and YSU. City to provide a local match of \$10,000.00. Further, appropriating \$40,000.00 into the Community, Planning and Economic Development Department Fund 1001.19_5823, CPED Projects.
- RODGERS:**
- ORD-19-363 10. Authorizing the expenditure in the amount of \$500.00 from the Second Ward Discretionary Fund 1001.01.002_5107. Funds will be used to defray costs incurred to remove neighborhood blight, improve the neighborhood and allow for the expansion of the Grow Project.
- ORD-19-364 11. Authorizing the expenditure in the amount of \$1,000.00 from the Second Ward Discretionary Fund 1001.01.002_5107. Funds will be used for the Lincoln Knolls Community Watch for beautification and maintenance of the Lincoln Knolls Park.
- ORD-19-365 12. Authorizing the expenditure in the amount of \$2,600.00 from the President of Council Discretionary Fund 1001.01.008_5107. Funds will be used to defray cost incurred to remove neighborhood blight, improve the neighborhood and allow for the expansion of the Grow Project.
- PINKARD:**
- ORD-19-366 13. Authorizing the expenditure in the amount of \$500.00 from the Third Ward Discretionary Fund 1001.01.003_5107. Funds will be used by Know Your Neighbors in support of the Neighborhood Butterfly Garden.
- ORD-19-367 14. Authorizing the expenditure in the amount of \$500.00 from the Third Ward Discretionary Fund 1001.01.003_5107. Funds will be used by Upper North Heights Neighborhood Association to defray cost incurred to maintain the flower beds along Elm Street Bridge.
- ORD-19-368 15. Authorizing the expenditure in the amount of \$500.00 from the Third Ward Discretionary Fund 1001.01.003_5107. Funds will be used by Love Your Neighbors Association to defray cost incurred to maintain the triangle at Belmont Avenue and Covington Street.

- ORD-19-369 16. Authorizing the expenditure in the amount of \$500.00 from the Third Ward Discretionary Fund 1001.01.003_5107. Funds will be used to support activities of the Annual First Night Youngstown.
- ORD-19-370 17. Authorizing the expenditure in the amount of \$500.00 from the Third Ward Discretionary Fund 1001.01.003_5107. Funds will be used to defray cost incurred to remove neighborhood blight, improve the neighborhood and allow for the expansion of the Grow Project.
- ORD-19-371 18. Authorizing the expenditure in the amount of \$500.00 from the Third Ward Discretionary Fund 1001.01.003_5107. Funds will be used for Crandall Park South to continue maintenance of the neighborhood pocket parks.
- RAY:**
- ORD-19-372 19. Authorizing the Director of Finance to transfer remaining balance in the amount of \$3,581.37 from the Fourth Ward Discretionary Fund 1001.01.004_5101, Travel into Fund 1001.01.004_5107, Operating Services.
- ORD-19-373 20. Authorizing the expenditure in the amount of \$500.00 from the Fourth Ward Discretionary Fund 1001.01.004_5107. Funds will be used to support activities of the Annual First Night Youngstown.
- ORD-19-374 21. Authorizing the expenditure in the amount of \$1,450.00 from the Fourth Ward Discretionary Fund 1001.01.004_5107. Funds will be used by the Rocky Ridge Neighborhood Association for activities and projects that promote the 4th Ward and provide benefits to its residents.
- ORD-19-375 22. Authorizing the expenditure in the amount of \$3,000.00 from the Fourth Ward Discretionary Fund 1001.01.004_5107. Funds will be used for the Public Library of Youngstown and Mahoning County to support the youth based program "Nourishing Minds" held at the Michael Kusalaba Branch.
- DAVIS:**
- ORD-19-376 23. Authorizing the expenditure in the amount of \$2,500.00 from the Sixth Ward Discretionary Fund 1001.01.006_5107. Funds will be used for the greening and beautification of vacant lots at Market Street and Judson Avenue.
- MAYOR BROWN:**
- ORD-19-377 24. To revise the Youngstown Codified Ordinances by adopting the current replacement pages.

SIGNED OUT OF COMMITTEE

- ORD-19-331 Transferring various listed amounts within the CDA Fund to reallocate funds from closed activities to amend an agreement with United Way.
- ORD-19-338 Authorizing the Board of Control of the City of Youngstown to approve a Professional Services Agreement with Michael Abouserhal in an amount not to exceed \$50,000.00. This will amend the maximum payment from \$25,000.00 to \$50,000.00 under a Professional Services Agreement approved by BOC-19-372.

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ORD-19-339 Amending Section 935.20, Rates, of Chapter 935, Sewer Charges, of the Codified Ordinances of the City of Youngstown to adopt the sewer rate schedule: 4% increase annually from January 1, 2020 through January 1, 2024.

AMENDED TO INSERT REVISED SEWER RATE TABLE

LATES
ORDINANCES

MAYOR BROWN:

- ORD-19-378 L-1. Authorizing the Board of Control of the City of Youngstown to enter into a Professional Services Agreement with MS Consultants for the design services and construction administration related to the repair and rehabilitation of the Grit Building at the Wastewater Treatment Plant. Cost is \$49,120.00.
- ORD-19-379 L-2. 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 Excavating Company in the amount of \$74,264.61 for repairs at Regulating Chamber 102 located under the Market Street Bridge.
- ORD-19-380 L-3. 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 Excavating Company in the amount of \$174,657.68 for emergency repairs to Marshall Street Pump Station.
- ORD-19-381 L-4. Authorizing the Board of Control of the City of Youngstown to enter into a FY2018 Build Transportation Discretionary Grant Agreement with the United States of America, Department of Transportation. The City will receive \$10,853,198.00 for the improvement of Fifth Avenue, Front Street, Commerce Street, Federal Street, Rayen Avenue and Park Avenue. Local matches for the project will be from various state funds, local matches and community partners.
- ORD-19-382 L-5. Appropriating \$17,300.00 into the Municipal Probation Fund 2904.30_5205. Funds will be used to purchase a 2017 Chevy Malibu for the service bailiff.
- ORD-19-383 L-6. Appropriating \$242,260.00 into 2904.30_5703, Municipal Court Probation Services Fund. The Department of Justice Grant in the amount of \$181,695.00 requires a City match of \$15,141.00 per year for a total cost of \$60,565.00.
- ORD-19-384 L-7. Amending Ordinance Number 19-349, passed by Youngstown City Council on December 4, 2019, which appropriated \$54,000.00 into the Municipal Court Probation Services Fund 2904.30_5703. **The amendment being: to increase the appropriation amount from \$54,000.00 to \$71,988.00.**

ADAMCZAK:

- ORD-19-385 L-8. Authorizing the expenditure in the amount of \$500.00 from the Seventh Ward Discretionary Fund 1001.01.007_5107, Operating Services to the Garden of Hope Scholarship Program to defray the costs of their programming. Garden of Hope will serve as fiscal agent.
- ORD-19-386 L-9. Authorizing the expenditure in the amount of \$2,250.00 from the Seventh Ward Discretionary Fund 1001.01.007_5107, Operating Services to Youngstown

Neighborhood Development Corporation (YNDC) for educational/marketing material for residents of the 7th Ward. YNDC will serve as fiscal agent.

PUBLIC HEARINGS

ORD-19-299 Changing the zone classification of the property located at Zedaker Street, City Lot Number 35854, currently zoned RS-7.2, Single Family Residential to: MU-C (Mixed Use-Community).

PUBLIC HEARING SET FOR THURSDAY, JANUARY 16, 2020 @ 2:30 P.M.

ORD-19-316 Changing the zone classification of the property located at 54 Milton Avenue, City Lot Number 17742, currently zoned, RS-7.2, (Single Family Residential) to RT-5.5 (One and Two Family Residential).

PUBLIC HEARING SET FOR THURSDAY, JANUARY 16, 2020 @ 2:35 P.M.

ORD-19-317 Changing the zone classification of the property located at 953 Winona Drive, City Lot Number 34517, currently zoned, RS-12, (Single Family Residential) to RT-5.5 (One and Two Family Residential).

PUBLIC HEARING SET FOR THURSDAY, JANUARY 16, 2020 @ 2:40 P.M.

ORD-19-318 Changing the zone classification of the property located at E. Woodland Avenue, City Lot Numbers 1667 and 1668, currently zoned, MU-C (Mixed Use-Community) to RS-7.2, (Single Family Residential).

PUBLIC HEARING SET FOR THURSDAY, JANUARY 16, 2020 @ 2:45 P.M.