

CITY COUNCIL MEETING
WEDNESDAY, OCTOBER 20, 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-21-186 BOARD OF CONTROL MEETING WAS HELD OCTOBER 14, 2021. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-21-187 MAHONING COUNTY COMMISSIONERS BOARD MEETING WAS HELD OCTOBER 7, 2021. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-21-188 MAHONING COUNTY COMMISSIONERS BOARD MEETING WAS HELD OCTOBER 14, 2021. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-21-189 LETTER OF INTEREST FROM MICHAEL J. MURPHY RE: SERVING ON MVSD BOARD. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-21-190 RESCINDING THE APPOINTMENT OF TRACEY OATES ON AUGUST 25, 2021 TO THE MAHONING VALLEY SANITARY DISTRICT BOARD. ROLL CALL VOTE: YEAS, 7. NAYS, NONE. CARRIED

COM-21-191 YOUNGSTOWN CITY COUNCIL NOMINATION FOR THE APPOINTMENT TO THE MAHONING VALLEY SANITARY DISTRICT BOARD. WAS READ AND UPON MOTION OF MR. RAY ***WAS POSTPONED AND REQUESTED TO BE DISCUSSED AT A PUBLIC UTILITIES COMMITTEE MEETING.***

FAILED

REPORT

REP-21-30 FINANCE COMMITTEE SIGNED OUT ORD-21-308 ENTITLED: "AMENDING SUB-SECTION (B) OF SECTION 163.30, LONGEVITY PAYMENT OF THE CODIFIED ORDINANCES OF THE CITY OF YOUNGSTOWN." WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

ORDINANCES

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.

REMARKS

COUNCILWOMAN ADAMCZAK ASKED PUBLIC WORKS DIRECTOR CHUCK SHASHO WHAT WOULD HAPPEN IF THIS ITEM WAS CONSIDERED AT THE NEXT MEETING OR A FUTURE MEETING.

MR. SHASHO STATED THE PROJECT WOULD NOT BE IN DANGER IF IT WENT TO A SECOND READING (***PORTIONS OF RESPONSE UNINTELLIGIBLE***).

COUNCILMAN OLIVER STATED THAT MR. SHASHO HAD A CONVERSATION WITH HIM REGARDING THE PROJECT AND FEELS IT IS IMPORTANT TO THE CITY, BUT COUNCILMAN OLIVER NEGLECTED TO COMMUNICATE WITH THE OTHER COUNCILMEMBERS.

COUNCILWOMAN DAVIS STATED SHE FEELS THERE IS NO DEMAND FOR THIS PROJECT, AND THAT THE CITY DOESN'T NEED ANOTHER \$3 MILLION DOLLAR PROJECT DOWNTOWN, AND HER CONSTITUENTS ARE TIRED OF MONEY BEING POURED INTO THE DOWNTOWN WHILE OTHER AREAS OF THE CITY GO WANTING.

COUNCILMAN OLIVER ASKED MR. SHASHO IF IT IS POSSIBLE FOR OTHER NEIGHBORHOOD PROJECTS OF THE CITY TO GET SIMILAR GRANTS.

MR. SHASHO RESPONDED THAT HE WOULD LIKE TO DISCUSS IT FURTHER WITH COUNCIL, AS HE DOESN'T WANT TO THROW A \$300,000 GRANT AWAY (***PORTIONS OF RESPONSE UNINTELLIGIBLE***).

WAS READ THE FIRST TIME AND UPON MOTION OF MR. RAY A MOTION WAS MADE TO RESCIND THE ORIGINAL MOTION FOR CONSIDERATION AND PASSAGE OF ITEM #1. SECONDED BY MCNALLY. THEN UPON MOTION OF MR. RAY MOTION **WAS MADE TO MOVE TO A SECOND READING.**

ORD-21-312 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO MAKE PAYMENT IN THE AMOUNT OF \$30,652.50 TO LINDY PAVING FOR EMERGENCY ROADWAY REPAIRS TO A MAIN WATER LINE BREAK ON MAHONING AVENUE BETWEEN NORQUEST BOULEVARD AND RHEIMS 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-21-313 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 \$46,057.93, FOR EMERGENCY REPLACEMENT OF 70 FEET OF 15 INCH SANITARY LINE WITH REPAIR TO TWO CATCH BASINS AND THE OUTGOING LINES; 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-21-314 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO MAKE PAYMENT TO TREASURER STATE OF OHIO IN AN AMOUNT NOT TO EXCEED \$25,900.00 FOR THE WASTEWATER TREATMENT PLANT'S NPDES DISCHARGE FEES REQUIRED BY THE OHIO EPA; 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-21-315 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO EXPEND AN AMOUNT NOT TO EXCEED \$20,000.00 TO DONNELL FORD, 7955 MARKET STREET, YOUNGSTOWN, OHIO 44512 FOR THE PURCHASE OF PARTS AND EQUIPMENT UTILIZED TO REPAIR THE POLICE DEPARTMENT'S

VEHICULAR FLEET; 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-21-316 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO APPROVE PAYMENT NOT TO EXCEED \$214,440.00 PER STATE BID CONTRACT TO ALLSTATE FORD OF YOUNGSTOWN, LLC, 3680 LEHARPS ROAD, YOUNGSTOWN, OHIO 44515 FOR THE PURCHASE OF: TWO 2022 FORD F-250 4X4 SD CREW TRUCKS AT \$39,995.00 EACH AND TWO 2022 FORD F-550 CHASSIS 4X2 SD CREW CAB DUMP TRUCKS AT \$67,225.00 EACH; 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-21-317 PROVIDING PAY RAISES FOR CERTAIN POSITIONS IN THE VARIOUS DEPARTMENTS OF THE CITY OF YOUNGSTOWN, OHIO NOT INCLUDED IN ANY BARGAINING UNIT THEREFORE DESIGNATED AS "MANAGEMENT", SAID POSITIONS, INCLUDING THE YOUNGSTOWN MUNICIPAL COURT AND THE CLERK OF COURTS, BUT EXCLUDING THE ELECTED CITY COUNCIL MEMBERS AND PRESIDENT OF COUNCIL, HEREIN REFERRED, TO RECEIVE THE FOLLOWING WAGE INCREASES: EFFECTIVE JANUARY 1, 2022 – 2% INCREASE, AND EFFECTIVE JANUARY 1, 2023 – 2.5% INCREASE; 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-21-318 RATIFYING THE TENTATIVE AGREEMENT BETWEEN INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, IAFF LOCAL 312 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, 7. NAYS, NONE.

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

ORD-21-319 AUTHORIZING THE EXPENDITURE IN THE AMOUNT OF \$500.00 FROM THE PRESIDENT OF COUNCIL'S DISCRETIONARY FUND 1001.01.008_5107, OPERATING SERVICES TO COVER COSTS ASSOCIATED WITH FOOD, DECORATIONS, AND PROFESSIONAL SERVICES FOR A CHANEY-EAST RALLY AND PICNIC TO BE HELD OCTOBER 18, 2021 AT THE YOUNGSTOWN AMPHITHEATER; 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-21-320 AUTHORIZING THE EXPENDITURE IN THE AMOUNT OF \$2,500.00 FROM THE PRESIDENT OF COUNCIL'S DISCRETIONARY FUND 1001.01.008_5107, OPERATING SERVICES TO COVER COSTS ASSOCIATED WITH NOW YOUNGSTOWN, INC.'S HOLIDAY COMMUNITY OUTREACH EVENTS; 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-21-321 AMENDING SECTION 163.05.01, BONUS FOR NON-USE OF SICK LEAVE, OF THE CODIFIED ORDINANCES OF THE CITY OF YOUNGSTOWN, OHIO TO AWARD A CASH INCENTIVE TO ANY OFFICER OR EMPLOYEE IN THE VARIOUS DEPARTMENTS OF THE CITY OF YOUNGSTOWN, OHIO, NOT INCLUDED IN ANY BARGAINING UNIT, THEREFORE, DESIGNATED AS "MANAGEMENT", INCLUDING THE YOUNGSTOWN MUNICIPAL COURT AND THE YOUNGSTOWN CLERK OF COURTS, FOR NON-USE OF SICK LEAVE IN THE FOLLOWING MANNER: EFFECTIVE JAN. 1, 2021 - \$159.00; JAN. 1, 2022 - \$159.00; AND JAN. 1, 2023 - \$159.00 PER QUARTER; 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-21-322 CHANGING THE ZONE CLASSIFICATION OF THE PROPERTY LOCATED AT 1680 MCCARTNEY ROAD, CITY LOT NUMBERS 54327, 54328, 54329, 54330, 54331, 54332, 54333, 54334, 54335 AND 54336, CURRENTLY ZONED RT-5.5, (ONE AND TWO FAMILY RESIDENTIAL) TO MU-C (MIXED-USE COMMUNITY); 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.**

ORD-21-323 CHANGING THE ZONE CLASSIFICATION OF THE PROPERTY LOCATED AT 1001 BEARS DEN ROAD, CITY LOT NUMBER 61946, CURRENTLY ZONED MU-N (MIXED-USE NEIGHBORHOOD) TO IG (INDUSTRIAL GREEN); 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.**

SIGNED OUT OF COMMITTEE

ORD-21-308 AMENDING SUB-SECTION (B) OF SECTION 163.30, **LONGEVITY PAYMENT** OF THE CODIFIED ORDINANCES OF 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 SECOND TIME AND UPON MOTION OF MR. RAY WAS AMENDED TO LIST THE MAYOR AS AN EXCLUSION IN SECTION 1 OF THE LAST PARAGRAPH, LINE 4.

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

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

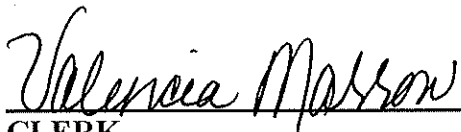
TIED VOTE

ORD-21-276 AMENDING THE CODIFIED ORDINANCES OF THE CITY OF YOUNGSTOWN: ENACTING SECTION 163.69, PROOF OF COVID-19 VACCINATION BONUS FOR ALL YOUNGSTOWN CITY EMPLOYEES: EFFECTIVE IMMEDIATELY \$1,000.00; 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 FOURTH TIME.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND WAS DEFEATED BY A VOTE OF YEAS, 3. NAYS, 4.

UPON MOTION COUNCIL ADJOURNED

APPROVED: WEDNESDAY, NOVEMBER 17, 2021


CLERK


PRESIDENT OF COUNCIL