

CITY COUNCIL MEETING
WEDNESDAY, MARCH 15, 2023

***MEETING HELD AT COVELLI CENTRE COMMUNITY ROOM**

CITY COUNCIL CONVENED IN REGULAR SESSION AT 5:30 PM AND WAS CALLED TO ORDER BY PRESIDENT TOM HETRICK. ON A CALL OF THE ROLL, THE FOLLOWING MEMBERS RESPONDED TO THEIR NAMES: BASIA ADAMCZAK, ANITA DAVIS, JIMMY HUGHES, , JULIUS OLIVER, MIKE RAY SAMANTHA TURNER AND TOM HETRICK, 7. PATRICK KELLY WAS ABSENT. THE MINUTES FROM FEBRUARY 15, 2023 AND MARCH 1, 2023 WERE APPROVED. COUNCIL SWORE ALLEGIANCE TO THE FLAG.

COMMUNICATIONS

COM-23-40 PRESIDENT OF COUNCIL TOM HETRICK NOTICE: CITY COUNCIL WILL MEET ON WEDNESDAY, MARCH 15, 2023 AT 5:30 P.M. IN THE COMMUNITY ROOM AT THE COVELLI CENTRE. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-23-41 BOARD OF CONTROL MEETING WAS HELD MARCH 9, 2023. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-23-42 FIRE CHIEF BARRY FINLEY LETTER DATED MARCH 9, 2023 RE: THE CITY HALL FIRE ESCAPE IS DEEMED UNSAFE AND THEREFORE CITY COUNCIL CHAMBERS SHALL NOT BE USED TO HOLD PUBLIC MEETINGS OF ANY KIND UNTIL FURTHER NOTICE. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-23-43 MAHONING COUNTY COMMISSIONERS BOARD MEETING WAS HELD MARCH 2, 2023. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-23-44 MAHONING COUNTY COMMISSIONERS BOARD MEETING WAS HELD MARCH 8, 2023. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-23-45 OHIO DIVISION OF LIQUOR CONTROL NOTICE RE: NEW TO: DOLGEN MIDWEST, LLC DBA DOLLAR GENERAL STORE 24401. 1001 BEARS DEN RD., YOUNGSTOWN, OH 44511, PERMIT #22348159315. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-23-46 MAHONING VALLEY SANITARY DISTRICT BOARD MEETING WAS HELD MARCH 8, 2023. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-23-47 COUNCILMAN PAT KELLY IS UNABLE TO ATTEND THE CITY COUNCIL MEETING ON MARCH 15, 2023. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-23-48 COUNCILWOMAN SAMANTHA TURNER IS UNABLE TO ATTEND THE CITY COUNCIL MEETING ON MARCH 15, 2023. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-23-49 NINA SHUTACK REQUESTS PERMISSION TO SPEAK BEFORE CITY COUNCIL ON MARCH 15, 2023. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-23-50 ERIC GARRETT REQUESTS PERMISSION TO SPEAK BEFORE CITY COUNCIL ON MARCH 15, 2023. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-23-51 RHONDA GILMER REQUESTS PERMISSION TO SPEAK BEFORE CITY COUNCIL ON MARCH 15, 2023. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-23-52 JIMMA MCWILSON REQUESTS PERMISSION TO SPEAK BEFORE CITY COUNCIL ON MARCH 15, 2023. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-23-53 ESID (ENERGY SPECIAL IMPROVEMENT DISTRICT) BOARD NOMINATION AND APPOINTMENT OF JUAN SANTIAGO. ROLL CALL VOTE TO CONFIRM THE APPOINTMENT: YEAS, 6. NAYS, NONE.

RESOLUTIONS

RES-23-05 STRONGLY URGING THE OHIO GOVERNOR AND MEMBERS OF THE OHIO GENERAL ASSEMBLY TO RESTORE THE LOCAL GOVERNMENT FUND TO PRE-RECESSION LEVELS. WAS READ THE FIRST TIME AND UPON MOTION OF MR. RAY THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE RESOLUTION WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

RES-23-06 HONORING JAMES ANDREW HUGHES AS 2023 AOH IRISH MAN OF THE YEAR. WAS READ THE FIRST TIME AND UPON MOTION OF MR. RAY THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE RESOLUTION WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

RES-23-07 HONORING LINDA KAY LAMBERT AS 2023 AOH IRISH WOMAN OF THE YEAR. WAS READ THE FIRST TIME AND UPON MOTION OF MR. RAY THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE RESOLUTION WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORDINANCES

ORD-23-84 ADOPTING AND ESTABLISHING THE MASTER SALARY FOR THE CITY OF YOUNGSTOWN, CONTAINED IN EXHIBIT "A" HERETO ATTACHED AND MADE A PART HEREOF, WHICH INCORPORATES ALL AMENDMENTS TO DATE; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. RAY THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-23-85 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO APPROVE THE PURCHASE OF CONCRETE MATERIAL FROM T.C. REDI-MIX YOUNGSTOWN, IN THE AMOUNT OF \$115,000.00 FOR THE YOUNGSTOWN WATER DEPARTMENT FOR CALENDAR YEAR 2023; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. RAY THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-23-86 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO APPROVE PAYMENTS TO SIGNAL 88 SECURITY TO PROVIDE SECURITY IN THE CITY PARKS FROM JANUARY 2023 THROUGH DECEMBER 2023.

PAYMENTS ARE NOT TO EXCEED \$185,000.00; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. RAY THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6, NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-23-87 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO APPROVE A BLANKET PURCHASE ORDER FOR CALENDAR YEAR 2023, IN AN AMOUNT NOT TO EXCEED \$35,000.00, FOR LEXISNEXIS; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. RAY THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-23-88 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO NEGOTIATE AND ACQUIRE FEE TITLE TO VARIOUS PARCELS OF LAND, AND ENTER INTO ANY NECESSARY AGREEMENTS FOR TEMPORARY ACCESS EASEMENTS ACQUISITION OF PARCELS OR RIGHTS OF ENTRY RELATED TO CRESCENT STREET, WEST AVENUE, CENTER STREET AND MAHONING AVENUE DAM REMOVAL PROJECT. TOTAL COST WILL NOT EXCEED \$75,000.00; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. RAY THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, 1.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 6. NAYS, 1.

ORD-23-89 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO SOLICIT PROPOSALS, NEGOTIATE AND ENTER INTO A CONTRACT WITH PRE-QUALIFIED FIRMS TO PROVIDE DESIGN SERVICES AND CONSTRUCTION FOR THE REMOVAL OF LOW HEAD DAMS IN THE MAHONING RIVER AT 3 LOCATIONS. TOTAL COST OF THE PROJECT WILL NOT EXCEED \$6,200,000.00; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON

MOTION OF MR. RAY THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-23-90 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ENTER INTO A CONTRACT WITH MS CONSULTANTS, INC., FOR FIELD EVALUATION AND CONDITION ASSESSMENT OF THREE COMBINED SEWER OVERFLOWS (CSO) AND OUTFALLS, LOCATED NEAR MARSHALL STREET, AND OUTFALL DIRECTLY INTO THE MAHONING RIVER. COST WILL NOT EXCEED \$47,000.00; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. RAY THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-23-91 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ENTER INTO A CONTRACT WITH THE MOST QUALIFIED CONSULTANT TO PROVIDE CONSULTING SERVICES TO ENSURE SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4) PERMIT COMPLIANCE. COST WILL NOT EXCEED \$250,000.00; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. RAY THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-23-92 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ENTER INTO A CONTRACT WITH RD CONSTRUCTION, LLC, (LOWEST BIDDER), FOR THE REPLACEMENT AND MAINTENANCE OF THE ENTIRE ROOF AT FIRE STATION #6, LOCATED AT 1817 SHEHY STREET. COST WILL NOT EXCEED \$69,400.00; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. RAY THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-23-93 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO EXECUTE AN AGREEMENT WITH THE LOWEST BID VENDOR FOR THE INSTALLATION, CABLING, AND WARRANTIES FOR APPROXIMATELY 70 CAMERAS TO BE LINKED VIA CAMERA MONITORING SOFTWARE IN AND AROUND THE COVELLI CENTRE, WEAN PARK AND THE FOUNDATION AMPHITHEATRE. COST WILL NOT EXCEED \$140,000.00; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. RAY THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-23-94 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO EXECUTE AN AGREEMENT WITH THE LOWEST BID VENDOR FOR THE INSTALLATION OF FIBER AND ETHERNET CABLING, WIRELESS ACCESS POINTS, ANTENNAS AND NETWORK CLOSETS IN AND AROUND THE COVELLI CENTRE, WEAN PARK, AND THE FOUNDATION AMPHITHEATRE, TO ADD INTERNET ACCESS. COST WILL NOT EXCEED \$98,000.00; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. RAY THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-23-95 GRANTING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN THE AUTHORITY TO EXECUTE A WAIVER AND AMENDMENT AGREEMENT BETWEEN THE CITY OF YOUNGSTOWN AND YOUNGSTOWN STAMBAUGH HOTEL, LLC. THE HOTEL OWNERSHIP RECENTLY RECEIVED APPROVAL FROM THE OHIO WATER DEVELOPMENT AUTHORITY (OWDA) TO RESTRUCTURE ITS LOAN TO THE HOTEL OF \$4.9 MILLION, THE CLOSING OF WHICH IS CONTINGENT ON REACHING AN AGREEMENT WITH THE CITY ON RESTRUCTURING THE CITY LOAN (\$845,128.00) UNDER THE SAME TERMS; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. RAY **WAS MOVED TO THE FINANCE COMMITTEE.**

ORD-23-96 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ENTER INTO A NEW AGREEMENT FOR THE SUPPLY OF WATER TO THE RESIDENTS LOCATED IN THE ABC WATER DISTRICT'S DESIGNATED AREA; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. RAY THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-23-97 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ENTER INTO ALL NECESSARY AGREEMENTS AND PROVIDE CONSENT, PURSUANT TO O.R.C. 5521.01, FOR ODOT PROJECTS MAH-IR 680-09.30 NOISE WALLS, PID NO. 110931. THE PROJECT WILL CONSIST OF THE CONSTRUCTION OF NOISE WALLS ALONG THE EASTERN SIDE OF I-680 IN THE CITY OF YOUNGSTOWN. STATE SHALL ASSUME AND BEAR 100% OF THE COSTS OF THE IMPROVEMENT; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. RAY THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-23-98 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT, IN AN AMOUNT NOT TO EXCEED \$45,000.00 WITH CLEMANS, NELSON & ASSOCIATES, INC., FOR NEGOTIATION AND CONSULTATION SERVICES RELATIVE TO THE CITY OF YOUNGSTOWN'S COLLECTIVE BARGAINING AGREEMENTS FOR A ONE-YEAR PERIOD; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. RAY THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-23-99 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH MATTHEW R. MORGAN AS THE GOLF MANAGER AT THE HENRY STAMBAUGH GOLF COURSE FROM MARCH 1, 2023 THROUGH NOVEMBER 30, 2023. COST WILL NOT EXCEED \$45,000.00; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. RAY THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-23-100 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH ARCADIS U.S., INC. FOR A LEAD SERVICE LINE (LSL) INVENTORY AND MAP UPDATE. COST WILL NOT EXCEED \$50,000.00; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. RAY THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-23-101 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ENTER INTO ALL NECESSARY PROFESSIONAL SERVICES AGREEMENTS TO PROVIDE PLANNING, INSPECTION AND CONSTRUCTION ADMINISTRATION SERVICES, AND TESTING SERVICES FOR 2023 CITY-WIDE STREET RESURFACING. COST WILL NOT EXCEED \$80,000.00; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. RAY THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-23-102 AUTHORIZING THE EXPENDITURE OF AN AMOUNT NOT TO EXCEED \$3,152.00 FROM THE FIFTH WARD DISCRETIONARY FUND TO BE USED BY CITY PRINTING FOR MAILERS FOR THE FIFTH WARD; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE

EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. RAY THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-23-103 AMENDING SECTION 1 OF ORDINANCE NO. 22-83, PASSED BY YOUNGSTOWN CITY COUNCIL ON MARCH 16, 2022, WHICH ESTABLISHED THE MASTER SALARY ORDINANCE FOR THE CITY OF YOUNGSTOWN, THE AMENDMENT BEING: TO CREATE THE FOLLOWING POSITION WITHIN THE DEPARTMENT OF PUBLIC WORKS, WASTEWATER TREATMENT PLANT: POSITION NO. 5101-2500, STORM WATER COMPLIANCE COORDINATOR; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. RAY THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-23-104 AMENDING SECTION 163.14, UNIFORM AND EQUIPMENT ALLOWANCES FOR WATER DEPARTMENT, OF THE CODIFIED ORDINANCES OF THE CITY OF YOUNGSTOWN, AS FULLY DEFINED HEREIN: TO ADD THE FOLLOWING POSITIONS FOR REIMBURSEMENT FOR UNIFORM EXPENSES: COMPUTER SPECIALIST 1 AND WATER QUALITY COMPLIANCE COORDINATOR; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. RAY THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-23-105 AMENDING ORDINANCE 22-378, PASSED BY YOUNGSTOWN CITY COUNCIL ON OCTOBER 19, 2022 WHICH AUTHORIZED THE ALLOCATION OF AMERICAN RESCUE PLAN (ARP) FUNDS FOR THE FIRST WARD, IN THE AMOUNT OF \$300,000.00 TO THE YOUNGSTOWN NEIGHBORHOOD DEVELOPMENT CORPORATION (YNDC), FOR PARK PROJECTS, PER ORDINANCE 22-282, AS PASSED BY YOUNGSTOWN CITY COUNCIL ON JULY 27, 2022. THE AMENDMENT BEING: TO EDIT THE FIRST, SECOND AND THIRD PARAGRAPHS OF THE CAPTION, AND SECTIONS 1, 2, 3 AND 5, TO OMIT ALL REFERENCES TO "THE YOUNGSTOWN NEIGHBORHOOD DEVELOPMENT CORPORATION (YNDC)" AND INSERT "ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT WITH THE LOWEST AND

BEST BIDDER" IN PARAGRAPH 3 OF THE CAPTION, AND SECTIONS 3 AND 5; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. RAY THE SUSPENSION OF THE RULES OF COUNCIL WERE VOTED UPON WITH A VOTE OF YEAS, 5. NAYS, 1.

PRESIDENT HETRICK NOTED THERE WERE NOT ENOUGH VOTES TO SUSPEND THE RULES OF COUNCIL.

UPON MOTION OF MR. RAY, SECONDED BY MR. OLIVER, THE ORDINANCE **WAS MOVED TO A SECOND READING.**

ORD-23-106 AMENDING ORDINANCE 22-305, PASSED BY YOUNGSTOWN CITY COUNCIL ON AUGUST 24, 2022 WHICH AUTHORIZED THE ALLOCATION OF AMERICAN RESCUE PLAN (ARP) FUNDS FOR THE SEVENTH WARD, IN AN AMOUNT NOT TO EXCEED \$130,685.00 FOR SPECIFIC PARK PROJECTS, PER ORDINANCE 22-103, AS PASSED BY YOUNGSTOWN CITY COUNCIL ON APRIL 6, 2022. THE AMENDMENT BEING: TO EDIT THE THIRD PARAGRAPH OF THE CAPTION, SECTION 3 AND SECTION 4, TO READ AS FOLLOWS: 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 SAID SERVICES RELATED TO THE LYNN PARK IMPROVEMENT PROJECT; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. RAY THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

ORD-23-107 AMENDING ORDINANCE 22-306, PASSED BY YOUNGSTOWN CITY COUNCIL ON AUGUST 24, 2022 WHICH AUTHORIZED THE ALLOCATION OF AMERICAN RESCUE PLAN (ARP) FUNDS FOR THE SEVENTH WARD, IN AN AMOUNT NOT TO EXCEED \$300,000.00 FOR PARK PROPERTY IMPROVEMENTS PER ORDINANCE 22-282, AS PASSED BY YOUNGSTOWN CITY COUNCIL ON JULY 27, 2022. THE AMENDMENT BEING: TO EDIT THE THIRD PARAGRAPH OF THE CAPTION, SECTION 3 AND SECTION 4, TO READ AS FOLLOWS: 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 SAID SERVICES RELATED TO THE LYNN PARK IMPROVEMENT PROJECT; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY

LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. RAY THE SUSPENSION OF THE RULES OF COUNCIL WERE VOTED UPON WITH A VOTE OF YEAS, 5. NAYS, 1.

PRESIDENT HETRICK NOTED THERE WERE NOT ENOUGH VOTES TO SUSPEND THE RULES OF COUNCIL. HE ASKED IF THERE IS A MOTION TO MOVE ITEM TO A 2ND READING.

COUNCILWOMAN ADAMCZAK ASKED THE ADMINISTRATION IF IT HINDERED ANYTHING IF IT DIDN'T PASS AS AN EMERGENCY LEGISLATION.

MR. MIASEK ANSWERED NO, IT WOULD NOT.

COUNCILWOMAN ADAMCZAK REQUESTED THAT THE VOTE MOVE FORWARD.

UNINTELLIGIBLE

COUNCILWOMAN ADAMCZAK AGREED THAT IT HAD TO GO TO A SECOND READING.

PRESIDENT HETRICK ASKED IF THERE WAS A MOTION TO MOVE IT TO A SECOND READING.

UPON MOTION OF MR. RAY, SECONDED BY MS. ADAMCZAK, THE ORDINANCE ***WAS MOVED TO A SECOND READING.***

ORD-23-108 REMOVING SPECIAL ASSESSMENTS FROM ORDINANCE 22-87 FOR COSTS ASSOCIATED WITH WHITEWAY LIGHTING, THAT WERE ASSESSED BY THE CITY OF YOUNGSTOWN FOR THE PROPERTIES AND AMOUNTS LISTED IN ATTACHED EXHIBIT "A". THESE ASSESSMENTS HAVE BEEN SATISFIED THROUGH COLLECTION OR HAVE BEEN APPROVED FOR REMOVAL BY THE CITY OF YOUNGSTOWN SPECIAL ASSESSMENT BOARD; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. RAY THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

LATE

ORD-23-109 RATIFYING THE TENTATIVE AGREEMENT BETWEEN THE YOUNGSTOWN WASTE WATER EMPLOYEES LOCAL 725 AND THE CITY OF YOUNGSTOWN; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. RAY THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 6. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE.

REMARKS

COUNCILWOMAN TURNER THANKED HER COLLEAGUES FOR SUPPORTING RESOLUTION 23-05, AS 10 YEARS AGO UNDER GOVERNOR KASICH FUNDING WAS REDUCED FROM 3.6 DOWN TO 1.6, AND NOW WITH THE STATE HAVING INCREASED REVENUE, SHE BELIEVES THE FUND CAN BE PUT BACK TO AT MINIMUM THE PRIOR NUMBER. THE CITY OF YOUNGSTOWN HAS LOST OVER \$14 MILLION FROM THAT FUND BEING CUT. SHE ALSO STATED THAT THERE WOULD BE A TOWN HALL ON THE SCHOOL ZONE CAMERAS TUESDAY, MARCH 21ST AT THE JEWISH COMMUNITY CENTER.

COUNCILWOMAN DAVIS MENTIONED THAT AN INDIVIDUAL CALLED HER AND STATED HE FELT THE SCHOOL ZONE SPEED CAMERAS ARE ILLEGAL AS A POLICE OFFICER NEEDED TO BE PRESENT PER ORC 4911.093(B)1. SHE CONTACTED ATTORNEY JEFF LIMBIAN, AND DISCOVERED THAT A POLICE OFFICER BEING PRESENT WAS RULED UNCONSTITUTIONAL AS THE CITY OF YOUNGSTOWN HAS HOME RULE AUTHORITY.

ATTORNEY LIMBIAN STATED THAT COUNCILWOMAN DAVIS IS ACCURATE.

COUNCILMAN OLIVER STATED THAT AFTER SPEAKING WITH THE PARK DIRECTOR AND THE MAYOR, IT WAS HIS UNDERSTANDING THAT THE LEGISLATION HE SPONSORED (ORD-23-105) WAS BEING DEALT WITH IN THE CORRECT MANNER. HE ASKED WHY COUNCILWOMAN TURNER VOTED AGAINST IT, AS HIS RESIDENTS HAVE BEEN WAITING A LONG TIME FOR THIS PARK TO BE DONE.

COUNCILWOMAN TURNER ANSWERED THAT WHEN THE PARK DIRECTOR PRESENTS THE PLAN ON BEHALF OF THE ADMINISTRATION THEN WE CAN MOVE FORWARD WITH THESE DOLLARS WE PUT TOWARD THE PARK. WE DON'T WRITE

THE PLAN, SPEND THE MONEY, AND THEN PUT IT WHERE WE WANT IT TO GO, THAT IS THE PROBLEM HERE. SHE FEELS THE ADMINISTRATION SHOULD MAKE THE PLAN. SHE REFERENCED THE COUNCIL PARK COMMITTEE MEETING IN WHICH THAT COMMITTEE CREATED "THEIR PLAN", DECIDED \$10 MILLION SHOULD BE SET ASIDE FOR PARKS, AND NOW ARE CREATING LEGISLATION TO SPEND THAT \$10 MILLION, AND THIS PLAN SHOULD BE COMING THROUGH THE ADMINISTRATION IN A MANNER EQUAL ACROSS ALL THE PARKS.

COUNCILWOMAN ADAMCZAK NOTED SHE SHARES THE SAME SENTIMENT AS COUNCILMAN OLIVER, AS THIS ALSO AFFECTS HER PARK. SHE NOTED THAT THE PARK COMMITTEE HAS BEEN WORKING WITH THE PARK DIRECTOR, LAW DIRECTOR AND FINANCE DIRECTOR, AND HAS THE SUPPORT OF THE ADMINISTRATION IN MOVING THE PLAN FORWARD.

COUNCILWOMAN TURNER STATED SHE IS AN ELECTED OFFICIAL AND IS ENTITLED TO HER VOTE, AND HER VOTE IS A NO BECAUSE SHE DISAGREES WITH THE PROCESS OF HOW IT IS BEING HANDLED.

COUNCILMAN DAVIS MADE A MOTION TO ADJOURN.

COUNCILWOMAN RAY SECONDED.

UPON MOTION COUNCIL ADJOURNED

APPROVED: WEDNESDAY, APRIL 5, 2023


CLERK


PRESIDENT OF COUNCIL