

CITY COUNCIL MEETING
WEDNESDAY, MARCH 7, 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 FEBRUARY 21, 2018 WERE APPROVED.

COMMUNICATIONS

COM-18-44 BOARD OF CONTROL MEETING WAS HELD MARCH 1, 2018. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-18-45 THE COMMUNITY REINVESTMENT AREA HOUSING COUNCIL MEETING WAS HELD MARCH 1, 2018. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-18-46 MAHONING COUNTY COMMISSIONERS' BOARD MEETING WAS HELD FEBRUARY 22, 2018. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-18-47 MAHONING COUNTY COMMISSIONERS' BOARD MEETING WAS HELD MARCH 1, 2018. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-18-48 MAHONING VALLEY SANITARY DISTRICT MEETING WAS HELD FEBRUARY 28, 2018. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-18-49 OHIO DEPARTMENT OF COMMERCE DIVISION OF LIQUOR CONTROL: NEW PERMIT APPLICATION, PERMIT #9860993, CLASS B, YOUNGSTOWN STAMBAUGH HOTEL, LLC, 44 E. FEDERAL PLAZA, YOUNGSTOWN, OH 44503. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-18-50 KERRY PETTIT REQUESTS PERMISSION TO ADDRESS CITY COUNCIL ON MARCH 7, 2018. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-18-51 MARIA DAVIS REQUESTS PERMISSION TO ADDRESS CITY COUNCIL ON MARCH 7, 2018. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-18-52 CONFIRMING MAYOR BROWN'S APPOINTMENT OF DAWN TURNAGE TO PARK & RECREATION DIRECTOR EFFECTIVE MARCH 5, 2018. **ROLL CALL VOTE TO CONFIRM THE APPOINTMENT - YEAS, 7, NAYS, NONE.**

REPORTS

REP-18-03 CITY PLANNING COMMISSION MET FEBRUARY 20, 2018 AND RECOMMENDED APPROVAL OF REFERRAL NO. 20-17: REQUEST BY MAHONING VALLEY DISTRIBUTORS, LLC FOR A WAIVER TO ESTABLISH A REGULATED USE (MEDICAL MARIJUANA DISPENSARY) WITHIN A 500 FT. RADIUS OF OTHER REGULATED USES SUCH AS 876 E. MIDLOTHIAN BLVD., THE UTOPIA NIGHT CLUB. THE PROPERTY IN QUESTION IS LOCATED AT 890 E. MIDLOTHIAN BLVD., IN A MU-C, MIXED USE COMMUNITY DISTRICT. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

REP-18-04 CITY PLANNING COMMISSION MET FEBRUARY 20, 2018 AND RECOMMENDED APPROVAL OF REFERRAL NO. 01-18, ORD-17-456: "CHANGING THE ZONE CLASSIFICATION OF THE PROPERTY LOCATED AT 182 E. MIDLOTHIAN BOULEVARD, CITY LOT NUMBER 35024, CURRENTLY ZONED RS-7.2 (SINGLE FAMILY RESIDENTIAL TO: MU-I (MIXED USE INSTITUTIONAL))." WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

REP-18-05 CITY PLANNING COMMISSION MET FEBRUARY 20, 2018 AND RECOMMENDED APPROVAL OF REFERRAL NO. 02-18, ORD-18-27: "CHANGING THE ZONE CLASSIFICATION OF THE PROPERTY LOCATED AT 832 ELM STREET, CITY LOT NUMBER 4963, CURRENTLY ZONED MU-N (MIXED USE - NEIGHBORHOOD TO: MU-C (MIXED USE - COMMUNITY))." WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

REP-18-06 CITY PLANNING COMMISSION MET FEBRUARY 20, 2018 AND RECOMMENDED APPROVAL OF REFERRAL NO. 03-18, ORD-18-26: "AMENDING ORDINANCE NUMBER 16-84, PASSED BY YOUNGSTOWN CITY COUNCIL ON MAY 18, 2016, WHICH AUTHORIZED THE CITY OF YOUNGSTOWN TO ADOPT THE GENERAL RENEWAL FOR THE NEAR EASTSIDE OF YOUNGSTOWN AS AN URBAN RENEWAL PLAN. THE AMENDMENT BEING: TO EXPAND THE ACQUISITION AREA TO INCLUDE 3 STRUCTURES AND 3 VACANT LOTS TO THE ORIGINAL NEAR EASTSIDE NEIGHBORHOOD RENEWAL AREA (NENRA) PLAN." WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

RESOLUTION

RES-18-02 COMMEMORATING THE OPENING OF THE NEW MICHAEL KUSALABA BRANCH LIBRARY IN THE CITY OF YOUNGSTOWN. 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 RESOLUTION WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORDINANCES

ORD-18-32 ADOPTING AND ESTABLISHING THE MASTER SALARY FOR THE CITY OF YOUNGSTOWN, CONTAINED IN EXHIBIT "A" HERETO ATTACHED AND MADE A PART HEREOF, WHICH INCORPORATES ALL AMENDMENTS TO DATE; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX MEMBERS OF COUNCIL; OTHERWISE, IT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD **WAS MOVED TO A SECOND READING.**

ORD-18-33 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO APPROVE PAYMENT IN THE AMOUNT OF \$51,500.00 TO WESTERN RESERVE MECHANICAL FOR 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. 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-18-34 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ENTER INTO ALL NECESSARY PROFESSIONAL SERVICE AGREEMENTS TO PROVIDE CONSTRUCTION INSPECTION AND TESTING SERVICES FOR 2018 PAVING OPERATIONS. COSTS NOT TO EXCEED \$70,000.00; 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. 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-18-35 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST RESPONSIBLE BIDDER FOR THE 2018 STREET RESURFACING PROGRAM. COST WILL BE APPROXIMATELY \$1,030,000.00; 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. 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-18-36 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 MARUCCI AND GAFFNEY EXCAVATING COMPANY IN THE AMOUNT OF \$287,505.35 FOR EMERGENCY REPAIRS TO THE SEWER AND SINKHOLE ON HIMROD 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. 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-18-37 AUTHORIZING THE ACCEPTANCE OF THE AIR POLLUTION CONTROL ENFORCEMENT FUNDS IN THE SUM OF \$3,571.00; 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. 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-18-38 APPROPRIATING AND MAKING AVAILABLE FOR EXPENDITURE THE SUM OF \$3,571.00 IN THE AIR POLLUTION CONTROL ENFORCEMENT PROGRAM FUNDS (HAPE FFY 2018); 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-18-39 AUTHORIZING THE ACCEPTANCE OF THE OHIO ATTORNEY GENERAL VETERANS GRANT IN THE AMOUNT OF \$6,900.00, AWARDED TO THE YOUNGSTOWN MUNICIPAL VETERANS TREATMENT 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. 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-18-40 APPROPRIATING \$6,900.00 INTO THE MUNICIPAL PROBATION SERVICES FUND 2904.30_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. 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-18-41 APPROPRIATING \$1,600.00 INTO THE COURT'S COMPUTERIZATION FUND 4002.30_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. 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-18-42 APPROPRIATING \$5,208.00 INTO THE COURT'S COMPUTERIZATION FUND 4002.30_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. 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-18-43 APPROPRIATING \$15,000.00 INTO THE CLERK OF COURTS COMPUTERIZATION FUND 4004.30_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. 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-18-44 APPROPRIATING \$46,156.00 INTO THE COURT'S COMPUTERIZATION FUND 4002.30_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. 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-18-45 PROVIDING THAT AN AMENDMENT TO THE CHARTER OF THE CITY OF YOUNGSTOWN SHALL BE SUBMITTED TO THE ELECTORS OF THE CITY OF YOUNGSTOWN, FOR ADOPTION OR REJECTION, AT THE NEXT REGULARLY-SCHEDULED ELECTION TO BE HELD ON MAY 8, 2018, PURSUANT TO SECTION 120 OF THE CHARTER OF THE CITY OF YOUNGSTOWN AND ARTICLE XVIII, SECTIONS 8 AND 9 OF THE CONSTITUTION OF THE STATE OF OHIO, TO **AMEND THE CHARTER OF THE CITY OF YOUNGSTOWN BY ADDING SECTION 133, YOUNGSTOWN DRINKING WATER PROTECTION BILL OF RIGHTS, UPON PETITIONS SIGNED BY TEN PERCENT OF THE ELECTORS, BASED UPON THE TOTAL VOTE CAST AT THE LAST PRECEDING GENERAL MUNICIPAL ELECTION;** 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.

PUBLIC HEARINGS

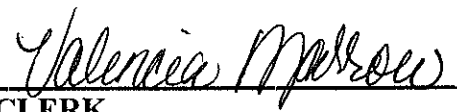
ORD-17-456 CHANGING THE ZONE CLASSIFICATION OF THE PROPERTY LOCATED AT 182 E. MIDLOTHIAN BOULEVARD, CITY LOT NUMBER 35024, CURRENTLY ZONED RS-7.2 (SINGLE FAMILY RESIDENTIAL TO: MU-I (MIXED USE INSTITUTIONAL)). **PUBLIC HEARING SET FOR MARCH 29, 2018 @ 2:00 PM**

ORD-18-27 CHANGING THE ZONE CLASSIFICATION OF THE PROPERTY LOCATED AT 832 ELM STREET, CITY LOT NUMBER 4963, CURRENTLY ZONED MU-N (MIXED USE – NEIGHBORHOOD TO: MU-C (MIXED USE - COMMUNITY)). **PUBLIC HEARING SET FOR MARCH 29, 2018 @ 2:05 PM**

ORD-18-28 AMENDING ORDINANCE NUMBER 16-84, PASSED BY YOUNGSTOWN CITY COUNCIL ON MAY 18, 2016, WHICH AUTHORIZED THE CITY OF YOUNGSTOWN TO ADOPT THE GENERAL RENEWAL FOR THE NEAR EASTSIDE OF YOUNGSTOWN AS AN URBAN RENEWAL PLAN. THE AMENDMENT BEING: TO EXPAND THE ACQUISITION AREA TO INCLUDE 3 STRUCTURES AND 3 VACANT LOTS TO THE ORIGINAL NEAR EASTSIDE NEIGHBORHOOD RENEWAL AREA (NENRA) PLAN. **PUBLIC HEARING SET FOR MARCH 29, 2018 @ 2:10 PM**

UPON MOTION COUNCIL ADJOURNED.

APPROVED: WEDNESDAY, MARCH 21, 2018


CLERK


PRESIDENT OF COUNCIL