

YOUNGSTOWN CITY COUNCIL MEETING

WEDNESDAY, SEPTEMBER 21, 2022

AGENDA

5:30 PM

COMMUNICATIONS

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| COM-22-153 | 1. | Board of Control meeting was held August 25, 2022. |
| COM-22-154 | 2. | Board of Control meeting was held September 8, 2022. |
| COM-22-155 | 3. | Design Review Committee letter re: no meeting to be held September, 2022. |
| COM-22-156 | 4. | Planning Commission meeting was held September 20, 2022. |
| COM-22-157 | 5. | AMR/Gold Cross Ambulance Service, Inc., letter re: Notice of Non-Renewal of Professional Services Agreement with the City of Youngstown No. 15-80 dated January 1, 2015 ("Agreement"). Agreement will end December 31, 2022 @ 11:59 p.m. |
| COM-22-158 | 6. | Mahoning County Commissioners Board meeting was held August 25, 2022. |
| COM-22-159 | 7. | Mahoning County Commissioners Board meeting was held September 1, 2022. |
| COM-22-160 | 8. | Mahoning County Commissioners Board meeting was held September 8, 2022. |
| COM-22-161 | 9. | Mahoning County Commissioners Board meeting was held September 15, 2022. |
| COM-22-162 | 10. | Mahoning Valley Sanitary District Board meeting was held August 31, 2022. |
| COM-22-163 | 11. | Ohio Division of Liquor Control notice re: TRFO to: Shamara Martin DBA Place Bar and Grill, LLC, 1309 Salt Springs Rd., Youngstown, OH 44509, Permit #8011155. From: James D. Precurato, DBA Molly's Bar & Restaurant, 1309 Salt Springs Rd., Youngstown, OH 44509, Permit #7062718. |
| COM-22-164 | 12. | Ohio Division of Liquor Control notice re: STCK to: 27 N. Meridian, Inc., DBA Dickey's 27 N. Meridian Rd., 1 st Fl. Youngstown, OH 44509, Permit # 9116461. |
| COM-22-165 | 13. | Ohio Division of Liquor Control notice re: TRFO to: Bobby Kaur Corp. DBA Oil Gas Mart, 2637 Glenwood Ave., Youngstown, OH 44511, Permit #0775098. From: Rimpby & Lucky, LLC, DBA Oil Gas Mart, 1 st Fl. Only, 2637 Glenwood Ave., Youngstown, OH 44511, Permit #7373390. |
| COM-22-166 | 14. | Kevin Flinn, Building & Grounds Commissioner is unable to attend City Council meeting on September 21, 2022. |
| COM-22-167 | 15. | Fred D'Amico requests permission to speak before City Council on September 21, 2022. |
| COM-22-168 | 16. | Robert Mitchelle requests permission to speak before City Council on September 21, 2022. |
| COM-22-169 | 17. | Planning Commission recommendation for APPROVAL for REF No. 04-22 re: Ward 3 – 902 Elm St. - Request by Elizabeth Khumprakob for a waiver to establish a regulated use (Second Hand Store) within 500 ft. radius of 1 other regulated use such as: 901 Elm St. The property in question is in a MU-N (Mixed Use Neighborhood) Zoning District. |

ROLL CALL VOTE

- COM-22-170 18. Planning Commission recommendation for **DENIAL** for REF No. 05-22 re: Ward 5 – 3345 Mahoning Ave. (Mahoning Plaza) - Request by Family Dollar Store #21231 for a distance waiver to establish a regulated use (retail store/off-premise consumption of packaged alcohol sales) within a 500-foot radius of 12 other regulated uses such as: 105 S. Meridian Rd., 1 N. Meridian Rd., 27 N. Meridian Rd., 3143 Mahoning Ave., 3207 Mahoning Ave., 3306 Mahoning Ave., 3310 Mahoning Ave., 3313 Mahoning Ave., 3602 Mahoning Ave., 3605 Mahoning Ave., 40 S. Meridian Rd, and 40 N. Meridian Rd. The property in question is located in a MU-C, Mixed Use-Community Zoning District. **ROLL CALL VOTE**
- COM-22-171 19. Planning Commission recommendation for **DENIAL** for REF No. 06-22 re: Ward 2 – 1833 Oak Street - Request by Family Dollar Store #28759, for a distance waiver to establish a regulated use (retail store/off premise consumption of packaged alcohol sales) within a 500-foot radius of 1 other regulated use such as: 1904 Oak St. The property in question is located in a MU-N, Mixed Use-Neighborhood Zoning District. **ROLL CALL VOTE**
- COM-22-172 20. Planning Commission recommendation for **DENIAL** for REF No. 07-22 re: Ward 6 – 2224 Market Street - Request by Family Dollar Store #21768, for a distance waiver to establish a regulated use (retail store/off premise consumption of packaged alcohol sales) within a 500-foot radius of 1 other regulated use: 2308-2312 Market Street. The property in question is located in a MU-C, Mixed Use-Community Zoning District. **ROLL CALL VOTE**

REPORTS

- REP-22-18 21. Safety Committee signed out ORD-22-273 entitled: “Amending Section 1 of Ordinance 22-83, passed by Youngstown City Council on March 16, 2022 which established the Master Salary Ordinance for the City of Youngstown to **create the position of Court Navigator, Position Number 0901-4500, within the Youngstown Municipal Court. Full-time entry wage is \$19.3305 hour/\$40,204.44 annually.**”
- REP-22-19 22. Planning Commission recommendation letter for REF No. 15-21, ORD-21-323 noting **WITHDRAWN** re: Changing the zone classification of the property located at 1001 Bears Den Road, City Lot Number 61946, currently zoned MU-N (Mixed-Use Neighborhood) to IG (Industrial Green).
- REP-22-20 23. Planning Committee signed out ORD-21-323 entitled: “Changing the zone classification of the property located at 1001 Bears Den Road, City Lot Number 61946, currently zoned MU-N (Mixed-Use Neighborhood) to IG (Industrial Green).”
- REP-22-21 24. Safety Committee signed out ORD-21-241 entitled: “Appropriating \$19,500.00 to 2107.30_5205, Federal Equitable Sharing Fund. These funds transferred to the City of Youngstown Police Department as part of the Federal Equitable Sharing Program. Funds will be used to purchase new rifles for the Crisis Response Team.”

ORDINANCES

MAYOR BROWN:

- ORD-22-320 1. Authorizing the Board of Control of the City of Youngstown to approve payment of \$37,606.22 to Wadsworth Services, for emergency replacement and installation of a kitchen AHU chiller water coil at the City-owned Covelli Centre.
- ORD-22-321 2. Authorizing the Board of Control of the City of Youngstown to approve payment in an amount not to exceed \$60,000.00 to Marucci & Gaffney Excavating for the removal of steel street light posts and fixtures along the north side of Commerce St., between Federal St. and Fifth Ave.
- ORD-22-322 3. Authorizing the Board of Control of the City of Youngstown to expend up to \$40,000.00 with Roetzel & Andress, LPA, for legal services regarding Michael Cox vs. Youngstown Civil Service Commission.
- ORD-22-323 4. Authorizing the Board of Control of the City of Youngstown to approve a blanket purchase order for the 2022 Calendar Year, in an amount not to exceed \$40,000.00, for Nesco Resources.
- ORD-22-324 5. Authorizing the Board of Control of the City of Youngstown to enter into a contract with RD Construction, LLC (lowest bidder) for replacement and maintenance of the entire roof at Fire Station #3, located at 571 N. Belle Vista Ave. Cost of the project is \$37,165.00.
- ORD-22-325 6. Authorizing the Board of Control of the City of Youngstown to enter into a one-year Community Litter Grant with the Ohio Environmental Protection Agency to provide funding in the amount of \$24,250.00 for operating expenses under community projects, for the 2022-2023 Litter Control and Recycling Program.
- ORD-22-326 7. Authorizing the Board of Control of the City of Youngstown to waive the formal bidding process, pursuant to Section 735.051 of the Ohio Revised Code, and make payment to Lindy Paving in the amount of \$36,882.68 for emergency roadway repairs on South Osborn Ave.
- ORD-22-327 8. Authorizing the Board of Control of the City of Youngstown to waive the formal bidding process, pursuant to Section 735.051 of the Ohio Revised Code, and make payment to SERVPRO in the amount of \$95,462.27, for emergency clean-up services at 20 Federal Place.
9. **OFF AGENDA**
10. **OFF AGENDA**
- ORD-22-328 11. **Amending Ordinance 22-20**, passed by Youngstown City Council on January 19, 2022 (as amended by Ordinance 22-307, passed by Youngstown City Council on August 24, 2022) which authorized the Board of Control of the City of Youngstown to approve a blanket purchase order for the 2022 Calendar Year for PeopleReady, for the not to exceed amount of \$70,000.00. The amendment being: **to increase the not to exceed amount to \$97,500.00.**
- ORD-22-329 12. Appropriating \$20,000.00 into Drug Law Enforcement Fund 2102.30_5107, Operating Services. Funds will be used for confidential narcotics investigations and equipment purchases.
- ORD-22-330 13. Appropriating \$20,000.00 into Law Enforcement Fund 2103.30_5107, Operating Services. Funds will be used for purchase of one police canine and handler training.
- ORD-22-331 14. Increasing the appropriation to Park Fund 2301.11.111_5108, Operating Supplies, by \$1,060.00. ORD-22-179 authorized the transfer of funds for the purchase of two televisions for the Stambaugh Golf Course.

- ORD-22-332 15. Increasing the appropriation to Fund 2400.07.200_5703, Miscellaneous Expenses by \$3,000.00.
- ORD-22-333 16. Increasing appropriations to Fund 2903.30_5806, Litter Control Project Expenses by \$24,250.00.
- ORD-22-334 17. Authorizing the acceptance of the Christopher & Dana Reeve Foundation Quality of Life Grant in the amount of \$5,600.00, awarded to the Department of Parks & Recreation.
- ORD-22-335 18. Increasing appropriations by \$5,600.00 in Park Fund 2301.11.111_5820, Park Project Code.

OLIVER:

- ORD-22-336 19. Authorizing the allocation of American Rescue Plan (ARP) Funds for the First Ward, in an amount not to exceed \$3,000.00, for specific ward projects, per Ordinance 22-103, as passed by Youngstown City Council on April 6, 2022. Funds will be used to support Economic Action Group (EAG) to invest in public art in Youngstown. Further, authorizing the Board of Control of the City of Youngstown to enter into a contract with Economic Action Group (EAG) for said professional services.
- ORD-22-337 20. Authorizing the allocation of American Rescue Plan (ARP) Funds for the First Ward, in an amount not to exceed \$30,000.00, for specific ward projects, per Ordinance 22-103, as passed by Youngstown City Council on April 6, 2022. Funds will be used to support a mobile fresh food solution, supporting residents of the City of Youngstown. Further, authorizing the Board of Control of the City of Youngstown to enter into a contract with Aisle One Mobile Market for said service.

MOVED TO 2ND READING

McNALLY:

- ORD-22-338 21. Authorizing the allocation of American Rescue Plan (ARP) Funds for the Fifth Ward, in an amount not to exceed \$64,898.00 for specific ward projects, per Ordinance 22-103, as passed by Youngstown City Council on April 6, 2022. Funds will be used to replace broken and unsafe sidewalks along Glenwood Avenue. Further, authorizing the Board of Control to enter into a contract with Youngstown Neighborhood Development Corporation (YNDC) for said sidewalk replacement.

DAVIS:

- ORD-22-339 22. Authorizing the Director of Finance to transfer the amount of \$5,000.00 from Sixth Ward Fund 1001.01.006_5101, Travel to Fund 1001.01.006_5107, Operating Services.
- ORD-22-340 23. Authorizing the allocation of American Rescue Plan (ARP) Funds for the Sixth Ward, in an amount not to exceed \$100,000.00, for specific ward projects, per Ordinance 22-103, as passed by Youngstown City Council on April 6, 2022. Funds would be used to provide for sidewalk replacement of approximately 3,765 linear feet of sidewalks, removal and re-curbings along the Glenwood Avenue corridor. Further, authorizing the Board of Control to enter into a contract with Youngstown Neighborhood Development Corporation (YNDC) for said sidewalk replacement services.

ADAMCZAK:

- ORD-22-341 24. Authorizing the allocation of American Rescue Plan (ARP) Funds for the Seventh Ward, in an amount not to exceed \$146,222.00, for specific ward projects, per Ordinance 22-103, as passed by Youngstown City Council on April 6, 2022. Funds will be used to ~~hire~~ **provide** a 7th Ward Quality of Life & Property Maintenance Ambassador. Further, authorizing the Board of Control to enter into a contract with Youngstown Neighborhood Development Corporation (YNDC) for said professional services. **AMENDED**

MAYOR BROWN:

- ORD-22-342 25. Removing special assessments from Ordinance 15-284, Ordinance 16-278, Ordinance 17-334, Ordinance 18-252, Ordinance 19-279, Ordinance 20-241, and Ordinance 21-354 for costs associated with the demolition, grass cutting or boarding up of structures, that were assessed by the City of Youngstown for the properties and amounts listed in attached Exhibit "A".
- ORD-22-343 26. Levying special assessments for costs associated with demolition, grass cutting, boarding up, excessive waste, and abatement that were assessed by the City of Youngstown for the properties and amounts listed in attached Exhibit "A". The ability to assess is specified in the ordinances of the City of Youngstown and Section 715.261 of the Ohio Revised Code.
- ORD-22-344 27. **Enacting Chapter 950, Comprehensive Stormwater Management** of the Codified Ordinances of the City of Youngstown which is more fully defined herein.
- ORD-22-345 28. **Enacting Chapter 951, Illicit Discharge and Illegal Connection Control** of the Codified Ordinances of the City of Youngstown which is more fully defined herein.
- ORD-22-346 29. **Enacting Chapter 952, Erosion and Sediment Control** of the Codified Ordinances of the City of Youngstown which is more fully defined herein.

SIGNED OUT OF COMMITTEE

- ORD-22-273 Amending Section 1 of Ordinance 22-83, passed by Youngstown City Council on March 16, 2022 which established the Master Salary Ordinance for the City of Youngstown to **create the position of Court Navigator, Position Number 0901-4500, within the Youngstown Municipal Court. Full-time entry wage is \$19.3305 hour/\$40,204.44 annually.** **DEFEATED**
- ORD-21-323 Changing the zone classification of the property located at 1001 Bears Den Road, City Lot Number 61946, currently zoned MU-N (Mixed-Use Neighborhood) to IG (Industrial Green). **DEFEATED**
- ORD-21-241 Appropriating \$19,500.00 to 2107.30_5205, Federal Equitable Sharing Fund. These funds transferred to the City of Youngstown Police Department as part of the Federal Equitable Sharing Program. Funds will be used to purchase new rifles for the Crisis Response Team. **DEFEATED**

PUBLIC HEARINGS

- ORD-21-22 Changing the zone classification of the property located at 1414 Kensington Avenue, City Out Lot Number 12645, currently zoned RT-5.5 (One and Two

Family Residential) to: MU-I (Mixed-Use Institutional). **PUBLIC HEARING SET FOR FRIDAY, OCTOBER 7, 2022 @ 2:00 P.M.**

ORD-21-56

Changing the zone classification of the properties located at 3112 Powers Way, City Out Lot Numbers 25878, 25879, and 25880, currently zoned RS-7.2 (Single Family Residential) to: MU-C (Mixed-Use Community). Said property is highlighted on map marked Exhibit "A", attached hereto and made a part hereof. **PUBLIC HEARING SET FOR FRIDAY, OCTOBER 7, 2022 @ 2:05 P.M.**

ORD-21-100

Changing the zone classification of the properties located at Albert Street, City Out Lot Numbers 28151, 28152, 28153, 28154, 28155, and 28156 currently zoned MU-I (Mixed-Use Institutional), to: I-G (Industrial Green), and Out Lot Number 1346 from a dual zoning of MU-I (Mixed-Use Institutional) and RT-5.5 (One and Two Family Residential) to I-G (Industrial Green). **PUBLIC HEARING SET FOR FRIDAY, OCTOBER 7, 2022 @ 2:10 P.M.**

ADJOURNMENT