

YOUNGSTOWN SPECIAL CITY COUNCIL MEETING
TUESDAY, JULY 31, 2018
AGENDA

COMMUNICATIONS

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| COM-18-133 | 1. | Notice of Special City Council Meeting for Tuesday, July 31, 2018. |
| COM-18-134 | 2. | Board of Control meeting was held June 21, 2018. |
| COM-18-135 | 3. | Board of Control meeting was held July 5, 2018. |
| COM-18-136 | 4. | Board of Control meeting was held July 23, 2018. |
| COM-18-137 | 5. | Memo from City Law Director Jeff Limbian regarding Sunshine Law - ORC 121.22 et seq. |
| COM-18-138 | 6. | Letter via email from citizen Dario Hunter regarding Taxpayer Demand under RC 733.59 to be provided written assurance of approval of Mayor Jamael Tito Brown's bond. |
| COM-18-139 | 7. | Design Review Committee meeting was held July 3, 2018. |
| COM-18-140 | 8. | City Planning Commission meeting was held July 17, 2018. |
| COM-18-141 | 9. | Mahoning County Commissioners' Board meeting was held June 21, 2018. |
| COM-18-142 | 10. | Mahoning County Commissioners' Board meeting was held July 5, 2018. |
| COM-18-143 | 11. | Mahoning County Commissioners' Board meeting was held July 11, 2018. |
| COM-18-144 | 12. | Mahoning County Commissioners' Board meeting was held July 19, 2018. |
| COM-18-145 | 13. | Mahoning County Commissioners' Board meeting was held July 26, 2018. |
| COM-18-146 | 14. | Mahoning Valley Sanitary District meeting was held June 27, 2018. |
| COM-18-147 | 15. | YNDC April-June 2018 Quarterly Revitalization report. |
| COM-18-148 | 16. | Letter from Fresh Coast Capital regarding their rebranding to Greenprint Partners. |
| COM-18-149 | 17. | Letter from Ohio EPA regarding Public Notice # OEPA 18-07-076 DFT for NPDES permits or modifications from applicant Chrystal Owens, Owner dba Owens Residence His & Hers Beauty Salon & Barber, 4600 Wilson Sharpsville Rd., Fowler, OH 44418. |
| COM-18-150 | 18. | Ohio Division of Liquor Control notice re: NEW - Permit # 67484230005: Michael Anthony Patrick dba West Side Pub, 3502 Mahoning Avenue, Youngstown, Ohio 44509. |
| COM-18-151 | 19. | Ohio Division of Liquor Control notice re: NEW - Permit #0408747: Jerome W. Donnelly, 1633 McGuffey, Youngstown, Ohio 44505. |
| COM-18-152 | 20. | Ohio Division of Liquor Control notice re: NEW - Permit #8548415: Stella Rossa Limited dba Republic Pizzeria and Pub, 133 Lincoln Ave., Youngstown, Ohio 44503. |
| COM-18-153 | 21. | Ohio Division of Liquor Control letter notice of appeal on July 19, 2018 at 10:30 a.m. regarding: Permit #6325837-0010, Carmen Neapolitan dba Chelles, 1329 East Indianola Avenue, 1 st Fl., Youngstown, Ohio 44502. |
| COM-18-154 | 22. | Mayor Tito Brown is unable to attend City Council meeting on July 31, 2018. |

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- COM-18-155 23. Appointment of Vernard Richberg to a 3 year term as a Mahoning Valley Sanitary District Board member.

ROLL CALL VOTE

REPORTS

- REP-18-12 24. Planning Commission recommended approval of Referral No. 7-18, ORD-18-96 entitled "Changing the zone classification of the property located on N. Blaine Avenue, City Lot Numbers 7635 (Parcel Number 53-34-293), 7635 (Parcel Number 53-34-294) and located on N. Center Street, City Lot Number 7636 (Parcel Number 53-34-305), currently zoned RS-5.5 (One and Two Family Residential) to MU-C (Mixed Use Community)."
- REP-18-13 25. Planning Commission recommended approval of Referral No. 12-18, ORD-18-186 entitled "Changing the zone classification of the property located on E. Wood Street, City Lot Numbers 448, 449 (Parcel Number 53-23-311), 449 (Parcel Number 53-23-310) and 450, currently zoned MU-1 (Mixed Use Institutional) to: IG (Industrial Green)."
- REP-18-14 26. Planning Commission recommended approval of Referral No. 13-18, entitled "Request by Dominic J. Marchionda for a waiver to establish a regulated use (Restaurant, Bistro 1907) within a 500 ft. radius of another regulated use such as: establishments located in the Entertainment District of Downtown Youngstown. The property in question is located at 44 E. Federal Street in a MU-FD, Mixed-Use-Downtown Form Zoning District."
- REP-18-15 27. Safety Committee signed out ORD-18-187 entitled: "Appropriating \$198,500.00 to Fund 2106.30_5825, the Police Project Reserve Fund from revenue collected through OptoTraffic photo-camera enforcement."
- REP-18-16 28. Safety Committee signed out ORD-18-188 entitled: "Authorizing the Board of Control of the City of Youngstown to approve the purchase of four (4) new police vehicles from multiple vendor(s) awarded the State of Ohio Cooperative Purchasing Contract or vendors who will match pricing from said contract. Cost will not exceed \$198,500.00."

CERTIFICATES

- CERT-18-01 29. Fiscal Officer's Certificate (Vehicle Acquisition Notes) dated 7/25/2018: in connection with the proposed issue of notes, to pay costs of acquiring vehicles for the City Service Department including front-end loaders, tractors and trailers (the "improvement").
- CERT-18-02 30. Fiscal Officer's Certificate (Taxable Convocation Center Notes) dated 7/25/2018: in connection with the proposed issue of notes, to pay a portion of the costs of constructing the City's Convocation Center, including related public parking facilities and public plaza improvements and the acquisition of real estate and site preparation related thereto (the "improvements").

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RESOLUTIONS

COUNCIL AS A WHOLE:

- RES-18-16 1. Honoring Philomena Tiberio as the 2018 Greater Youngstown Italian Fest Woman of the Year.
- RES-18-17 2. Honoring John Gabriele as the 2018 Greater Youngstown Italian Fest Man of the Year.

PINKARD:

- RES-18-18 3. Honoring and congratulating Juanita Fleming Williams on her meritorious service and contributions to the community as a founding member of the Junior Civic League.
- RES-18-19 4. Honoring and congratulating Mrs. Geneva Mason on her meritorious service and contributions to the community as a founding member of the Junior Civic League.

ORDINANCES

MAYOR BROWN:

- ORD-18-194 5. Providing for the issuance and sale of notes in the principal amount of \$500,000.00 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.
- ORD-18-195 6. Providing for the issuance and sale of notes in the principal amount of \$8,360,000.00 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.
- ORD-18-196 7. Authorizing the Board of Control of the City of Youngstown to enter into a professional services agreement with Jonathan Bentley for a period of twelve (12) months commencing July 1, 2018 and ending June 30, 2019.
- ORD-18-197 8. Authorizing the Board of Control of the City of Youngstown to enter into a contract with the lowest and best bidder for the asbestos abatement, demolition, site clearance, backfill, and grading of various structures located in the City of Youngstown. Cost will not exceed \$350,000.00.
- ORD-18-198 9. Authorizing the Board of Control of the City of Youngstown to enter into a contract with the lowest and best bidder who is responsible for interim disinfection improvements. Cost will not exceed \$185,000.00.
- ORD-18-199 10. Authorizing the Board of Control of the City of Youngstown to advertise for bids and enter into a contract for the waterline replacement project on Ferndale Avenue from Glenwood Avenue to Hudson Avenue. Estimated cost is \$506,252.25.
- ORD-18-200 11. Authorizing the Board of Control of the City of Youngstown to approve payment in the amount of \$34,769.00 to the Ohio Water Development Authority. Expense is based on 0.35% for Ohio Water Development Authority overhead expenses including legal and financial services fees for WWTP electrical upgrade improvements.
- ORD-18-201 12. Authorizing the Board of Control of the City of Youngstown to renew and enter into the Mutual Aid Agreement between Youngstown State University (YSU) and

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the Youngstown Police Department. Agreement will be for a period of four (4) years commencing August 1, 2018 and ending July 31, 2022.

- ORD-18-202 13. Authorizing the Director of Finance to declare a 1952 LaFrance Open Cab Diesel Powered Firetruck as surplus. **MOVED TO SAFETY COMMITTEE**
- ORD-18-203 14. Authorizing the Board of Control of the City of Youngstown to enter into a contract with the best overall bidder for a 1952 American LaFrance Open Cab Diesel Powered Firetruck. **MOVED TO SAFETY COMMITTEE**
- ORD-18-204 15. Authorizing the Board of Control of the City of Youngstown to enter into a contract not to exceed \$95,300.00 with Pierce Refurbishment Center, 816 Commercial Ave., Weyauwega, Wisconsin for the replacement of the frame on Engine 7 Pumper that is housed at Elm/Madison.
- ORD-18-205 16. Authorizing the Board of Control of the City of Youngstown to approve the purchase of used vehicles from the General Services Administration, State of Ohio, or the Commonwealth of Pennsylvania. Total combined purchase cost of these vehicles will not exceed \$48,250.00.
- ORD-18-206 17. Appropriating \$48,250.00 to Fund 2106.30__5825, The Police Project Reserve Fund from revenue collected through OptoTraffic Photo-Camera Enforcement.
- ORD-18-207 18. Authorizing the Board of Control of the City of Youngstown to sell the property located at 1005 Belmont Ave., Youngstown, Ohio that was declared a public nuisance by City Council on February 1, 2016 pursuant to the Spot Blight Ordinance to Mercy Health Youngstown, LLC. Maximum sum owed by Mercy of \$450,000.00.
- MAYOR BROWN & OLIVER:**
- ORD-18-208 19. Authorizing the Board of Control of the City of Youngstown to negotiate terms and enter into a Development Agreement with Western Reserve Port Authority as owner of real estate and Eastern Gateway Community College, as operator, for the purchase and renovation of 101-105 E. Boardman Street. City assistance proposed: a water grant not to exceed \$32,000.00.
- MAYOR BROWN:**
- ORD-18-209 20. Authorizing the Board of Control of the City of Youngstown to enter into an Enterprise Zone Agreement with Youngstown Tool and Die Company for a ten-year, 75% abatement of real property taxes.
- ORD-18-210 21. Authorizing the Board of Control of the City of Youngstown to enact the requirement of Rudick Forensic Engineering to repay taxes for the period of 2015-2017 on property that would have been payable had the property not been exempted from taxation as granted in its Enterprise Zone Agreement.
- ORD-18-211 22. Approving of a continuation of a tax exemption for all companies with active Enterprise Zone Agreements in 2017 listed on attached Exhibit "A", as recommended by the Tax Incentive Review Council Investment and employment information for all companies was presented on June 19, 2018 and determined to be satisfactory for continuation of a tax exemption.
- ORD-18-212 23. Appropriating \$50,000.00 into Funding Code 4106.03.300__5202 for additional costs associated with the acquisition of property bounded by Oak Street, Lane Avenue, Himrod Avenue, and the Madison Avenue Expressway identified and in

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accordance with the Amended Near East Side Urban Renewal Plan passed by Council on April 4, 2018.

RODGERS:

- ORD-18-213 24. Authorizing the acceptance of a Keep America Beautiful/Lowe's Community Partners Grant for \$20,000.00. Funds will be used to clean up and improve Lincoln Park walking path.

MAYOR BROWN:

- ORD-18-214 25. Transferring \$8,621.93 from Project Emergency Solutions Grant (ESG) 16-17 – CDA ESG 16.17 – Activity – MYCAP to Project Emergency Solutions Grant 16-17 – CDA ESG 16/17 – Activity – CCRA – Housing Stability.

- ORD-18-215 26. Removing a special assessment in accordance with Ordinance 15-284, Ordinance 16-278 or Ordinance 17-334, for costs associated with the demolition, grass cutting, or boarding up that was assessed by the City of Youngstown for the properties and amounts listed in Exhibit "A".

OLIVER:

- ORD-18-216 27. Authorizing the expenditure in the amount of \$500.00 from the First Ward Discretionary Fund 1001.01.001_5107, Operating Services to help defray the costs of providing transportation to the City's elderly population to get groceries and other essentials.

RODGERS:

- ORD-18-217 28. Authorizing the expenditure in the amount of \$500.00 from the Second Ward Discretionary Fund 1001.01.002_5107, Operating Services into Fund 1006.30_5816, Federal Plaza. Funds will be used to help defray the costs of the Michael Anthony Production Theater Performance taking place downtown at Powers Auditorium.

- ORD-18-218 29. Authorizing the expenditure in the amount of \$1,000.00 from the President of Council Discretionary Fund 1001.01.008_5107, Operating Services into Fund 1006.30_5816, Federal Plaza. Funds will be used to help defray the costs of the Michael Anthony Production Theater Performance taking place downtown at Powers Auditorium.

PINKARD:

- ORD-18-219 30. Authorizing the expenditure in the amount of \$500.00 from the Third Ward Discretionary Fund 1001.01.003_5107 to help defray the cost of a neighborhood grass cutting project within the Third Ward.

ADAMCZAK:

- ORD-18-220 31. Authorizing the expenditure in the amount of \$500.00 from the Seventh Ward Discretionary Fund 1001.01.007_5107, Operating Services to help defray the costs of providing transportation to the City's elderly population to get groceries and other essentials.

MAYOR BROWN:

- ORD-18-221 32. **Amending Section 1 of Ordinance No. 18-32**, passed by Youngstown City Council on April 4, 2018, which established the Master Salary Ordinance for the City of Youngstown to **amend the job title of Position No. 5101-4000**,

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Construction Engineer Waste Water to Construction Coordinator Waste Water, and decreasing the hourly rate.

- ORD-18-222 33. **Amending Section 163.25, Exposure Allowance, Waste Water Treatment Plant** to increase from \$275.00 to \$805.00.
- ORD-18-223 34. **Amending the Codified Ordinance of the City of Youngstown: Enacting Section 163.68, Exposure Allowance, Street Department,** in the amount of \$805.00.
- ORD-18-224 35. **Enacting Section 521.16, Environmental Sanitation Enterprise Fund.**
- ORD-18-225 36. **Amending Section 979.17, Homestead Exemption of the Codified Ordinances of the City of Youngstown.**
- ORD-18-226 37. **Amending Section 1503.01, Adoption,** of the 2017 Ohio Fire Code (OFC) as adopted by the Ohio Division of State Fire Marshal, Department of Commerce.
- ORD-18-227 38. Authorizing the City of Youngstown to accept the dedication of a strip of land, a 391.32 foot X 33 foot rectangular strip of land, 0.2966 acres along proposed City Lot Number 63095 and 63094 for N. Meridian Road.
- ORD-18-228 39. Authorizing the City of Youngstown, pursuant to Ohio Revised Code 723.06 to provide for the vacation of the westerly part of California Street, a 25 X 134 foot right-of-way, as shown on the attached map marked Exhibit "A".

MOVED TO PLANNING COMMISSION

SIGNED OUT OF COMMITTEE

- ORD-18-187 Appropriating \$198,500.00 to Fund 2106.30_5825, the Police Project Reserve Fund from revenue collected through OptoTraffic photo-camera enforcement.
- ORD-18-188 Authorizing the Board of Control of the City of Youngstown to approve the purchase of four (4) new police vehicles from multiple vendor(s) awarded the State of Ohio Cooperative Purchasing Contract or vendors who will match pricing from said contract. Cost will not exceed \$198,500.00.

THIRD READING

- ORD-18-133 Authorizing the Board of Control of the City of Youngstown to enter into multiple grass cutting contracts with private contractors. Total mowing budget will not exceed \$200,000.00. No contractor will be paid more than \$25,000.00.

PUBLIC HEARINGS

- ORD-18-96 Changing the zone classification of the property located on N. Blaine Avenue, City Lot Numbers 7635 (Parcel Number 53-34-293), 7635 (Parcel Number 53-34-294) and located on N. Center Street, City Lot Number 7636 (Parcel Number 53-34-305), currently zoned RS-5.5 (One and Two Family Residential) to MU-C (Mixed Use Community). **PUBLIC HEARING SET FOR AUGUST 3, 2018 @ 2:30 PM**
- ORD-18-186 Changing the zone classification of the property located on E. Wood Street, City Lot Numbers 448, 449 (Parcel Number 53-23-311), 449 (Parcel Number 53-23-

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310) and 450, currently zoned MU-1 (Mixed Use Institutional) to: IG (Industrial Green). **PUBLIC HEARING SET FOR AUGUST 24, 2018 @ 2:30 PM**

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