

CITY COUNCIL MEETING
WEDNESDAY, DECEMBER 19, 2018

CITY COUNCIL CONVENED IN REGULAR SESSION 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, LAUREN MCNALLY, JULIUS OLIVER, NATE PINKARD, MIKE RAY, TJ RODGERS, AND DEMAINE KITCHEN, 8. COUNCIL SWORE ALLEGIANCE TO THE FLAG. THE MINUTES FROM DECEMBER 5, 2018 WERE APPROVED.

COMMUNICATIONS

COM-18-247 BOARD OF CONTROL MEETING WAS HELD DECEMBER 13, 2018. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-18-248 BOARD OF CONTROL MEETING WAS HELD DECEMBER 19, 2018. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-18-249 CITY PLANNING COMMISSION MEETING WAS HELD DECEMBER 18, 2018. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-18-250 MAHONING COUNTY COMMISSIONERS' BOARD MEETING WAS HELD DECEMBER 6, 2018. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-18-251 MAHONING COUNTY COMMISSIONERS' BOARD MEETING WAS HELD DECEMBER 13, 2018. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-18-252 MAHONING COUNTY COMMISSIONERS' RESOLUTION APPROVING 2019 HOLIDAY DATES. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-18-253 MAHONING VALLEY SANITARY DISTRICT BOARD MEETING WAS HELD DECEMBER 19, 2018. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-18-254 OHIO DIVISION OF LIQUOR CONTROL NOTICE RE: PERMIT #6620355-0001, PPD, INC. DBA PAL JOEY'S SPORTS BAR 2929 SOUTH AVENUE, YOUNGSTOWN, OH APPEAL HEARING SET FOR THURSDAY, JANUARY 10, 2019. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-18-255 OHIO DIVISION OF LIQUOR CONTROL NOTICE RE: PERMIT #2791481, FLOYD'S LEGACY, LLC DBA CLUB DE JA VU, 2810-12 MARKET STREET & PATIO, YOUNGSTOWN, OH, APPEAL HEARING SET FOR THURSDAY, JANUARY 10, 2019. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED.

CARRIED

COM-18-256 OHIO DIVISION OF LIQUOR CONTROL NOTICE RE: TRFO – FROM: PERMIT #6963376 PLAZA MEXICO RESTAURANT & CANTINA, LLC, 3031 MAHONING AVE. & PATIO, YOUNGSTOWN, OHIO 44509 TO: PERMIT #5531555 MARIA MH, LLC, 3031 MAHONING AVE. & PATIO, YOUNGSTOWN, OH 44509. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED.

CARRIED

COM-18-257 NORTHEAST OHIO NATURAL GAS CORP. (NEO) LETTER RE: REQUEST TO PUCO TO INCREASE NATURAL GAS RATES. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED.

CARRIED

COM-18-258 DOMINION ENERGY LETTER RE: NOTICE OF FILING AMENDED AMR COST RECOVERY CHARGE OF \$0.30 PER MONTH PER CUSTOMER. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED.

CARRIED

COM-18-259 PASTOR CHARLES HUDSON REQUESTS PERMISSION TO ADDRESS CITY COUNCIL ON DECEMBER 19, 2018. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED.

CARRIED

COM-18-260 KHALID PIERCE REQUESTS PERMISSION TO ADDRESS CITY COUNCIL ON DECEMBER 19, 2018. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED.

CARRIED

ORDINANCES

ORD-18-370 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO RENEW THE CITY'S LIABILITY AND CASUALTY COVERAGE IN THE AMOUNT OF \$695,773.00 THROUGH JACKSON-DIEKEN AND ASSOCIATES BY ENTERING A NEW INSURANCE CONTRACT WITH THEM; 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. PINKARD 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-18-371 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO DIRECT THE OHIO EDISON COMPANY TO INSTALL ONE (1) 100 WATT STANDARD LIGHT WITH A 6' ARM ON AN EXISTING POLE AT 1349 E. FLORIDA POLE NO. 20-61. ESTIMATED "RELATED CAPITAL CHARGE" WILL BE APPROXIMATELY \$1,601.43 FOR INSTALLATION AND \$8.16 MONTHLY; 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. PINKARD 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-18-372 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO DIRECT THE OHIO EDISON COMPANY TO INSTALL ONE (1) 100 WATT STANDARD LIGHT WITH A 6' ARM AT 2243 MONTCLAIR AVENUE POLE NO. 9-285. ESTIMATED "RELATED CAPITAL CHARGE" WILL BE APPROXIMATELY \$1,602.89 FOR INSTALLATION AND \$8.16 MONTHLY; 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. PINKARD 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-18-373 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO DIRECT THE OHIO EDISON COMPANY TO INSTALL ONE (1) 100 WATT STANDARD LIGHT WITH A 6' ARM ON AN EXISTING POLE IN THE AREA OF 346 THROUGH 353 W. LACLEDE AVENUE POLE NO. 9-1172. ESTIMATED "RELATED CAPITAL CHARGE" WILL BE APPROXIMATELY \$1,602.89 FOR INSTALLATION AND \$8.16 MONTHLY; 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. PINKARD 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-18-374 TO ADOPT AND APPROVE THE APPROPRIATION OF THE YEAR 2019 TEMPORARY OPERATING BUDGET CONTAINED 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. PINKARD 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-18-375 AUTHORIZING THE ACCEPTANCE OF THE DRUGGED-DRIVING ENFORCEMENT PROGRAM (DDEP) GRANT (#DDEP-2019-YOUNGSTOWN POLICE DEPARTMENT – 00011) AWARDED TO THE YOUNGSTOWN POLICE DEPARTMENT BY THE OHIO DEPARTMENT OF PUBLIC SAFETY IN THE AMOUNT OF \$6,107.98 WITH NO LOCAL MATCH FOR THE PERIOD OF DECEMBER 1, 2018 THROUGH SEPTEMBER 30, 2019; 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. PINKARD 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-18-376 APPROPRIATING \$6,000.00 INTO FUND 2102.30_5107, THE DRUG LAW ENFORCEMENT FUND, 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. PINKARD 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-18-377 APPROPRIATING \$14,300.00 INTO FUND 2102.30_5205, THE DRUG LAW ENFORCEMENT FUND, 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. PINKARD 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-18-378 INCREASING APPROPRIATIONS BY \$116,473.00 FOR POLICE PROJECTS RESERVE FUND UNDER 2106.30_5703; 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. PINKARD 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-18-379 AUTHORIZING THE EXPENDITURE IN THE AMOUNT OF \$500.00 FROM THE FIRST WARD DISCRETIONARY FUND TO SUPPORT THE HOLIDAY HELPING HANDS 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. PINKARD 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-18-380 AUTHORIZING THE DIRECTOR OF FINANCE TO TRANSFER THE AMOUNT OF \$1,500.00 FROM THE SIXTH WARD DISCRETIONARY FUND 1001.01.006_5107, OPERATING SERVICES INTO LITTER CONTROL AND RECYCLING 2903.30, LITTER CONTROL TO PURCHASE TAKE PRIDE TRASH BINS; 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. PINKARD 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-18-381 AUTHORIZING THE EXPENDITURE IN THE AMOUNT OF \$1,800.00 FROM THE SEVENTH WARD DISCRETIONARY FUND TO BE USED BY THE 7TH WARD CITIZENS COALITION TO OFFSET THE EXPENSE FOR EDUCATIONAL MATERIAL FOR THE RESIDENTS OF 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. PINKARD 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-18-382 AUTHORIZING THE CITY OF YOUNGSTOWN, PURSUANT TO OHIO REVISED CODE 723.05 AND 723.07, TO PROVIDE FOR THE VACATION OF BUNDY AVENUE, A 40.18 FOOT X 339.19 FOOT PUBLIC RIGHT-OF-WAY, AS SHOWN ON THE ATTACHED MAP MARKED 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. PINKARD WAS **MOVED TO THE PLANNING COMMISSION.**

ORD-18-383 AUTHORIZING THE CITY OF YOUNGSTOWN, PURSUANT TO OHIO REVISED CODE 723.05 AND 723.07, TO PROVIDE FOR THE VACATION OF CITY LOT 5565, AN APPROXIMATELY 31 FOOT X 63 FOOT PUBLIC RIGHT-OF-WAY, AS SHOWN ON THE ATTACHED MAP MARKED 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. PINKARD WAS **MOVED TO THE PLANNING COMMISSION.**

ORD-18-384 CHANGING THE ZONE CLASSIFICATION OF THE PROPERTY LOCATED AT E. WOODLAND AVENUE, CITY LOT NUMBERS 1673, 1668 SEC PT, 10679 SEC RR 1672 SEC RR, 1671 SEC RR, 5564 SEC RR, 5565 AND 1670 CURRENTLY ZONED MU-C (MIXED USE COMMUNITY) TO: RS 7.2 (SINGLE 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. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD WAS **MOVED TO THE PLANNING COMMISSION.**

ORD-18-385 CHANGING THE ZONE CLASSIFICATION OF THE PROPERTY LOCATED AT 3718 SHERIDAN ROAD, CITY LOT NUMBER 26738 AND PROPERTY LOCATED ON SOUTH HEIGHTS AVENUE CITY LOT NO. 26737 CURRENTLY ZONED RS 7.2 (SINGLE 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. PINKARD WAS **MOVED TO THE PLANNING COMMISSION.**

THIRD READING

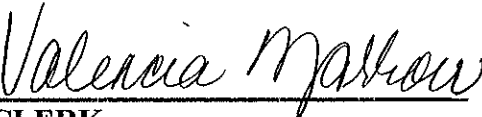
ORDINANCE

ORD-18-283 AUTHORIZING THE CITY OF YOUNGSTOWN, PURSUANT TO OHIO REVISED CODE 723.05 AND 723.07, TO PROVIDE FOR THE VACATION OF A PORTION OF EDGAR AVENUE, THE AREA BETWEEN JOSEPHINE AVENUE AND FOREST GLEN AVENUE, A 42 FOOT X 638 FOOT RIGHT-OF-WAY, AS SHOWN ON THE ATTACHED MAP MARKED 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 THIRD TIME.

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

UPON MOTION COUNCIL ADJOURNED.

APPROVED: WEDNESDAY, JANUARY 16, 2019


CLERK


PRESIDENT OF COUNCIL