

CITY COUNCIL MEETING
WEDNESDAY, NOVEMBER 2, 2022

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, LAUREN MCNALLY, JULIUS OLIVER, MIKE RAY, SAMANTHA TURNER, AND TOM HETRICK, 8. COUNCIL SWORE ALLEGIANCE TO THE FLAG.

COMMUNICATIONS

COM-22-192 BOARD OF CONTROL MEETING WAS HELD OCTOBER 18, 2022. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-22-193 BOARD OF CONTROL MEETING WAS HELD OCTOBER 27, 2022. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-22-194 MAYOR BROWN PRESS RELEASE RE: APPOINTMENT OF CLEMATE FRANKLIN AS EXECUTIVE DIRECTOR OF PARKS AND RECREATION DEPARTMENT. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-22-195 PLANNING COMMISSION MEETING WAS HELD OCTOBER 18, 2022. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-22-196 DESIGN REVIEW COMMITTEE MEETING WAS HELD NOVEMBER 1, 2022. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-22-197 MAHONING COUNTY COMMISSIONERS BOARD MEETING WAS HELD OCTOBER 20, 2022. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-22-198 MAHONING COUNTY COMMISSIONERS BOARD MEETING WAS HELD OCTOBER 27, 2022. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-22-199 MAHONING VALLEY SANITARY DISTRICT BOARD MEETING WAS HELD OCTOBER 26, 2022. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-22-200 OHIO DIVISION OF LIQUOR CONTROL NOTICE RE: TRFO TO: MANSHIKA OIL, LLC DBA QUICK CHECK, 1907 SOUTH AVE. YOUNGSTOWN, OH 44502, PERMIT #6541907. FROM: OMNI MANAGEMENT, INC., 1907 SOUTH AVE., YOUNGSTOWN, OH 44502, PERMIT #6547823. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-22-201 FRED D'AMICO REQUESTS PERMISSION TO SPEAK BEFORE CITY COUNCIL ON NOVEMBER 2, 2022. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-22-202 PASTOR CHARLES HUDSON REQUESTS PERMISSION TO SPEAK BEFORE CITY COUNCIL ON NOVEMBER 2, 2022. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

REPORTS

REP-22-27 COMMUNITY, PLANNING & ECONOMIC DEVELOPMENT COMMITTEE SIGNED OUT ORD-21-332 ENTITLED: "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.". WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

RESOLUTIONS

RES-22-14 RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR. 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-22-15 HONORING "THE PLACE THAT MAKES US" FILM, ALONG WITH DIRECTOR KARLA MURTHY AND PRODUCER ALEXANDRA NIKOLCHEV. 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-22-393 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO APPROVE THE PURCHASE OF SEVEN (7) MOBILE DATA TERMINALS AND ACCESSORIES, FROM BROADCAST MICROWAVE SERVICES, LLC, FOR THE POLICE DEPARTMENT'S NEW 2022 FORD EXPLORERS. COST WILL NOT EXCEED \$42,000.00 FOR FISCAL YEAR 2022; 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-22-394 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ENTER INTO A CONTRACT WITH AXON ENTERPRISE, INC., AND APPROVE THE PURCHASE OF THE AXON INTERVIEW RECORDING SYSTEM FOR THE YOUNGSTOWN POLICE DEPARTMENT. 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, 7. NAYS, NONE.

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

ORD-22-395 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ENTER INTO AN AGREEMENT WITH ARCADIS FOR HOSTING, SUPPORT, AND EXPANSION OF THE ORION PROJECT MANAGEMENT INFORMATION SYSTEM, TO INCLUDE ELECTRONIC LOGGING FOR THE WASTEWATER TREATMENT PLANT. COST WILL NOT EXCEED \$97,880.00; 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-22-396 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO WAIVE THE FORMAL BIDDING PROCESS PURSUANT TO SECTION 735.051 OF THE OHIO REVISED CODE, AND MAKE PAYMENT TO UTILITY CONTRACTING COMPANY IN THE AMOUNT OF \$50,346.70 FOR EMERGENCY REPAIRS TO A 15" SANITARY SEWER, REPLACEMENT OF A 12" STORM SEWER AND 8" WATER MAIN, AND ELIMINATION OF THE EXISTING DROP CONNECTION IN THE MANHOLE, AT THE INTERSECTION OF ARDEN BOULEVARD AND CANFIELD 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-22-397 AUTHORIZING THE ACCEPTANCE OF THE IDEP AND STEP GRANT (#IDEP/STEP – 2023 – YOUNGSTOWNPOLICEDEPARTM-00069) AWARDED TO THE YOUNGSTOWN POLICE DEPARTMENT BY THE OHIO DEPARTMENT OF PUBLIC SAFETY IN THE AMOUNT OF \$46,243.74 WITH NO LOCAL MATCH, FOR THE PERIOD OF OCTOBER 1, 2022 THROUGH SEPTEMBER 30, 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, 7. NAYS, NONE.

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

ORD-22-398 AUTHORIZING THE EXPENDITURE OF \$1,000.00 FROM THE SECOND WARD DISCRETIONARY FUND. FUNDS WILL BE USED BY THE NEIGHBORHOOD BLOCK WATCH ALLIANCE TO DEFRAY COSTS ASSOCIATED WITH PROPERTY BEAUTIFICATION, AN OPEN HOUSE EVENT, AND CLEAN UP REPAIRS AT JOHN WHITE PARK, 2300 KIMMEL STREET, IN THE SECOND 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-22-399 AUTHORIZING THE EXPENDITURE OF \$1,000.00 FROM THE SECOND WARD DISCRETIONARY FUND. FUNDS WILL BE USED TO DEFRAY COST OF A PUBLIC PARADE AND COMMUNITY EVENT, CALLED THE SHARON LINE STOP 5 REUNION IN THE SECOND 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-22-400 AUTHORIZING THE EXPENDITURE OF \$2,000.00 FROM THE SECOND WARD DISCRETIONARY FUND. FUNDS WILL BE USED FOR THE ONGOING BEAUTIFICATION AND MAINTENANCE OF VACANT/ABANDONED PROPERTIES IN THE AREAS OF KENNETH AND ARMSTRONG AVENUES IN THE SECOND 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-22-401 AUTHORIZING THE EXPENDITURE OF \$2,500.00 FROM THE SECOND WARD DISCRETIONARY FUND. FUNDS WILL BE USED TO REIMBURSE EXPENSES FOR THE COMMUNITY HEALTH FAIR, HELD ON SEPT. 17, 2022, BY PRICE MEMORIAL AME ZION CHURCH IN 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-22-402 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 TO ADD STEP INCREASES TO POSITION NO. 0701-1080, ADMINISTRATOR, IN THE HEALTH

DEPARTMENT: **SALARY:** ENTRY - \$30.8936 HOURLY / \$64,258.69 ANNUALLY; **STEP 1 – AFTER 3 MONTHS - \$31.7308 HOURLY / \$66,000.00 ANNUALLY; STEP 2 – AFTER 6 MONTHS - \$32.6923 HOURLY / \$68,000.00 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-22-403 AMENDING THE CODIFIED ORDINANCES OF THE CITY OF YOUNGSTOWN; ENACTING SECTION 546.17, MOW TO OWN ADJACENT LOT DISPOSITION PROGRAM; 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.**

SIGNED OUT OF COMMITTEE

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 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 **WAS DEFEATED** BY A VOTE OF YEAS, 7. NAYS, NONE.

LATE

ORD-22-404 RATIFYING THE TENTATIVE AGREEMENT BETWEEN THE CITY OF YOUNGSTOWN AND THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS LOCAL 377; 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.

PUBLIC HEARINGS

ORD-22-365 CHANGING THE ZONE CLASSIFICATION OF THE PROPERTY LOCATED AT 2524 E. MIDLOTHIAN BLVD., CITY LOT NUMBER 44510, CURRENTLY ZONED RS 7.2 SINGLE FAMILY RESIDENTIAL, TO RT 5.5 ONE AND TWO FAMILY RESIDENTIAL; 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.

PUBLIC HEARING SET FOR NOVEMBER 21, 2022 @ 2:00 P.M.

COUNCILMAN RAY: MADE A MOTION TO ADJOURN.

COUNCILWOMAN ADAMCZAK: SECONDED.

UPON MOTION COUNCIL ADJOURNED

APPROVED: WEDNESDAY, DECEMBER 7, 2022


CLERK


PRESIDENT OF COUNCIL