

CITY COUNCIL MEETING
WEDNESDAY, DECEMBER 1, 2021

CITY COUNCIL CONVENED IN REGULAR SESSION AT 5:30 PM AND WAS CALLED TO ORDER BY PRESIDENT DEMAINE KITCHEN. ON A CALL OF THE ROLL, THE FOLLOWING MEMBERS RESPONDED TO THEIR NAMES: BASIA ADAMCZAK, ANITA DAVIS, JIMMY HUGHES, LAUREN MCNALLY, JULIUS OLIVER, MIKE RAY, SAMANTHA TURNER, AND DEMAINE KITCHEN, 8. COUNCIL SWORE ALLEGIANCE TO THE FLAG.

COM-21-192 BOARD OF CONTROL MEETING WAS HELD OCTOBER 28, 2021. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-21-193 BOARD OF CONTROL MEETING WAS HELD NOVEMBER 10, 2021. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-21-194 CITY PLANNING COMMISSION MEETING WAS HELD NOVEMBER 16, 2021. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-21-195 DESIGN REVIEW COMMITTEE MEETING WAS POSTPONED FROM NOVEMBER 2, 2021 TO NOVEMBER 9, 2021. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-21-196 DESIGN REVIEW COMMITTEE MEETING WAS HELD NOVEMBER 9, 2021. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-21-197 DESIGN REVIEW COMMITTEE MEETING WILL NOT BE HELD IN THE MONTH OF DECEMBER, 2021. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-21-198 YOUNGSTOWN POLICE RANKING OFFICERS (YPRO) ORGANIZATION LETTER RE: REQUESTING A DELAY OF IMPLEMENTATION OF MANDATORY VACCINATION FOR CITY EMPLOYEES POLICY. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-21-199 LAW DIRECTOR JEFF LIMBIAN LETTER TO CITY CLERK VALENCIA MARROW RE: RESPONSE TO EMAIL MEMO DATED WEDNESDAY, NOVEMBER 10, 2021 CANCELLING FINANCE COMMITTEE & COUNCIL MEETINGS. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-21-200 LAW DIRECTOR JEFF LIMBIAN LETTER RE: HIS TWO WEEK SUSPENSION AND STEPPING DOWN AS CITY PROSECUTOR TO CONCENTRATE ON DUTIES AS LAW DIRECTOR. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-21-201 ERIC RYAN, PRESIDENT OF JAC MANAGEMENT LETTER RE: COVELLI CENTRE & YOUNGSTOWN FOUNDATION AMPHITHEATER THIRD QUARTER OPERATIONAL FINANCIAL STATEMENT FOR 2021. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-21-202 DOMINION ENERGY NOTICE OF FILING TO EXPAND DEMAND-SIDE-MANAGEMENT/ENERGY-EFFICIENCY PROGRAM, PUCO CASE NO. 21-1109-GA-ALT. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-21-203 FIRST ENERGY LETTER RE: OPSB CASE NO. 19-1871-EL-BTX, APPLICATION TO THE OHIO POWER SITING BOARD FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED FOR THE LINCOLN PARK-RIVERBEND 138KV TRANSMISSION LINE PROJECT. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-21-204 MAHONING COUNTY COMMISSIONERS BOARD MEETING WAS HELD OCTOBER 21, 2021. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-21-205 MAHONING COUNTY COMMISSIONERS BOARD MEETING WAS HELD OCTOBER 28, 2021. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-21-206 MAHONING COUNTY COMMISSIONERS BOARD MEETING WAS HELD NOVEMBER 4, 2021. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-21-207 MAHONING COUNTY COMMISSIONERS BOARD MEETING WAS HELD NOVEMBER 9, 2021. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-21-208 MAHONING COUNTY COMMISSIONERS BOARD MEETING WAS HELD NOVEMBER 18, 2021. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-21-209 MAHONING COUNTY COMMISSIONERS BOARD MEETING WAS HELD NOVEMBER 23, 2021. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-21-210 MAHONING VALLEY SANITARY DISTRICT REGULAR BOARD OF DIRECTORS MEETING WAS HELD OCTOBER 27, 2021. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-21-211 MAHONING VALLEY SANITARY DISTRICT REGULAR BOARD OF DIRECTORS MEETING WAS HELD NOVEMBER 17, 2021. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-21-212 OHIO DEPARTMENT OF DEVELOPMENT DIRECTOR LYDIA L. MIHALIK LETTER RE: AMENDED CONFIRMATION OF AREA NO. 155-88000-01, PETITION FOR AREA CERTIFICATION OF THE CITY OF YOUNGSTOWN AS A COMMUNITY REINVESTMENT AREA PER ORD-21-172 PASSED BY YOUNGSTOWN CITY COUNCIL ON JUNE 16, 2021. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-21-213 OHIO DIVISION OF LIQUOR CONTROL NOTICE RE: NEW TO: ONE HOT COOKIE, LLC, 112 W. COMMERCE ST., STE. 1, YOUNGSTOWN, OH 44503, PERMIT # 6567680. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-21-214 OHIO DIVISION OF LIQUOR CONTROL NOTICE RE: NEW TO: RIMPY & LUCKY, LLC, DBA OIL GAS MART, 1ST FL. ONLY, 2637 GLENWOOD AVE., YOUNGSTOWN, OH 44511, PERMIT # 7373390. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-21-215 OHIO DIVISION OF LIQUOR CONTROL NOTICE RE: TRFO TO: PRIVILEGE BAR & GRILLE, LLC, EXCLUDES N/E CORNER OF BLDG., 3114 SOUTH AVE., YOUNGSTOWN, OH 44502, PERMIT # 7090350; FROM: 3114 SOUTH AVE., INC., DBA GERGELS, EXCLUDES N/E CORNER OF BLDG., 3114 SOUTH AVE., YOUNGSTOWN, OH 44502, PERMIT # 8917550. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-21-216 OHIO DIVISION OF LIQUOR CONTROL NOTICE RE: NEW TO: RHONDA WILLIAMS, 1506-08 GLENWOOD AVE., YOUNGSTOWN, OH 44507, PERMIT # 9631990. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-21-217 OHIO DIVISION OF LIQUOR CONTROL NOTICE RE: STCK TO: SPEEDWAY, LLC DBA SPEEDWAY 3542, 1 NORTH MERIDIAN RD., YOUNGSTOWN, OH 44509, PERMIT # 84189940845. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-21-218 BUILDING & GROUNDS COMMISSIONER KEVIN FLINN IS UNABLE TO ATTEND CITY COUNCIL MEETING ON DECEMBER 1, 2021. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-21-219 MIKE MCNINCH REQUESTS PERMISSION TO SPEAK BEFORE CITY COUNCIL ON DECEMBER 1, 2021. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-21-220 CHRISTINA RESEK REQUESTS PERMISSION TO SPEAK BEFORE CITY COUNCIL ON DECEMBER 1, 2021. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-21-221 LETTER OF INTEREST FROM DEMAINE KITCHEN RE: SERVING ON MVSD BOARD. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-21-222 YOUNGSTOWN CITY COUNCIL NOMINATION OF DEMAINE KITCHEN FOR THE APPOINTMENT TO THE MVSD BOARD EFFECTIVE JANUARY 1, 2022. ROLL CALL VOTE TO CONFIRM THE APPOINTMENT: YEAS, 7. NAYS, NONE.

REPORTS

REP-21-31 FINANCE COMMITTEE SIGNED OUT ORD-21-72 ENTITLED: "AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH MAHONING-YOUNGSTOWN COMMUNITY ACTION PARTNERSHIP (MYCAP) COMMENCING ON JANUARY 1, 2021 AND ENDING DECEMBER 31, 2021. FURTHER, AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO APPROVE ANY CONTRACTUAL AGREEMENT(S) REQUIRED TO EXECUTE SAID PROFESSIONAL SERVICES AGREEMENT. THE COST SHALL NOT EXCEED \$65,000.00." WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

REP-21-32 CPED COMMITTEE SIGNED OUT ORD-21-101 ENTITLED: "CHANGING THE ZONE CLASSIFICATION OF THE PROPERTIES LOCATED AT ALBERT STREET, CITY OUT LOT NUMBERS 28115, 28116, 28117, 28118, 28119, 28121, 28122 (PARCEL NUMBER 53-103-0-044.00.0), 28122 (PARCEL NUMBER 53-103-0-044.01-0), 28123 AND 28124 CURRENTLY ZONED RS-7.2 (RESIDENTIAL SINGLE FAMILY), TO: I-G (INDUSTRIAL GREEN)." WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

REP-21-33 CPED COMMITTEE SIGNED OUT ORD-21-102 ENTITLED: "CHANGING THE ZONE CLASSIFICATION OF THE PROPERTY LOCATED AT ATKINSON AVENUE, CITY OUT LOT NUMBERS 56701 AND 56702, CURRENTLY ZONED RS-7.2 (RESIDENTIAL SINGLE FAMILY), TO: I-G (INDUSTRIAL GREEN)." WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

REP-21-34 CPED COMMITTEE SIGNED OUT ORD-21-103 ENTITLED: "CHANGING THE ZONE CLASSIFICATION OF THE PROPERTY LOCATED AT BENNINGTON AVENUE, LOT NUMBER 1338, CURRENTLY ZONED RS-7.2 (RESIDENTIAL SINGLE FAMILY), TO: I-G (INDUSTRIAL GREEN)." WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

REP-21-35 CPED COMMITTEE SIGNED OUT ORD-21-104 ENTITLED: "CHANGING THE ZONE CLASSIFICATION OF THE PROPERTIES LOCATED AT COMMONWEALTH AVENUE, CITY OUT LOT NUMBER 1345 (PARCEL NUMBER 53-104-0-055.00.0), CITY OUT LOT NUMBER 1345 (PARCEL NUMBER 53-103-0-044.01-0), CITY OUT LOT NUMBER 1345 (PARCEL NUMBER 53-103-0-044.01-0), CITY OUT LOT NUMBER 1349 (PARCEL NUMBER 53-104-0-060.00-0), CITY OUT LOT NUMBER 1349 (PARCEL NUMBER 53-104-0-056.00-0), CITY OUT LOT NUMBER 1349 (PARCEL NUMBER 53-104-0-058.00-0), AND CITY OUT LOT NUMBER 1349 (PARCEL NUMBER 53-104-0-059.00-0), CURRENTLY ZONED RS-7.2 (RESIDENTIAL SINGLE FAMILY), TO: I-G (INDUSTRIAL GREEN)." WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

REP-21-36 CPED COMMITTEE SIGNED OUT ORD-21-105 ENTITLED: "CHANGING THE ZONE CLASSIFICATION OF THE PROPERTY LOCATED AT GARLAND AVENUE, CITY OUT LOT NUMBER 1348, CURRENTLY ZONED RT-5.5 (ONE AND TWO FAMILY RESIDENTIAL) TO I-G (INDUSTRIAL GREEN)." WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

RESOLUTIONS

RES-21-15 AUTHORIZING A RESOLUTION OF SUPPORT BY THE CITY OF YOUNGSTOWN FOR THE REHABILITATION OF THE MAHONING VALLEY SANITARY DISTRICT (MVSD) MINERAL RIDGE DAM; AND SUPPORT FOR THE GRANT FUNDING APPLICATION FOR HAZARD MITIGATION ASSISTANCE (HMA) FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) BUILDING RESILIENT INFRASTRUCTURE AND COMMUNITIES (BRIC) PROGRAM. WAS READ THE FIRST TIME AND UPON MOTION OF MR. RAY THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 7. NAYS, NONE.

THE RESOLUTION WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

RES-21-16 AUTHORIZING A RESOLUTION OF SUPPORT BY THE CITY OF YOUNGSTOWN FOR THE REHABILITATION OF THE MAHONING VALLEY SANITARY

DISTRICT (MVSD) MINERAL RIDGE DAM; AND SUPPORT FOR THE GRANT FUNDING APPLICATION FOR HAZARD MITIGATION ASSISTANCE (HMA) FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) BUILDING RESILIENT INFRASTRUCTURE AND COMMUNITIES (BRIC) PROGRAM. WAS READ THE FIRST TIME AND UPON MOTION OF MR. RAY THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 7. NAYS, NONE.

THE RESOLUTION WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

RES-21-17 YOUNGSTOWN CITY COUNCIL RESOLVES AND INTENDS TO ALLOCATE \$7 MILLION DOLLARS OF AMERICAN RESCUE PLAN FUNDING TO BE USED SPECIFICALLY AND EQUALLY IN EACH OF THE 7 WARDS OF THE CITY OF YOUNGSTOWN SEPARATE AND APART FROM ANY OTHER AMERICAN RESCUE PLAN FUNDING. WAS READ THE FIRST TIME AND UPON MOTION OF MR. RAY THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 7. NAYS, NONE.

THE RESOLUTION WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORDINANCES

ORD-21-324 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO EXPEND AN AMOUNT NOT TO EXCEED \$60,000.00 TO PITNEY BOWES FOR POSTAGE/SHIPPING EXPENSES IN THE OFFICE OF YOUNGSTOWN MUNICIPAL CLERK OF COURT; 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, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-325 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO MAKE PAYMENT IN THE AMOUNT NOT TO EXCEED \$1,000,000.00 TO REPUBLIC SERVICES FOR THE CURRENT ONE YEAR AGREEMENT FOR TRASH/WASTE DISPOSAL SERVICES AT THE WASTEWATER TREATMENT PLANT; 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, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-326 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO REIMBURSE THE CITY'S LIABILITY INSURANCE PROVIDER, TOKIO MARINE HCC PUBLIC RISK GROUP, \$36,436.03 TO SATISFY THE POLICY DEDUCTIBLE FOR THE SETTLEMENT OF CLAIM NUMBER 181940, IN THE MATTER OF DEANGELO GRISSET VS. CITY OF YOUNGSTOWN, CASE NUMBER 2019 CV 306; 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, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-327 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO APPROVE A BLANKET PURCHASE ORDER FOR THE 2021 CALENDAR YEAR IN AN AMOUNT NOT TO EXCEED \$40,000.00 FOR PEOPLE READY FOR TEMPORARY LABOR IN THE SANITATION DEPARTMENT; 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, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-328 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO APPROVE A BLANKET PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED \$55,000.00 TO ROETZEL & ANDRESS FOR LEGAL SERVICES FOR THE 2021 FISCAL YEAR; 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, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-329 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO APPROVE A BLANKET PURCHASE ORDER FOR THE 2021 CALENDAR YEAR IN AN AMOUNT NOT TO EXCEED \$75,000.00 FOR PAYMENT TO R&R, INC., FOR THE REPAIRING OF CITY GARBAGE TRUCKS IN THE SANITATION DEPARTMENT; 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, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-330 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO APPROVE A BLANKET PURCHASE ORDER FOR THE 2021 CALENDAR YEAR IN AN AMOUNT NOT TO EXCEED \$85,000.00 FOR PAYMENT TO POWERPLAN DOING BUSINESS AS MURPHY TRACTOR & EQUIPMENT CO., INC.; 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, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-331 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ENTER INTO A MEMORANDUM OF UNDERSTANDING (MOU) WITH DESMONE GROUP TO FACILITATE IN THE DESIGN AND REDEVELOPMENT OF 20 FEDERAL PLACE, PURSUANT TO ORDINANCE 21-71, PASSED BY YOUNGSTOWN CITY COUNCIL ON MARCH 17, 2021, WHICH AUTHORIZED THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ISSUE A REQUEST FOR PROPOSALS TO PURCHASE AND REDEVELOP THE PROPERTY AT 20 FEDERAL PLACE. FURTHER, AUTHORIZING THE BOARD OF CONTROL TO ENTER INTO 60 DAY EXTENSIONS OF TIME WITH DESMONE GROUP WHEN SUCH EXTENSIONS ARE DEEMED NECESSARY; 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.

REMARKS

**(HELD DURING CAUCUS)*

COUNCILMAN HUGHES RECOMMENDED THAT AGENDA ITEMS NUMBER 11 (ORD-21-331) AND NUMBER 12 (ORD-21-332) GO TO THE CPED COMMITTEE.

COUNCILMAN OLIVER ASKED IF THERE WAS ANY URGENCY REGARDING NUMBER 11 (ORD-21-331) ON THE AGENDA TO NOT PUT IT IN COMMITTEE.

MR. MIASEK ANSWERED THAT THEY HAVE HAD A NUMBER OF MEETINGS AND HAVE MET WITH EACH COUNCILMEMBER INDIVIDUALLY, AND HAVE HEARD THE CITY'S PITCH ALONG WITH THE ARCHITECTURAL FIRM THAT HAS BEEN WORKING WITH US AND THE SPECIALTY GROUPS THAT ASSISTED US IN THE APPALACHIAN GRANT. THIS IS UNDER A STRICT TIMETABLE. THIS ORDINANCE JUST ALLOWS DESMONE GROUP 60 DAYS OF EXCLUSIVITY TO GO OUT AND ADMINISTER AND MARKET THE BUILDING THAT THE CITY IS CURRENTLY LOOKING TO REDEVELOP. THEY HAVE TO COME BACK TO COUNCIL WITH ANY PLANS TO MOVE FORWARD. THERE ARE A NUMBER OF MILESTONES IN PLACE, THE MOST CRITICAL ONE BEING THE ABILITY TO SUBMIT FOR THE BROWNFIELD REDEVELOPMENT WHERE WE ARE LOOKING TO REQUEST AT LEAST \$8 MILLION DOLLARS FROM THE STATE OF OHIO TO HELP ADDRESS ASBESTOS ABATEMENT AND DEMOLITION OF THAT PROPERTY. NONE OF THAT WILL BEGIN UNLESS COUNCIL DECIDES TO MOVE FORWARD AFTER THOSE 60 DAYS. IT IS THE ADMINISTRATION'S HOPE THAT COUNCIL PASSES THIS LEGISLATION TONIGHT, AND THEN THEY CAN COME BACK TO COUNCIL WITH A FRAMEWORK OF REDEVELOPING 20 FEDERAL PLACE WITH HOPEFULLY \$50 MILLION DOLLARS IN INVESTMENT.

COUNCILMAN OLIVER STATED THAT HE THINKS THIS IS AN IMPORTANT PROJECT FOR THE CITY AND HE'D LIKE IT TO STAY ON THE FLOOR FOR A VOTE.

COUNCILMAN HUGHES ANSWERED THAT HE THINKS IT CAN GO TO THE CPED COMMITTEE.

COUNCILMAN OLIVER RESPONDED THAT THEY CAN HAVE ANY NECESSARY DISCUSSIONS WITHIN THE 60 DAY PERIOD.

COUNCILWOMAN MCNALLY ASKED IF THIS PIECE WAS BROUGHT UP IN THE FINANCE COMMITTEE DISCUSSING ARP FUNDS, AND WOULD IT HAVE TO GO BACK TO FINANCE.

MS. MARROW NOTED THAT IT WAS PRESENTED TO COUNCIL VIA ZOOM AT A COMMITTEE MEETING NOT TOO LONG AGO.

MR. MIASEK NOTED THAT DURING THE 60 DAYS THERE ARE A NUMBER OF MILESTONES THEY ARE HOPING TO ACHIEVE, BUT WHAT IS MOST SIGNIFICANT IS TO GO BACK AND LOOK AT POTENTIAL FINANCIERS FOR THE PROJECT AND GIVE THEM SPECIFICS THEY CURRENTLY CANNOT DO. THE BUILDING WILL STAY IN THE CITY'S HANDS. WE ARE JUST GIVING THEM EXCLUSIVITY AND WE CAN HAVE ADDITIONAL COMMITTEE MEETINGS TO DISCUSS ANY QUESTIONS COUNCIL MAY HAVE. BUT DURING THIS 60 DAYS, THEY CAN MAKE SURE WE QUALIFY FOR THE STATE BROWNFIELD GRANT, AND ALSO DISCUSS POTENTIAL LESSEES AS ONE MAY TAKE OVER AN ENTIRE FLOOR AND USE IT AS CORPORATE HEADQUARTERS. SO IT IS CRITICAL TO HAVE THESE CONVERSATIONS BEFORE THEY MAKE THESE INVESTMENTS.

COUNCILWOMAN DAVIS ASKED IF COUNCILMAN HUGHES IS ADAMANT THIS GO TO COMMITTEE, AS SHE IS PREPARED TO VOTE ON THIS.

COUNCILMAN HUGHES ASKED IF SHE IS ASKING HIM TO FLIP ON THIS.

COUNCILWOMAN TURNER ASKED IF THIS WAS MOVED TO THE CPED COMMITTEE, WOULD TWO WEEKS MAKE A DIFFERENCE.

MS. MARROW CLARIFIED THAT THIS TOPIC WAS DISCUSSED AT A FINANCE COMMITTEE MEETING ON THURSDAY, NOVEMBER 18, 2021 AND THE VENDORS SPOKE AT THAT MEETING.

COUNCILMAN RAY MENTIONED THAT THEY NEED THE MEMORANDUM OF UNDERSTANDING TO DO SOME NEGOTIATION AND DO THEIR DUE DILIGENCE, BUT IF THERE IS AN ACTIVE DEAL, WOULD THERE HAVE TO BE CONFIDENTIALITY FOR INFORMATION DISCUSSED WITH THEM. SO, IF COUNCILMEMBERS WANT TO BE BRIEFED ON WHAT IS GOING ON IS THAT PRIVELEGED INFORMATION AS PART OF A BUSINESS NEGOTIATION.

MR. MIASEK STATED THAT DESMONE GROUP WANTS TO BE TRANSPARENT, SO IF COUNCIL HAS ANY POTENTIAL QUESTIONS THEY CAN BE DISCUSSED OUT IN THE OPEN. IT IS CRITICAL THAT COUNCIL AND THE ADMINISTRATION ARE BOTH SUPPORTIVE OF THIS, AS THIS IS THE LARGEST ANCHOR WITHIN DOWNTOWN YOUNGSTOWN AND THE POTENTIAL FOR THIS REDEVELOPMENT AND WHAT IT COULD MEAN FOR OUR NEIGHBORING BUILDINGS WITHIN THAT FOOTPRINT IS UNLIMITED FOR THE TRANSFORMATION OF THE DOWNTOWN.

COUNCILWOMAN ADAMCZAK STATED THAT THEY DID A THOUROUGH PRESENTATION AT THE MEETING, BUT SOME COUNCILMEMBERS WERE NOT THERE. SHE ASKED IF DESMONE OR THE ADMINISTRATION HAVE HAD AN OPPORTUNITY TO SPEAK WITH COUNCILMAN HUGHES REGARDING ANY QUESTIONS.

MR. MIASEK STATED THAT THEY REACHED OUT TO EVERY COUNCILMEMBER, AND WERE SUCCESSFUL WITH REACING EVERYONE, OTHER THAN COUNCILMAN HUGHES. THERE WERE ATTEMPTED PHONE CALLS AND FOLLOW-UPS TO ADDRESS ANY CONCERNS. THEY ARE WILLING TO SIT DOWN AT FUTURE COMMITTEE MEETINGS TO ADDRESS ANY CONCERNS, BUT THEY DON'T WANT TO SEE THIS PROJECT HINDERED, AND THEY WILL HAVE TO COME BACK TO COUNCIL AS A WHOLE TO ASK TO MOVE IT FORWARD.

COUNCILWOMAN ADAMCZAK NOTED THAT THIS LEGISLATIVE PIECE IS NOT COMMITTING ANY FINANCES RIGHT NOW, IT IS SIMPLY ALLOWING THEM TO PROCEED FORWARD TO SEE IF THIS PROJECT IS EVEN FEASIBLE.

MR. MIASEK STATED COUNCILWOMAN ADAMCZAK IS CORRECT, BUT IT DOES ALLOW THEM TO SHOWCASE THE BUILDING AND MAKE PROMISES IN REGARDS TO POTENTIAL SQUARE FOOTAGE BASED ON DESIGN AS THEY ARE MEETING WITH POTENTIAL CLIENTS.

PRESIDENT KITCHEN ASKED FOR COUNCIL'S PREFERENCE ON WHETHER TO MOTION THE ITEM TO A COMMITTEE OR TO MOVE FORWARD WITH A VOTE. ROLL CALL VOTE TO MOVE IT TO THE FLOOR: YEAS, 5. NAYS, 2.

WAS READ THE FIRST TIME AND UPON MOTION OF MR. RAY THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-332 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO NEGOTIATE TERMS AND ENTER INTO A DEVELOPMENT AGREEMENT WITH 802 ELM DEVELOPMENT, LLC. THE DEVELOPMENT AGREEMENT PROVIDES FOR A \$2 MILLION FLOAT LOAN FOR A PERIOD OF UP TO 12 MONTHS AT A ¼% RATE; 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 CPED COMMITTEE**.

ORD-21-333 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ENTER INTO A CONTRACT AND MAKE PAYMENT IN AN AMOUNT NOT TO EXCEED \$165,880.00 TO RD CONSTRUCTION LLC, THE LOWEST AND BEST BIDDER, WHO IS RESPONSIBLE FOR THE REPAIR AND MAINTENANCE OF THE ROOF AT YOUNGSTOWN FIRE STATION 2 LOCATED AT 125 W. INDIANOLA; 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, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-334 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ENTER INTO A CONTRACT AND MAKE PAYMENT IN AN AMOUNT NOT TO EXCEED \$195,631.00 TO PIERCE MANUFACTURING, INC., MIDWEST REGIONAL SERVICE CENTER FOR THE REFURBISHING OF THE FIRE DEPARTMENT'S HEAVY RESCUE TRUCK; 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, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-335 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ENTER INTO A CONTRACT WITH K.T. LYDEN CONSTRUCTION, 66 NORWICK DRIVE, YOUNGSTOWN, OHIO 44505, THE ONLY BIDDER, FOR THE REMOVAL AND DISPOSAL OF DEAD ANIMALS LOCATED IN THE CITY OF YOUNGSTOWN AT THE BID PRICE OF \$75.00 PER ANIMAL. DURATION OF THE CONTRACT WILL BE FOR A TWO (2) YEAR PERIOD WITH THE OPTION FOR TWO CONTRACT EXTENSIONS OF ONE YEAR EACH AT THE COST OF THE INITIAL CONTRACT; 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, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-336 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT FOR A THIRD PARTY ADMINISTRATOR WITH SEDGWICK FOR WORKERS' COMPENSATION, COMMENCING JANUARY 1, 2022 AND ENDING DECEMBER 31, 2022. COST SHALL NOT EXCEED \$48,400.00 ANNUALLY; 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, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-337 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 WASTEWATER PIPE STORAGE FACILITY IN THE AMOUNT OF \$200,787.00; 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, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-338 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO FILE NECESSARY APPLICATIONS AND ENTER INTO A LOAN AGREEMENT WITH THE OHIO PUBLIC WORKS COMMISSION TO PROVIDE STATE CAPITAL IMPROVEMENT PROJECT FUNDING FOR THE WASTEWATER TREATMENT PLANT (WWTP) REGULATING CHAMBER 104 IMPROVEMENTS PROJECT. OHIO PUBLIC WORKS COMMISSION WILL PROVIDE A 0% INTEREST LOAN IN THE AMOUNT OF \$1,063,120.00; 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, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-339 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO FILE NECESSARY APPLICATIONS IN ORDER TO ENTER INTO A GRANT AGREEMENT WITH THE OHIO PUBLIC WORKS COMMISSION TO PROVIDE STATE CAPITAL IMPROVEMENT PROJECT FUNDING FOR THE WALNUT AND BOARDMAN STREETS SAFETY UPGRADE PROJECT IN THE AMOUNT OF \$1,300,000.00; 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 WAS **MOVED TO A SECOND READING.**

ORD-21-340 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO WAIVE FORMAL BIDDING PURSUANT TO SECTION 735.051 OF THE OHIO REVISED CODE, IN ORDER TO APPROVE A PURCHASE ORDER FOR AN AMOUNT NOT TO EXCEED \$44,900.00 FOR THE EMERGENCY DEMOLITION OF 2734 MOUNT VERNON, YOUNGSTOWN, OHIO 44502; 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, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-341 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 APPROVE PAYMENT TO MARUCCI AND GAFFNEY EXCAVATING COMPANY IN THE AMOUNT OF \$39,919.38 FOR EMERGENCY REPAIR OF SIX DAMAGED CATCH BASINS; 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, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-342 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 APPROVE PAYMENT TO UTILITY CONTRACTING COMPANY IN THE AMOUNT OF \$38,909.63 FOR EMERGENCY REPAIRS TO 54 FEET OF 27 INCH PIPE ON WELLINGTON AVENUE, WEST OF STEEL STREET; 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, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-343 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 APPROVE PAYMENT TO MARUCCI AND GAFFNEY EXCAVATING COMPANY IN THE AMOUNT OF \$60,799.49 FOR EMERGENCY REPAIR OF SIX DAMAGED SANITARY JOINTS ON PARK AVENUE AND TWO DAMAGED SANITARY JOINTS ON BRYSON STREET; 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, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-344 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 MURPHY CONTRACTING OF YOUNGSTOWN, IN AN AMOUNT NOT TO EXCEED \$90,000.00 FOR EMERGENCY REPAIRS TO A ROADWAY RETAINING WALL AND SEWER ALONG EAST FEDERAL STREET BETWEEN ANDREWS AVENUE AND CRAB CREEK OVERPASS; 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, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-345 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO GRANT A WAIVER OF WATER TAP-IN FEES AT THE CORNER OF BERKLEY AVENUE AND MCGUFFEY ROAD FOR THE NORTHEAST HOME OWNERS ASSOCIATION, A NON-PROFIT ORGANIZATION THAT HAS TARGETED THE AREA FOR REHABILITATION; 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, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-346 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO WAIVE THE WATER TAP-IN FEES FOR PENGUIN CITY BREWERY

LOCATED AT 460 E. FEDERAL STREET, YOUNGSTOWN, OHIO 44503; 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, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-347 AUTHORIZING THE ACCEPTANCE OF THE 2021 JUSTICE ASSISTANCE GRANT #15BJA-21-GG-01744-JAGX, IN THE AMOUNT OF \$37,767.00, AWARDED TO THE POLICE DEPARTMENT OF THE CITY OF YOUNGSTOWN BY THE BUREAU OF JUSTICE ASSISTANCE FOR THE PERIOD OF OCTOBER 1, 2020 TO SEPTEMBER 30, 2024, TO BE DIVIDED EQUALLY WITH MAHONING COUNTY; 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, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-348 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ENTER INTO AN INTERLOCAL AGREEMENT WITH MAHONING COUNTY TO SPLIT THE FY2021 EDWARD BYRNE MEMORIAL JAG PROGRAM GRANT IN THE AMOUNT OF \$37,767.00, APPLICATION NUMBER BJA-2021-35004, TO BE DIVIDED EQUALLY WITH MAHONING COUNTY; 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, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-349 APPROPRIATING \$1,236,989.00 FROM THE AMERICAN RESCUE PLAN (ARP) FUND, 2701.30_5828, PURSUANT TO WHITE HOUSE GUIDANCE ON USING AMERICAN RESCUE PLAN (ARP) FUNDS TO REDUCE VIOLENCE. FURTHER, AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ENTER INTO A CONTRACT WITH AXON ENTERPRISES, INC. FOR A FIVE-YEAR AGREEMENT TO PURCHASE 100 BODY WORN CAMERAS AND 155 TASERS; 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, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-350 APPROPRIATING \$26,000.00 FROM THE AMERICAN RESCUE PLAN (ARP) FUND, 2701.30_5828, PURSUANT TO WHITE HOUSE GUIDANCE ON USING AMERICAN RESCUE PLAN (ARP) FUNDS TO REDUCE VIOLENCE. FURTHER, AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO EXPEND \$26,000.00 TO MURPHY CONTRACTING. EXPENSES INCLUDE NECESSARY CONFIGURATIONS TO THE BODY CAMERA STORAGE ROOM, INSTALLATION OF NETWORKING EQUIPMENT AND VIDEO MONITORING/REDACTION EQUIPMENT; 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, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-351 APPROPRIATING \$6,500.00 FROM THE AMERICAN RESCUE PLAN (ARP) FUND, 2701.30_5828, PURSUANT TO WHITE HOUSE GUIDANCE ON USING AMERICAN RESCUE PLAN (ARP) FUNDS TO REDUCE VIOLENCE. FURTHER, AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO EXPEND \$6,500.00 TO INVOLTA, LLC. EXPENSES INCLUDE NECESSARY CONFIGURATIONS TO THE BODY CAMERA STORAGE ROOM, INSTALLATION OF NETWORKING EQUIPMENT AND VIDEO MONITORING/REDACTION EQUIPMENT; 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, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-352 APPROPRIATING AND DISBURSING AN AMOUNT NOT TO EXCEED \$125,817.00 IN THE HUD COMMUNITY PLANNING AND DEVELOPMENT AMERICAN RESCUE PLAN (HOME-ARP) GRANT AGREEMENT FOR ADMINISTRATIVE AND PLANNING COSTS PER THE ATTACHED EXHIBIT "A" (47TH YEAR – JULY 1, 2021 – JUNE 30, 2022. FURTHER, AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO SOLICIT PROPOSALS AND/OR ADVERTISE FOR BIDS AND ENTER INTO THE NECESSARY AGREEMENTS AS PROVIDED FOR IN EXHIBIT "A"; 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, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-353 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO TRANSFER A PORTION OF A CITY-OWNED PARCEL LOCATED ON FEDERAL PLAZA EAST, FURTHER IDENTIFIED AS LOT 62965, TO VALLEY FOODS INCORPORATED; 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, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-354 REMOVING SPECIAL ASSESSMENTS IN ACCORDANCE WITH ORDINANCE 15-284, ORDINANCE 16-278, ORDINANCE 17-334, ORDINANCE 18-252, ORDINANCE 19-279, AND ORDINANCE 20-241 FOR COSTS ASSOCIATED WITH THE DEMOLITION OF STRUCTURES, GRASS CUTTING, OR BOARDING OF STRUCTURES THAT WERE ASSESSED BY THE CITY OF YOUNGSTOWN FOR THE PROPERTIES AND AMOUNTS LISTED IN EXHIBIT "A", WHICH IS HERETO ATTACHED. THESE ASSESSMENTS HAVE BEEN SATISFIED THROUGH COLLECTION OR HAVE BEEN APPROVED FOR REMOVAL BY THE CITY OF YOUNGSTOWN SPECIAL ASSESSMENTS 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, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-355 LEVYING A SPECIAL ASSESSMENT FOR COSTS ASSOCIATED WITH THE DEMOLITION, GRASS CUTTING, BOARDING UP, EXCESSIVE WASTE AND ABATEMENT THAT WAS INCURRED BY THE CITY OF YOUNGSTOWN FOR THE AMENDED PROPERTIES AND AMOUNTS LISTED IN EXHIBIT "A", WHICH IS HERETO ATTACHED AND MADE A PART HEREOF IN CONFORMITY WITH LAW AS SPECIFIED IN THE ORDINANCES OF THE CITY OF YOUNGSTOWN AND OHIO REVISED CODE

SECTION 715.261; 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, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-356 DECLARING A PARTIAL PARCEL OF REAL PROPERTY, UNDER SECTION 3, ARTICLE XVIII OF THE OHIO CONSTITUTION AND SECTION 1 AND SECTION 2 OF THE CITY CHARTER, KNOWN AS CITY LOT NUMBER 62965, IS NO LONGER NECESSARY FOR MUNICIPAL PURPOSES. FURTHER, THAT THE DIRECTOR OF FINANCE OF THE CITY OF YOUNGSTOWN, HAVING OFFICIALLY DECLARED THE CITY-OWNED REAL PROPERTY SURPLUS PROPERTY ON AUGUST 10, 2021, SHOULD CAUSE THE LEASE OR SALE AND TRANSFER OF SAID REAL PROPERTY FOR USE IN CONNECTION WITH ECONOMIC DEVELOPMENT PURPOSES. FURTHER, TO AUTHORIZE THE BOARD OF CONTROL TO ENTER INTO AND EXECUTE ALL NECESSARY INSTRUMENTS REQUIRED TO ACCOMPLISH THE TRANSFER OF THE FOLLOWING DESCRIBED CITY-OWNED REAL PROPERTY; 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, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-357 AMENDING SECTION 1 OF ORDINANCE NO. 27-73, PASSED BY YOUNGSTOWN CITY COUNCIL ON MARCH 17, 2021, WHICH ESTABLISHED THE MASTER SALARY ORDINANCE FOR THE CITY OF YOUNGSTOWN. THE AMENDMENT BEING: TO CREATE THE FOLLOWING MANAGEMENT POSITION WITHIN THE YOUNGSTOWN WATER DEPARTMENT: POSITION NO. 5061-2801, WATER QUALITY COMPLIANCE COORDINATOR, SALARY WITHOUT AND EPA LICENSE \$55,485.85 ANNUALLY; AND WITH AN EPA LICENSE \$57,438.78 ANNUALLY; 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, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-358 RATIFYING THE TENTATIVE AGREEMENT REACHED BETWEEN THE CITY OF YOUNGSTOWN AND THE YOUNGSTOWN POLICE ASSOCIATION (YPA)/OHIO PATROLMEN'S BENEVOLENT ASSOCIATION (OPBA); 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-21-359 AUTHORIZING THE EXPENDITURE IN THE AMOUNT OF \$1,500.00 FROM THE PRESIDENT OF COUNCIL DISCRETIONARY FUND. FUNDS WILL BE USED TO OFFSET THE COST ASSOCIATED WITH THE YOUNGSTOWN CITY SCHOOL DISTRICT INCENTIVE STRATEGY CALLED PBIS (POSITIVE BEHAVIORAL INTERVENTIONS & SUPPORTS); 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, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-360 AUTHORIZING THE DIRECTOR OF FINANCE TO TRANSFER THE REMAINING BALANCE IN THE AMOUNT OF \$5,000.00 FROM THE FIFTH WARD DISCRETIONARY FUND 1001.01.005_5101, TRAVEL INTO FUND 1001.01.005_5107, OPERATING SERVICES; 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, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-361 AUTHORIZING THE EXPENDITURE IN THE AMOUNT OF \$2,250.00 FROM THE FIFTH WARD DISCRETIONARY FUND 1001.01.005_5107. FUNDS WILL BE USED TO PURCHASE TWO (2) HEAVY DUTY PUBLIC BENCHES TO BE INSTALLED ON THE SOUTHWEST CORNER OF GLENWOOD AVENUE AND SHERWOOD AVENUE FOR BUS TRANSIT RIDERS AND ON MINERAL SPRINGS AVENUE; 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, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-362 AUTHORIZING THE EXPENDITURE IN THE AMOUNT OF \$14,750.00 FROM THE FIFTH WARD DISCRETIONARY FUND 1001.01.005_5107. FUNDS WILL BE USED FOR IMPROVEMENT AND DEVELOPMENT PROJECTS AT KIRKMERE PARK AND TO PURCHASE PLAYGROUND EQUIPMENT; 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, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-363 AUTHORIZING THE EXPENDITURE IN THE AMOUNT OF \$1,000.00 FROM THE SIXTH WARD DISCRETIONARY FUND 1001.01.006_5107. FUNDS WILL BE USED BY THE BOSTON AVENUE NEIGHBORHOOD ASSOCIATION (BANA) FOR THE PURPOSE OF CLEARING OF TREE STUMPS AND VEGETATION AND ONGOING BEAUTIFICATION SUPPORT TO THE HAPPY PLACE SANCTUARY; 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, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-364 AUTHORIZING THE EXPENDITURE IN THE AMOUNT OF \$1,500.00 FROM THE SIXTH WARD DISCRETIONARY FUND 1001.01.006_5107. FUNDS WILL BE USED BY THE BOULEVARD PARK BLOCK WATCH FOR THE PURPOSE OF WEEDING, PLANTING AND FERTILIZING THE AREA WITHIN THE BLUEBERRY PATCH AND POCKET PARK IN THE SIXTH 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, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-365 AUTHORIZING THE DIRECTOR OF FINANCE TO TRANSFER THE AMOUNT OF \$5,000.00 FROM THE SEVENTH WARD DISCRETIONARY FUND 1001.01.007_5101, TRAVEL INTO FUND 1001.01.007_5107, OPERATING SERVICES; 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, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-366 AUTHORIZING THE DIRECTOR OF FINANCE TO TRANSFER THE AMOUNT OF \$5,000.00 FROM THE SEVENTH WARD DISCRETIONARY FUND 1001.01.007_5107, OPERATING SERVICES INTO FUND 2301.11.111_5108, OPERATING SUPPLIES WITHIN THE PARKS DEPARTMENT; 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, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-367 AUTHORIZING THE EXPENDITURE IN THE AMOUNT OF \$515.00 FROM THE SEVENTH WARD DISCRETIONARY FUND 1001.01.007_5107. FUNDS WILL BE USED TO DEFRAY THE COST OF THE COMMUNITY NEWSLETTER FOR THE 7TH 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, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-368 AUTHORIZING THE EXPENDITURE IN THE AMOUNT OF \$1,000.00 FROM THE SEVENTH WARD DISCRETIONARY FUND 1001.01.007_5107. FUNDS WILL BE USED BY THE S.I.D. NEIGHBORHOOD GROUP FOR THE SIGNAGE PROJECT ON SHIRLEY ROAD; 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, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-369 AUTHORIZING THE EXPENDITURE IN THE AMOUNT OF \$2,000.00 FROM THE SEVENTH WARD DISCRETIONARY FUND 1001.01.007_5107. FUNDS WILL BE USED BY OCCHA INC., TO OFFSET THE COST OF MONTHLY USAGE OF THEIR FACILITY BY VARIOUS COMMUNITY GROUPS; 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, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 6. NAYS, NONE. ABSTAIN, 1 (RAY).

ORD-21-370 AUTHORIZING THE EXPENDITURE IN THE AMOUNT OF \$2,000.00 FROM THE SEVENTH WARD DISCRETIONARY FUND 1001.01.007_5107. FUNDS WILL BE USED BY YOUNGSTOWN NEIGHBORHOOD DEVELOPMENT CORPORATION (YNDC) FOR WAYFINDING SIGNAGE ON CORRIDORS TO MARK PARK LOCATIONS IN THE 7TH 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, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-371 AUTHORIZING THE EXPENDITURE IN THE AMOUNT OF \$2,500.00 FROM THE SEVENTH WARD DISCRETIONARY FUND 1001.01.007_5107. FUNDS WILL BE DIVIDED EQUALLY AMONGST TEN NEIGHBORHOOD GROUPS FOR UPKEEP OF GREENSPACE PROJECTS WITHIN THE 7TH 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, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-372 AUTHORIZING THE EXPENDITURE IN THE AMOUNT OF \$5,000.00 FROM THE SEVENTH WARD DISCRETIONARY FUND 1001.01.007_5107. FUNDS WILL BE USED BY YOUNGSTOWN NEIGHBORHOOD DEVELOPMENT CORPORATION (YNDC) TO OFFSET THE COST OF VARIOUS EDUCATIONAL MATERIALS FOR RESIDENTS IN THE 7TH 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, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-373 AUTHORIZING THE STREET NAME CHANGE OF HADNET DRIVE, LOCATED BETWEEN SOUTH AVENUE AND E. WOODLAND, TO BE OFFICIALLY CHANGED TO OLIVER WAY, PURSUANT TO OHIO REVISED CODE SECTION 723.04, AND FURTHER PETITIONED FOR BY JASMINE OLIVER; 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 PLANNING COMMISSION.**

SECOND READING

ORD-21-311 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ENTER INTO A GRANT AGREEMENT WITH TRANSPORTATION ALTERNATIVES PROGRAM FOR ROADWAY AND STREETSCAPING IMPROVEMENTS ON WALNUT STREET FROM FRONT STREET TO COMMERCE STREET, AND BOARDMAN STREET FROM WALNUT STREET TO MARKET STREET. THE AMOUNT OF THE GRANT WILL BE \$300,000.00 AND LOCAL FUNDS REQUIRED WILL BE APPROXIMATELY \$2,900,000.00; 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 SECOND TIME AND UPON MOTION OF MR. RAY WAS **MOVED TO A THRID READING.**

SIGNED OUT OF COMMITTEE

ORD-21-72 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH MAHONING-YOUNGSTOWN COMMUNITY ACTION PARTNERSHIP (MYCAP) COMMENCING ON JANUARY 1, 2021 AND ENDING DECEMBER 31, 2021. FURTHER, AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO APPROVE ANY CONTRACTUAL AGREEMENT(S) REQUIRED TO EXECUTE SAID PROFESSIONAL SERVICES AGREEMENT. THE COST SHALL NOT EXCEED \$65,000.00; 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 SECOND TIME AND UPON MOTION OF MR. RAY THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL WITH A YES VOTE TO DEFEAT AND **DEFEATED** BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-101 CHANGING THE ZONE CLASSIFICATION OF THE PROPERTIES LOCATED AT ALBERT STREET, CITY OUT LOT NUMBERS 28115, 28116, 28117, 28118, 28119, 28121, 28122 (PARCEL NUMBER 53-103-0-044.00.0), 28122 (PARCEL NUMBER 53-103-0-044.01-0), 28123 AND 28124 CURRENTLY ZONED RS-7.2 (RESIDENTIAL SINGLE FAMILY), TO: I-G (INDUSTRIAL GREEN); 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 SECOND TIME AND UPON MOTION OF MR. RAY THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-102 CHANGING THE ZONE CLASSIFICATION OF THE PROPERTY LOCATED AT ATKINSON AVENUE, CITY OUT LOT NUMBERS 56701 AND 56702, CURRENTLY ZONED RS-7.2 (RESIDENTIAL SINGLE FAMILY), TO: I-G (INDUSTRIAL GREEN); 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 SECOND TIME AND UPON MOTION OF MR. RAY THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-103 CHANGING THE ZONE CLASSIFICATION OF THE PROPERTY LOCATED AT BENNINGTON AVENUE, LOT NUMBER 1338, CURRENTLY ZONED RS-7.2 (RESIDENTIAL SINGLE FAMILY), TO: I-G (INDUSTRIAL GREEN); 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 SECOND TIME AND UPON MOTION OF MR. RAY THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-104 CHANGING THE ZONE CLASSIFICATION OF THE PROPERTIES LOCATED AT COMMONWEALTH AVENUE, CITY OUT LOT NUMBER 1345 (PARCEL NUMBER 53-104-0-055.00-0), CITY OUT LOT NUMBER 1345 (PARCEL NUMBER 53-103-0-044.01-0), CITY OUT LOT NUMBER 1345 (PARCEL NUMBER 53-103-0-044.01-0), CITY OUT LOT NUMBER 1349 (PARCEL NUMBER 53-104-0-060.00-0), CITY OUT LOT NUMBER 1349 (PARCEL NUMBER 53-104-0-056.00-0), CITY OUT LOT NUMBER 1349 (PARCEL NUMBER 53-104-0-058.00-0), AND CITY OUT LOT NUMBER 1349 (PARCEL NUMBER 53-104-0-059.00-0), CURRENTLY ZONED RS-7.2 (RESIDENTIAL SINGLE FAMILY), TO: I-G (INDUSTRIAL GREEN); 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 SECOND TIME AND UPON MOTION OF MR. RAY THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-21-105 CHANGING THE ZONE CLASSIFICATION OF THE PROPERTY LOCATED AT GARLAND AVENUE, CITY OUT LOT NUMBER 1348, CURRENTLY ZONED RT-5.5 (ONE AND TWO FAMILY RESIDENTIAL) TO I-G (INDUSTRIAL GREEN); 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 SECOND TIME AND UPON MOTION OF MR. RAY THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

REMARKS

COUNCILMAN OLIVER IN LIGHT OF AN EMAIL COUNCILMEMBERS RECEIVED HE'D LIKE TO SAY TO THE ADMINISTRATION THAT HE THINKS ALL BUSINESSES WHETHER LARGE OR SMALL SHOULD BE ABLE TO GET ACCESS TO THE TOOLS NECESSARY FOR PROJECTS.

COUNCILWOMAN TURNER NOTED THAT SHE SENT AN EMAIL ON SEPTEMBER 10, 2021 TO LAW DIRECTOR JEFF LIMBIAN DISCUSSING THE LATE RECEIPT OF THEIR LEGISLATIVE PACKET FOR THE FOLLOWING MONDAY'S FINANCE COMMITTEE MEETING AND HOW IT EFFECTS THE FUNCTIONALITY/TIMELINE OF THE COUNCIL PROCESS FOR INFORMATION GATHERING. SHE ASKED THAT IF THE LEGISLATIVE PACKET BE DELAYED, THAT HE COMMUNICATE THAT TO THE CLERK SO SHE COULD PREPARE FOR DELAYS. CORRESPONDENCE DELAYS KEPT OCCURRING. SHE FEELS HE IS NOT UP TO THE TASK AND STATED THAT SHE HAS NO CONFIDENCE IN JEFF LIMBIAN AS LAW DIRECTOR.

COUNCILWOMAN DAVIS NOTED THAT ON TWO OCCASIONS LAW DIRECTOR JEFF LIMBIAN ISSUED A LETTER AND MADE AN ACCUSATION THAT THREE OF THE COUNCILMEMBERS HAD POTENTIALLY VIOLATED THE SUNSHINE LAW. HE DIDN'T COME TO THEM FIRST, BUT ISSUED HIS COMMENTS PUBLICLY. AGAIN IN THE MOST RECENT LETTER HE SENT OUT ABOUT THE CITY COUNCIL CLERK, HE ONCE AGAIN MADE AN ACCUSATION PUBLICLY. THE CITY CLERK DOES NOT CANCEL MEETINGS BUT ONLY EXPRESSES THE WILL OF COUNCIL, AND COUNCIL DIRECTED HER TO MAKE NOTIFICATIONS TO THE MEDIA TO CANCEL THE MOST RECENT FINANCE AND COUNCIL MEETINGS. SHE IS TIRED OF THE LEGISLATIVE PACKETS NOT BEING ON TIME, AND SHE STATED SHE HAS ABSOLUTELY NO CONFIDENCE IN JEFF LIMBIAN'S ABILITIES AS A LAW DIRECTOR. THE LAW DIRECTOR HAS ALSO STATED PUBLICLY THAT HE SERVES THE ADMINISTRATION NOT THE COUNCIL. SHE HAS NO CONFIDENCE IN ATTORNEY LIMBIAN AS LAW DIRECTOR AND DOES NOT BELIEVE THAT HE IS ABLE TO GET THE JOB DONE IN DIRECTING HIS DEPARTMENT AS HE SHOULD.

COUNCILMAN OLIVER ADDED THAT THE CITY CLERK DID NOTHING WRONG, BUT JUST EXPRESSED COUNCIL'S WILL AND THAT SHE DOES A GREAT JOB. HE FELT THE LAW DIRECTOR WAS JUST GRANDSTANDING WITH HIS LETTER SENT TO THE MEDIA.

PRESIDENT KITCHEN ASKED IF THE CITY COUNCIL CLERK WOULD LIKE TO RESPOND PUBLICLY.

MS. MARROW NOTED SHE WOULD LIKE TO RESPOND TO COMMUNICATION #8 ON THE AGENDA, WHICH IS THE LETTER ATTORNEY JEFF LIMBIAN SENT TO HER TRYING TO REPRIMAND HER PUBLICLY. COUNCIL HAD GIVEN HER THE DIRECTIVE TO CANCEL THE MEETING FOR THE FIRST TIME DUE TO THE LATE ARRIVAL OF THE LEGISLATION, BUT THE LEGISLATION HAD BEEN LATE FOR YEARS. THE CITY CLERK IS THE LIAISON FOR COUNCIL AND IS DIRECTED BY COUNCIL TO CANCEL MEETINGS. THERE WERE FOUR OR FIVE NEWS ARTICLES PUBLISHED ON THE CANCELLATION OF THESE MEETINGS. HER OFFICE SPENDS CONSIDERABLE TIME TO REVIEW, EDIT AND CORRECT LEGISLATION PRIOR TO IT BEING DISSEMINATED AS A COURTESY. IN ADDITION, THERE ARE 1½ TO 2 HOURS OF WORK SPENT ASSEMBLING AND ARRANGING THE LEGISLATION FOR THE MEETINGS TO GET IT

PREPARED TO GO OUT TO THE PUBLIC. ON THE DATE IN QUESTION, THE NOON DEADLINE FOR LEGISLATION WAS NOT MET, AND WAS RECEIVED WAY AFTER 3 P.M. IF LEGISLATION WAS JUST SENT OUT AS RECEIVED INITIALLY, THEN CODES, FUNDS, DETAILS OR OTHER CONTENT MAY BE WRONG, AND THEN COUNCIL HAS TO PULL IT, AMEND IT AND REVISIT IT OVER AGAIN. SHE DOES THE REVIEWING AND CORRECTING AS A PROFESSIONAL COURTESY, BUT COULD SUBMIT THE LEGISLATION EXACTLY AS SUBMITTED TO HER IN THE FUTURE.

IN HIS LETTER, ATTORNEY LIMBIAN IDENTIFIED HIMSELF AS LEGAL COUNSEL FOR THE CITY OF YOUNGSTOWN, AND THEREFORE HE SHOULD REPRESENT HER AND COUNCILMEMBERS. BUT IN HIS CORRESPONDENCE, HE PUBLICLY CRITICIZED THE COUNCIL WHEN STATING THAT HIS DEPARTMENT IS NOT PROPERLY FUNDED BY THE COUNCIL; WHEN HISTORICALLY THERE WAS ONLY ONE LEGISLATIVE AIDE AND NO OTHER LAW DIRECTOR NEEDED ADDITIONAL PERSONNEL FOR PREPARING LEGISLATION IN A TIMELY MANNER. YOU CANNOT BOTH REPRESENT AND PUBLICLY CRITICIZE THOSE SAME PEOPLE. SHE HAS SERVED AS CITY CLERK FOR 14 YEARS AND HAS NEVER HAD AN INCIDENT PUBLIC OR OTHERWISE WITH ANY LAW DIRECTOR PRIOR TO HIM. MR. LIMBIAN DOESN'T REPRESENT HER AND SHE DOES NOT BELIEVE HE HAS AN UNDERSTANDING OF THE ROLE AND RESPONSIBILITIES OF THE CITY CLERK. SHE NOTED THAT RULE #43 OF THE COUNCIL RULES STATES THAT LEGISLATION "SHALL BE FILED WITH THE CLERK NOT LATER THAN 12:00 NOON THE PRECEDING FRIDAY." SHE ADDED THAT LEGISLATION CAN BE DROPPED OFF PRIOR TO THAT TIME, BUT THE LEGISLATION DID NOT GET THERE EVEN BY NOON. THERE IS FLEXIBILITY HISTORICALLY DUE TO HOLIDAYS AND VACATIONS AND THAT WAS THE CASE THAT WEEK, AS THE LEGISLATIVE AIDE STATED SHE WAS GOING TO GET THE LEGISLATION TO THE COUNCIL OFFICE IN FACT EARLY (ON MONDAY), AS SHE WAS GOING TO BE OFF ON VACATION AS WELL. THE LEGISLATION DID NOT ARRIVE EARLY, NOR DID IT ARRIVE ON TIME FOR THE FINAL MUTUALLY AGREED UPON DEADLINE OF WEDNESDAY BY NOON. MS. MARROW, IN FACT, MESSAGED MR. LIMBIAN AT 7:13 A.M. WEDNESDAY TO REMIND HIM THEY WERE EXPECTING THE PACKET, AND AT 8:18 A.M. SHE RECEIVED A RESPONSE FROM HIM THAT HIS OFFICE WOULD DO THEIR BEST.

THE COUNCIL OFFICE IS IN DIRECT CONTACT WITH THE LEGISLATIVE AIDE TO GET LEGISLATION PREPARED. THERE HAS NOT BEEN ONE DAY THAT OUR DEADLINE HAD BEEN MET IN THE LAST 4 YEARS AND SHE HAS KEPT COUNCIL ABREAST OF THE SITUATION. SHE KEEPS RECORDS, TEXTS AND PHONE MESSAGES TO ILLUSTRATE SHE HAS ATTEMPTED TO GET HER JOB DONE. GETTING THE COUNCIL PACKET IN A TIMELY MANNER GIVES COUNCIL TIME TO READ THE LEGISLATION THROUGH AND GET QUESTIONS ANSWERED PRIOR TO THE MEETINGS. SHE WAS DISAPPOINTED IN THE LAW DIRECTOR'S RESPONSE AND SHE ANTICIPATES IT WILL HAPPEN AGAIN. THERE IS A LACK OF AVAILABILITY, INCONSISTENCY, AND SHE HAS COVERED UP THE INADEQUACIES OF UNTIMELY SUBMISSIONS, THE INACCURACIES, AND OTHER ERRORS. PREPARATION OF A CLEAR AND CONCISE LEGISLATIVE PACKET IS THE JOB OF THE LAW DIRECTOR.

SHE THANKED THE COUNCILMEMBERS FOR THEIR SUPPORT AND SHE CARRIED OUT THEIR WISHES TO CANCEL THE MEETINGS. SHE HAS NEVER HAD TO DEFEND HERSELF PUBLICLY BEFORE. THE LAW DIRECTOR NEVER COMMUNICATED WITH HER, HE BECAME ANGRY, SENT MEMOS AND GAVE INTERVIEWS AND SPOKE UNKINDLY OF HER. HE INTENTIONALLY TRIED TO ATTACK HER PUBLICALLY. THIS IS HER FIRST TIME SAYING ANYTHING PUBLICLY, AND ARTICLES WERE WRITTEN TO SENSATIONALIZE THE CIRCUMSTANCES AND SHE DID NOT APPRECIATE ALL OF THE HOOPLA OVER A CANCELED MEETING. RESPONDING IN AN ANGRY AND UNPROFESSIONAL WAY MAKES THE LAW DIRECTOR LOOK BAD. SHE JUST WANTED TO MAKE A STATEMENT TODAY ABOUT HOW SHE DOES HER JOB, WHO REALLY CALLS THE SHOTS, AND SHE APPRECIATES THE OPPORTUNITY TO RESPOND. SHE DOES NOT WORK FOR THE ADMINISTRATION, SHE WORKS FOR CITY COUNCIL, BUT SHE DOES WORK WITH THE ADMINISTRATION AND ALL DEPARTMENT HEADS AND EVERYONE ON THE FLOOR HAS COME TO HER FOR SOMETHING. SHE DISPUTES HIS STATEMENT THAT SHE DOES NOT COOPERATE WITH OTHERS. SHE WILL NOT SUBJECT HERSELF TO BEING DISRESPECTED BY JEFF LIMBIAN. THE LAW DIRECTOR IS THE KEY PLAYER IN HOW CITY GOVERNMENT FUNCTIONS, AND WE NEED A STRONG, CONFIDENT, AVAILABLE LAW DIRECTOR.

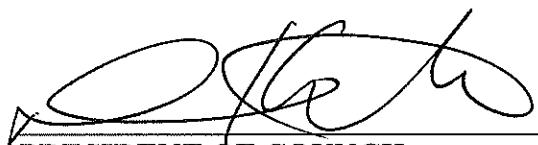
PRESIDENT KITCHEN NOTED THAT ALL OF THE COUNCILMEMBERS ARE EXTREMELY HAPPY WITH THE CITY CLERK'S PERFORMANCE AND THAT IS ALL THAT MATTERS.

COUNCILMAN RAY NOTED THAT THE CITY CLERK TAKES THE HIGH ROAD AND DOES HER JOB VERY EFFICIENTLY AND THE BALL IS IN THE MAYOR'S COURT.

UPON MOTION COUNCIL ADJOURNED

APPROVED: WEDNESDAY, DECEMBER 15, 2021


CLERK


PRESIDENT OF COUNCIL