

YOUNGSTOWN CITY COUNCIL MEETING

WEDNESDAY, DECEMBER 6, 2017

AGENDA

COMMUNICATIONS

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| COM-17-233 | 1. | Board of Control meeting was held November 9, 2017. |
| COM-17-234 | 2. | Board of Control meeting was held November 22, 2017. |
| COM-17-235 | 3. | City Planning Commission meeting was held November 21, 2017. |
| COM-17-236 | 4. | Human Relations Commission meeting was held November 14, 2017. |
| COM-17-237 | 5. | Mahoning County Commissioners' Board meeting was held November 2, 2017. |
| COM-17-238 | 6. | Mahoning County Commissioners' Board meeting was held November 8, 2017. |
| COM-17-239 | 7. | Mahoning County Commissioners' Board meeting was held November 16, 2017. |
| COM-17-240 | 8. | Mahoning County Commissioners' Board meeting was held November 21, 2017. |
| COM-17-241 | 9. | Mahoning County Commissioners' Board meeting was held November 30, 2017. |
| COM-17-242 | 10. | Mahoning Valley Sanitary District meeting was held November 15, 2017. |
| COM-17-243 | 11. | Ohio Division of Liquor Control notice re: TRFO: Lucky Seven Express Mart, Inc. dba Lucky 7 Express Mart, 1396 E. Midlothian Blvd., Youngstown, Ohio 44502 to Aman and Raman, LLC dba Lucky 7 Express Mart, 1396 E. Midlothian Blvd., Youngstown, Ohio 44502. |
| COM-17-244 | 12. | Ohio Division of Liquor Control Notice to Legislative Authorities re: Notice that all alcoholic permits will expire on February 1, 2018. |
| COM-17-245 | 13. | Dominion Energy Notice of Filing New PIR Adjustment Case: PUCO Case No. 17-2177-GA-RDR, notice of application to amend the Cost Recovery Charge. |
| COM-17-246 | 14. | Ildiko Studemire requests permission to address City Council on December 6, 2017. |
| COM-17-247 | 15. | Councilwoman Lauren McNally is unable to attend the City Council meeting on December 6, 2017. |
| COM-17-248 | 16. | Park Director Robert Burke is unable to attend the City Council meeting on December 6, 2017. |

REPORT

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| REP-17-27 | 17. | City Planning Commission meeting was held on November 21, 2017 and recommended approval to Referral No. 17-17: waiver to establish a regulated use (Tattoo Parlor/Studio) within a 500 ft. radius of other regulated uses at 3131 South Avenue. |
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RESOLUTIONS

COUNCIL AS A WHOLE:

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| RES-17-37 | 1. | Honoring and Congratulating Jerusalem Baptist Church on its 100 Year Centennial Anniversary.
<u>MOVED TO 2ND READING</u> |
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OLIVER:

- RES-17-38 2. Recognizing and congratulating Reverend Dr. William C. King, Jr. on his 5th Year Pastoral Anniversary. **MOVED TO 2ND READING**

COUNCIL AS A WHOLE:

- RES-17-39 3. Urging the Administration of the City of Youngstown to refrain from all hiring, filling or promoting any nonessential positions that are funded by the General Fund through the end of the 2017 Fiscal Year. **MOVED TO 2ND READING**

COUNCIL AS A WHOLE

- RES-17-40 4. Urging the President of the United States and the United States Congress to continue the Federal Historic Tax Credit Program. **MOVED TO 2ND READING**

ORDINANCES

MAYOR McNALLY:

- ORD-17-381 5. Authorizing the Board of Control of the City of Youngstown to enter into a professional services agreement with Julie Orto for a period of one (1) year commencing on January 1, 2018 and ending December 31, 2018. Cost of these services shall not exceed \$32,500.00. **MOVED TO 2ND READING**
- ORD-17-382 6. Authorizing the Board of Control of the City of Youngstown to enter into a professional services agreement with William "Guy" Burney for a period of twelve (12) months commencing on January 1, 2018 and ending December 31, 2018. Cost of services shall not exceed \$50,000.00. **MOVED TO 2ND READING**
- ORD-17-383 7. Authorizing the Board of Control of the City of Youngstown to enter into a grant agreement with the Office of Criminal Justice Services in the amount of \$53,327.73 for the period of July 1, 2017 through June 30, 2018. **MOVED TO 2ND READING**
- ORD-17-384 8. Authorizing the Board of Control of the City of Youngstown to enter into a contract with Motorola Solutions, Inc., 7237 Church Ranch Blvd., Westminster, Colorado 80021 to provide software for the Police Department's NET RMS and Cruiser Police Reporting Software for the 2018 Calendar Year. Expense not to exceed \$45,127.00. **MOVED TO 2ND READING**
- ORD-17-385 9. 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 Primary Effluent Pump Station / Micro Screen Improvements Project. Cost will not exceed \$30,000,000.00. **MOVED TO 2ND READING**
- ORD-17-386 10. Authorizing the Board of Control of the City of Youngstown to advertise for bids and enter into an agreement to complete additional site improvements at Princeton Avenue Water Tank (the location of the former Princeton Water Tank Tower). Estimated cost is \$102,000.00. **MOVED TO 2ND READING**
- ORD-17-387 11. Authorizing the Board of Control of the City of Youngstown to enter into all necessary professional services agreement(s) for engineering design, construction administration, and inspection services for 2018 City of Youngstown Infrastructure Improvement and Safety Upgrade Program. Funds in the amount of \$77,795.00

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will be available from the Ohio Public Works Commission and Public Works Capital Projects – Code 4102.30_5804. **MOVED TO 2ND READING**

- ORD-17-388 12. Authorizing the Board of Control of the City of Youngstown to file necessary applications and enter into a grant agreement with the Ohio Public Works Commission to provide State Capital Improvement Project Funding for the 2018 City of Youngstown Infrastructure Improvement and Safety Upgrade Program in the amount of \$1,012,226.00. **MOVED TO 2ND READING**
- ORD-17-389 13. Authorizing the Board of Control of the City of Youngstown to advertise for bids and enter into an agreement(s) with the lowest and best bidder who is responsible for the 2018 City of Youngstown Infrastructure and Improvement and Safety Upgrade. Funds in the amount of \$1,389,199.00 will be available from the Ohio Public Works Commission and Public Works Capital Projects – Code 4102.30_5804. **MOVED TO 2ND READING**
- ORD-17-390 14. Authorizing the Board of Control of the City of Youngstown to enter into any and all necessary agreements to resolve the litigation known as Kathy Miller, et. al. v. City of Youngstown; Case No. 2016 CV 00384 and authorize credits to Water customers not to exceed one million four hundred and fifty thousand dollars (\$1,450,000.00) and in addition pay reasonable attorney fees, court costs, and expenses of litigation to be covered by the Water Budget. **MOVED TO 2ND READING**
- ORD-17-391 15. Appropriating \$7,200.00 to Fund 2102.12.202_5108, Police Uniform Operating Supplies. **MOVED TO 2ND READING**
- ORD-17-392 16. Appropriating \$279,000.00 to the Police Project Reserve Fund 2106.30_5825 from Revenue collected through OptoTraffic Photo-Camera Enforcement. **MOVED TO 2ND READING**
- ORD-17-393 17. Increasing the appropriation of Code 4102.30_5804, Capital Projects - PW.MISC EXP_PW CAP Project Expense by \$220,000.00. **MOVED TO 2ND READING**
- ORD-17-394 18. Increasing the appropriation of Code 4102.30_5804, Capital Projects PW.MISC EXP_PW CAP Project Expense by \$1,466,994.00. **MOVED TO 2ND READING**
- ORD-17-395 19. To adopt and approve the appropriation of the Year 2018 Temporary Operating Budget contained in Exhibit “A”. **MOVED TO 2ND READING**
- ORD-17-396 20. Approving of a continuation of a tax exemption for all companies with active Enterprise Zone Agreements in 2016 as recommended by the Tax Incentive Review Council. **MOVED TO 2ND READING**
- ORD-17-397 21. Authorizing the Board of Control of the City of Youngstown to enter into a funding approval/agreement with the U.S. Department of Housing and Urban Development. Further, authorizing the acceptance of funds in the amount of \$4,000,000.00 for the Amphitheater Park Fund. **MOVED TO 2ND READING**
- RAY:**
- ORD-17-398 22. Authorizing the Board of Control of the City of Youngstown to negotiate terms and enter into necessary agreements with Roadkill McGillicutty Production, LLC, to provide a float loan for an amount not to exceed \$2.5 million. **MOVED TO 2ND READING**

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MAYOR McNALLY:

- ORD-17-399 23. Appropriating and disbursing of the 2017 HUD Continuum of Care Planning Grant in the amount of \$78,744.00. **MOVED TO 2ND READING**
- ORD-17-400 24. Authorizing the acceptance of funds in the amount of \$7,500.00 for Youngstown City Health District's Minority Health Month events. **MOVED TO 2ND READING**
- ORD-17-401 25. Authorizing the acceptance of funds in the amount of \$14,980.00 from a Keep America Beautiful & Marlboro Grant. **MOVED TO 2ND READING**
- ORD-17-402 26. Authorizing the acceptance of funds in the amount of \$25,000.00 for Health Education. **MOVED TO 2ND READING**
- ORD-17-403 27. Increasing the appropriation to Fund 2405.30__5802, Minority Health Planning Grant by \$7,500.00. **MOVED TO 2ND READING**
- ORD-17-404 28. Increasing the appropriation to Fund 2411.30__5802, Health Grant Project by \$25,000.00. **MOVED TO 2ND READING**

OLIVER:

- ORD-17-405 29. Authorizing the expenditure in the amount of \$500.00 from the First Ward Discretionary Fund 1001.01.001__5107, Operating Services to Northeast Homeowners and Concerned Citizens Association for a holiday food drive. **MOVED TO 2ND READING**
- ORD-17-406 30. Authorizing the expenditure in the amount of \$500.00 from the First Ward Discretionary Fund 1001.01.001__5107, Operating Services to Warriors Inc. for a holiday food drive. **MOVED TO 2ND READING**
- ORD-17-407 31. Authorizing the expenditure in the amount of \$500.00 from the First Ward Discretionary Fund 1001.01.001__5107, Operating Services for the annual First Night Youngstown event. **MOVED TO 2ND READING**
- ORD-17-408 32. Authorizing the expenditure in the amount of \$500.00 from the First Ward Discretionary Fund 1001.01.001__5107, Operating Services to The Colony Youngstown for a youth winter coat drive. **MOVED TO 2ND READING**
- ORD-17-409 33. Authorizing the expenditure in the amount of \$1,000.00 from the First Ward Discretionary Fund 1001.01.001__5107, Operating Services to the Youngstown Neighborhood Development Corporation (YNDC) for assistance with the News Block Project on the corner of Warren and Hillman. **MOVED TO 2ND READING**
- ORD-17-410 34. Authorizing the expenditure in the amount of \$1,000.00 from the First Ward Discretionary Fund 1001.01.001__5107, Operating Services to the Boys & Girls Club Backyard Project. **MOVED TO 2ND READING**
- ORD-17-411 35. Authorizing the expenditure in the amount of \$1,000.00 from the First Ward Discretionary Fund 1001.01.001__5107, Operating Services to the Youngstown Playhouse Neighborhood Safety and Beautification Project. **MOVED TO 2ND READING**

PINKARD:

- ORD-17-412 36. Authorizing the expenditure in the amount of \$500.00 from the Third Ward Discretionary Fund 1001.01.003__5107, Operating Services to the Crandall Park North Block Watch in support of a neighborhood tree planting project.

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MOVED TO 2ND READING

- ORD-17-413 37. Authorizing the expenditure in the amount of \$500.00 from the Third Ward Discretionary Fund 1001.01.003_5107, Operating Services to Upper North Heights Block Watch in support of a neighborhood tree planting project.

MOVED TO 2ND READING

- ORD-17-414 38. Authorizing the expenditure in the amount of \$500.00 from the Third Ward Discretionary Fund 1001.01.003_5107, Operating Services to the Midlothian Free Clinic.

MOVED TO 2ND READING

- ORD-17-415 39. Authorizing the expenditure in the amount of \$500.00 from the Third Ward Discretionary Fund 1001.01.003_5107, Operating Services to Crandall Park South Block Watch in support of the North Side 2018 Calendar Project.

MOVED TO 2ND READING

- ORD-17-416 40. Authorizing the expenditure in the amount of \$800.00 from the Third Ward Discretionary Fund 1001.01.003_5107, Operating Services in support of the annual First Night Youngstown celebration.

MOVED TO 2ND READING

- ORD-17-417 41. Authorizing the expenditure in the amount of \$2,500.00 from the Third Ward Discretionary Fund 1001.01.003_5107, Operating Services to support a workday for the Belmont Avenue Corridor.

MOVED TO 2ND READING

RAY:

- ORD-17-418 42. Authorizing the Director of Finance to transfer the amount of \$5,000.00 from Expense Code 1001.01.004_5101, Travel into Expense Code 1001.01.004_5107, Operating Services to be used for various community projects within the Fourth Ward.

MOVED TO 2ND READING

- ORD-17-419 43. Authorizing the expenditure in the amount of \$500.00 from the Fourth Ward Discretionary Fund 1001.01.004_5107, Operating Services to Mahoning Valley Sojourn to the Past.

MOVED TO 2ND READING

- ORD-17-420 44. Authorizing the expenditure in the amount of \$880.00 from the Fourth Ward Discretionary Fund 1001.01.004_5107, Operating Services to support the annual First Night Youngstown event.

MOVED TO 2ND READING

- ORD-17-421 45. Authorizing the expenditure in the amount of \$2,000.00 from the Fourth Ward Discretionary Fund 1001.01.004_5107, Operating Services the Rocky Ridge Neighborhood Association for neighborhood improvement projects and activities.

MOVED TO 2ND READING

- ORD-17-422 46. Authorizing the expenditure in the amount of \$4,000.00 from the Fourth Ward Discretionary Fund 1001.01.004_5107, Operating Services for expenses associated with the Garden District Neighborhood Association's neighborhood improvement projects and activities.

MOVED TO 2ND READING

- ORD-17-423 47. Authorizing the expenditure in the amount of \$6,000.00 from the Fourth Ward Discretionary Fund 1001.01.004_5107, Operating Services for cost associates with the restoration of existing murals or the creation of new murals on the exterior walls of businesses located in business corridors of the 4th Ward to beautify and stabilize the surrounding neighborhoods.

MOVED TO 2ND READING

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L. McNALLY:

ORD-17-424 48. Authorizing the expenditure in the amount of \$1,890.00 from the Fifth Ward Discretionary Fund 1001.01.005_5107, Operating Services to install high efficiency LED lights at Glenwood Community Park to make the vicinity around the park safer during evening hours. **MOVED TO 2ND READING**

ORD-17-425 49. Authorizing the expenditure in the amount of \$3,507.63 from the Fifth Ward Discretionary Fund 1001.01.005_5107, Operating Services to YNDC for continuing work on the Glenwood Avenue corridor beautification plan.

MOVED TO 2ND READING

ORD-17-426 50. Authorizing the expenditure in the amount of \$6,000.00 from the Fifth Ward Discretionary Fund 1001.01.005_5107, Operating Services to install lighting and fencing along Glenwood Avenue near the Youngstown Playhouse.

MOVED TO 2ND READING

DAVIS:

ORD-17-427 51. Authorizing the Director of Finance to transfer the amount of \$4,500.00 from Expense Code 1001.01.006_5101, Travel into Expense Code 1001.01.006_5107, Operating Services. **MOVED TO 2ND READING**

ORD-17-428 52. Authorizing the expenditure in the amount of \$200.00 from the Sixth Ward Discretionary Fund 1001.01.006_5107, Operating Services to be used by Warriors, Inc. to support the annual Harvest Food Drive event for local needy families.

MOVED TO 2ND READING

ORD-17-429 53. Authorizing the expenditure in the amount of \$500.00 from the Sixth Ward Discretionary Fund 1001.01.006_5107, Operating Services for hams for needy families and neighborhood holiday dinner. **MOVED TO 2ND READING**

OLIVER:

ORD-17-430 54. **Amending Ordinance Number 16-421**, passed by Youngstown City Council on December 21, 2016, which authorized the Board of Control of the City of Youngstown to enter into a Development Agreement with 2Deep Estates, LLC. The amendment being: **to amend the Development Agreement with 2Deeep Estates, LLC by extending the loan expiration period from March 2018 to September 2018.** **MOVED TO 2ND READING**

MAYOR McNALLY:

ORD-17-431 55. **Amending Ordinance Number 17-224**, passed by Youngstown City Council on July 27, 2017, which authorized the Board of Control of the City of Youngstown to enter into a contract, as hereto attached as Exhibit "A", with JAC Management Group, LLC, for the operational management of the Covelli Centre and Amphitheatre effective January 21, 2018 through December 31, 2022. The amendment being: **to amend the contract as reflected in the contract attached hereto and marked as Exhibit "A".** **MOVED TO 2ND READING**

ORD-17-432 56. Authorizing the City of Youngstown to accept the dedication of a 275 foot X 30 foot rectangular strip of land, 0.1894 acre along proposed City Lot Number 63089, for Hubbard Coitsville Road, as currently laid out. **MOVED TO 2ND READING**

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DAVIS:

- ORD-17-456 57. Changing the zone classification of the property located at 182 E. Midlothian Boulevard, City Lot Number 35024, currently zoned RS-7.2 (Single Family Residential) to: MU-1 (Mixed-Use Institutional).

MOVED TO PLANNING COMMISSION

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