

CITY COUNCIL MEETING
WEDNESDAY, FEBRUARY 21, 2024

***MEETING HELD AT MAHONING COUNTY COMMISSIONER'S ROOM**

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: ANITA DAVIS, JIMMY HUGHES, PATRICK KELLY, JULIUS OLIVER, MIKE RAY, SAMANTHA TURNER, AMBER WHITE, AND TOM HETRICK, 8. THE MINUTES FROM FEBRUARY 7, 2024 WERE APPROVED. COUNCIL SWORE ALLEGIANCE TO THE FLAG.

COMMUNICATIONS

COM-24-37 BOARD OF CONTROL MEETING WAS HELD ON FEBRUARY 15, 2024. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-24-38 PRESIDENT TOM HETRICK LETTER TO OH EPA DIRECTOR VOGEL RE: DISAPPOINTMENT IN THE OHIO EPA GRANTING A PERMIT TO SOBE THERMAL ENERGY FOR TIRE PYROLYSIS IN YOUNGSTOWN. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-24-39 CITIZEN PETITION TO CITY COUNCIL RE: URGING THE CITY TO ENFORCE QUALITY-OF-LIFE POLICING OF NEIGHBORHOODS TO HELP REDUCE CRIME. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-24-40 LITTER AND RECYCLING DIRECTOR BOB BURKE LETTER RE: CREATION OF A LITTER LEAGUE WITH CITY WIDE CLEANUP COMPETITIVE EVENTS. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-24-41 MAHONING COUNTY COMMISSIONERS BOARD MEETING WAS HELD FEBRUARY 8, 2024. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-24-42 MAHONING COUNTY COMMISSIONERS BOARD MEETING WAS HELD FEBRUARY 15, 2024. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-24-43 DOMINION ENERGY EXTERNAL AFFAIRS REPRESENTATIVE BENJAMIN KROECK LETTER OF INTRODUCTION. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-24-44 LAW DIRECTOR LORI SHELLS-SIMMONS IS UNABLE TO ATTEND CITY COUNCIL MEETING ON FEBRUARY 21, 2024. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

ORDINANCES

ORD-24-53 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO MAKE PAYMENT TO ST. MORITZ SECURITY SERVICES, INC., IN AN AMOUNT NOT TO EXCEED \$40,000.00 FOR SECURITY SERVICES AT THE CITY HALL POLICE DEPARTMENT ENTRANCE FOR CALENDAR YEAR 2024; 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-24-54 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO EXPEND AN AMOUNT NOT TO EXCEED \$60,000.00 WITH PITNEY BOWES FOR CALENDAR YEAR 2024 POSTAGE/ SHIPPING EXPENSES FOR THE OFFICE OF THE 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-24-55 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO MAKE PAYMENT TO THE TREASURER, STATE OF OHIO, IN THE AMOUNT OF \$50,000.00 FOR THE OHIO HISTORICAL PRESERVATION TAX CREDIT (OHPTC) APPLICATION FEE, WHICH IS DUE TO THE STATE OF OHIO BY MARCH 20, 2024; 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-24-56 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH ECONOMIC ACTION GROUP (EAG) TO PROVIDE PLANNING, ECONOMIC DEVELOPMENT, COMMUNITY DEVELOPMENT AND MARKETING SERVICES. THE TERM OF THE AGREEMENT IS JANUARY 1, 2024 THROUGH DECEMBER 31, 2024 AND COST WILL NOT EXCEED \$150,000.00; 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.

REMARKS

COUNCILWOMAN TURNER NOTED THAT THE WORK EAG HAS DONE IS GREAT BUT SHE WANTS US TO BE MINDFUL OF THE ROLE OF CONSULTANTS IN CITY GOVERNMENT, AS THEY HAVE BEEN PLACEHOLDERS AND HELP BOOST WHAT WE CANNOT DO. AS WE INCREASE STAFF AND GROW DEPARTMENTS, SHE WOULD LIKE TO SEE THE ROLE OF CONSULTANTS TAKEN DOWN INCH BY INCH, AND FOR DEPARTMENTS TO GET TO THE PROPER STAFFING LEVELS AS QUICKLY AS POSSIBLE.

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

ORD-24-57 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER RESPONSIBLE FOR THE 2024 CITY-WIDE STREET RESURFACING PROGRAM. TOTAL COST OF THE PROJECT SHOULD BE APPROXIMATELY \$1,500,000.00; 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-24-58 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF

YOUNGSTOWN TO ENTER INTO ALL NECESSARY PROFESSIONAL SERVICES AGREEMENTS FOR PLANNING, INSPECTION AND CONSTRUCTION ADMINISTRATION SERVICES, AND TESTING SERVICES FOR THE 2024 CITY-WIDE STREET RESURFACING PROGRAM. COST WILL NOT EXCEED \$90,000.00; 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-24-59 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO APPROVE PAYMENT, NOT TO EXCEED \$213,227.00 TO ZESCO, INC. FOR THE REPLACEMENT OF FOUR (4) VARIABLE FREQUENCY DRIVES THAT RUN THE MOTORS AND WATER PUMPS AT THE MYRTLE AVENUE PUMPING STATION. TOTAL COST IS \$213,227.00; 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-24-60 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO DIRECT THE OHIO EDISON COMPANY TO INSTALL ONE (1) 100W STANDARD LIGHT WITH 6' ARM IN THE AREA OF 635 DELAWARE AVE. (POLE #27004). OHIO EDISON'S ESTIMATED "RELATED CAPITAL CHARGE" WILL BE \$2,814.18 AND MONTHLY OPERATING COST WILL BE \$4.98; 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-24-61 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", INCLUDING THE YOUNGSTOWN MUNICIPAL COURT AND THE CLERK OF COURTS, BUT EXCLUDING THE ELECTED CITY COUNCIL MEMBERS, PRESIDENT OF COUNCIL,

MAYOR, CLERK OF COURT, JUDGES AND CIVIL SERVICE COMMISSIONERS, TO RECEIVE THE FOLLOWING WAGE INCREASES RETROACTIVE TO JANUARY 1, 2024: 2.5% INCREASE, PLUS AN ADDITIONAL \$1.00 PER HOUR; 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-24-62 AMERICAN RESCUE PLAN: APPROPRIATING \$3,000,000.00 UNDER THE AMERICAN RESCUE PLAN (ARP) FUND 2701.30_5828, PURSUANT TO U.S. DEPARTMENT OF THE TREASURY GUIDANCE ON USING AMERICAN RESCUE PLAN (ARP) FUNDS TO ADDRESS IMPROVED PUBLIC HEALTH AND NEGATIVE ECONOMIC IMPACTS, TO PAY A VENDOR, OR VENDORS, TO ENGAGE IN ARCHITECTURAL DESIGN SERVICES FOR THE CITY OF YOUNGSTOWN SAFETY CAMPUS. AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO APPROVE AND ENTER INTO CONTRACTUAL AGREEMENTS NECESSARY TO EFFECTUATE THE GOALS FOR DESIGN OF THE CITY OF YOUNGSTOWN SAFETY CAMPUS. TOTAL COST WILL NOT EXCEED \$3,000,000.00; 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-24-63 AMERICAN RESCUE PLAN: APPROPRIATING \$60,000.00 UNDER THE AMERICAN RESCUE PLAN (ARP) FUND 2701.30_5828, PURSUANT TO U.S. DEPARTMENT OF THE TREASURY GUIDANCE ON USING AMERICAN RESCUE PLAN (ARP) FUNDS. FURTHER, AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH UNITED RETURNING CITIZENS FOR ADMINISTRATION OF THE URC EXPUNGEMENT PROGRAM. COST WILL NOT EXCEED \$60,000.00; 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-24-64 INCREASING APPROPRIATIONS TO PARK FUND 2301.11.111_5820, PARK PROJECT CODE, BY \$40,316.00. FUNDS WILL BE USED FOR PHASE I RENOVATIONS

TO THE NORTHSIDE POOL; 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-24-65 AUTHORIZING THE ACCEPTANCE OF FUNDS IN THE AMOUNT OF \$10,000.00 FROM THE OHIO DEPARTMENT OF HEALTH, FOR A LEAD EDUCATION SYMPOSIUM; 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-24-66 INCREASING APPROPRIATIONS TO 2400.007.200_5703, HEALTH FUND BY \$10,000.00; 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-24-67 INCREASING APPROPRIATIONS BY \$60,000.00 IN THE HEALTH CLINIC SERVICE FUND UNDER 2411.30_5108; 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-24-68 INCREASING APPROPRIATIONS TO 2904.30_5205, COURT EQUIPMENT FUND, BY \$19,100.00; 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-24-69 APPROPRIATING \$21,098.00 UNDER 4004.30_5107, COURT COMPUTERIZATION FUND, 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-24-70 INCREASING APPROPRIATIONS TO 2904.30_5101, MUNICIPAL COURT PROBATION TRAVEL FUND BY \$40,000.00; 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-24-71 APPROPRIATING \$75,000.00 INTO 2904.30_5703, MUNICIPAL COURT PROBATION 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-24-72 APPROPRIATING \$60,000.00 INTO THE MUNICIPAL COURT PROBATION FUND UNDER 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. 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-24-73 REMOVING SPECIAL ASSESSMENTS FROM ORDINANCE 15-284, ORDINANCE 16-278, ORDINANCE 17-334, ORDINANCE 18-252, ORDINANCE 19-279, ORDINANCE 20-241, ORDINANCE 21-286, ORDINANCE 22-08, ORDINANCE 22-88, ORDINANCE 22-343, ORDINANCE 22-457, OR ORDINANCE 23-439 FOR COSTS ASSOCIATED WITH THE DEMOLITION OF STRUCTURES, GRASS CUTTING, OR BOARDING-UP STRUCTURES THAT WERE ASSESSED BY THE CITY OF YOUNGSTOWN FOR THE PROPERTIES AND AMOUNTS LISTED IN ATTACHED 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-24-74 AMERICAN RESCUE PLAN: AUTHORIZING THE ALLOCATION OF AMERICAN RESCUE PLAN (ARP) FUNDS FOR THE SIXTH WARD, PER ORDINANCE 22-103 AS PASSED BY YOUNGSTOWN CITY COUNCIL ON APRIL 6, 2022 FOR SPECIFIC PROJECTS, IN THE AMOUNT OF \$52,000.00. FUNDS WILL BE USED BY YOUNGSTOWN NEIGHBORHOOD DEVELOPMENT CORPORATION (YNDC) FOR SMALL BUSINESS RENOVATION, EXPANSION OF THE SPACE, AND THE PURCHASE OF EQUIPMENT FOR THE PROJECT AT BEYOND EXPECTATIONS BARBER COLLEGE; 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 NOT SUSPENDED BY A VOTE OF YEAS, 5. NAYS, 2. THE ORDINANCE WAS THEN **MOVED TO A SECOND READING.**

ORD-24-75 AMERICAN RESCUE PLAN: RESCINDING, IN ITS ENTIRETY, ORDINANCE NO. 23-495, PASSED BY YOUNGSTOWN CITY COUNCIL ON DECEMBER 20, 2023, AS HEREIN DESCRIBED, WHICH ALLOCATED ARP FUNDS IN THE AMOUNT OF \$21,093.00 FOR OCCHA, INC. FACILITY IMPROVEMENTS; 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.

REMARKS

COUNCILWOMAN DAVIS ASKED FOR CLARIFICATION ON THE VOTING ON THIS ORDINANCE.

COUNCILMAN RAY REPLIED THAT IF YOU ARE AGAINST THE ORDINANCE, YOU WOULD VOTE NO TO DEFEAT.

COUNCILMAN RAY NOTED THAT HE WILL ABSTAIN FROM THE VOTE AND DISCUSSION DUE TO A CONFLICT.

COUNCILWOMAN WHITE STATED THAT THE 7TH WARD ARP FUNDS WERE TO GO TO SPECIFIC PROJECTS AND THAT THIS ORDINANCE IS NOT A WARD PROJECT.

COUNCILMAN OLIVER STATED THAT THIS IS PERSONAL AND HE IS IN FAVOR OF DEFEATING IT.

COUNCILWOMAN DAVIS STATED HER VOTE WILL BE BASED ON ALL OF THE DISCUSSION ON THE ORDINANCE.

COUNCILWOMAN WHITE STATED THIS IS NOT PERSONAL, BUT IS LOGICAL. SHE WAS PUT IN OFFICE AND SHE IS VERY INVOLVED IN HER COMMUNITY, AND THEY ARE NOT OKAY WITH THIS, AND SHE IS HEARING ABOUT THIS CONTINUOUSLY, AND NOT BY ONE OR TWO PEOPLE. THEY WERE NOTIFIED AT THE VERY LAST MOMENT WITHOUT COMMUNITY INPUT.

COUNCILMAN HUGHES STATED HE WANTS CLARITY ON HOW IT ISN'T A WARD PROJECT.

COUNCILWOMAN WHITE STATED THAT THIS MONEY WAS AWARDED FOR SPECIFIC WARD PROJECTS. GIVING THAT MONEY TO A FOUNDATION IS NOT WHAT THE MONEY IS FOR.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND WAS **DEFEATED** BY A VOTE OF YEAS, 2. NAYS, 4. ABSTENTION, 1 (RAY).

ORD-24-76 AMERICAN RESCUE PLAN: RESCINDING, IN ITS ENTIRETY, ORDINANCE NO. 23-498, PASSED BY YOUNGSTOWN CITY COUNCIL ON DECEMBER 20, 2023, AS HEREIN DESCRIBED, WHICH ALLOCATED ARP FUNDS IN THE AMOUNT OF \$52,000.00 TO YNDC FOR SPECIFIC WARD IMPROVEMENT PROJECTS; 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.

REMARKS

COUNCILWOMAN DAVIS NOTED SHE WILL NOT BE A HYPOCRITE AS SHE GAVE ARP FUNDS TO DIFFERENT ORGANIZATIONS WITHIN HER WARD.

COUNCILMAN HUGHES ASKED IF THIS ORDINANCE WAS RESCINDED, WHAT HAPPENS TO THE MONEY.

FINANCE DIRECTOR MIASEK STATED IF IT WAS RESCINDED, THOSE ARP DOLLARS WOULD GO BACK TO THE UNUSED DESIGNATED FUNDS FOR THAT WARD. SO THEY WOULD HAVE TO GO BACK THROUGH THE LEGISLATIVE PROCESS TO BE EARMARKED FOR SPENDING.

COUNCILMAN HUGHES ASKED IF THIS WENT TO THE BOARD OF CONTROL ALREADY.

FINANCE DIRECTOR MIASEK STATED NO AGREEMENT HAS YET COME TO THE BOARD OF CONTROL TO BE EXECUTED.

COUNCILWOMAN TURNER ASKED IF COUNCILWOMAN WHITE HAS ALREADY STARTED A CONVERSATION WITH YNDC TO ALLOCATE THESE DOLLARS BACK AS PROJECTS ARE NEEDED IN EACH NEIGHBORHOOD GROUP.

COUNCILWOMAN WHITE REPLIED YES, THAT SECTION 2 OF THE ORDINANCE WOULD BE REMOVED, AND THE BULK OF MONEY WOULD STAY WITH YNDC, AND THEN NEIGHBORHOOD GROUPS WOULD HAVE TO PROPOSE THOSE PROJECTS TO YNDC.

COUNCILMAN HUGHES ASKED IF OCCHA IS ONE OF THOSE NEIGHBORHOOD GROUPS.

COUNCILWOMAN WHITE ANSWERED NO, OCCHA IS NOT A NEIGHBORHOOD GROUP.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND WAS **DEFEATED** BY A VOTE OF YEAS, 2. NAYS, 5.

ORD-24-77 AMERICAN RESCUE PLAN: RESCINDING, IN ITS ENTIRETY, ORDINANCE NO. 23-499, PASSED BY YOUNGSTOWN CITY COUNCIL ON DECEMBER 20, 2023, AS HEREIN DESCRIBED, WHICH ALLOCATED ARP FUNDS IN THE AMOUNT OF \$1,300,000.00 TO THE YOUNGSTOWN FOUNDATION FOR A COMPREHENSIVE IPE PARK IMPROVEMENT PROJECT; 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.

REMARKS

COUNCILWOMAN TURNER NOTED THAT A COMMON THEME WITH THESE PIECES IS THAT THERE IS NO PRE-PLANNING AND NO PROJECT TO ATTACH THE FUNDS TO. IT IS PUTTING THE CART BEFORE THE HORSE. SHE COMMENDS COUNCILWOMAN WHITE FOR BRINGING THIS RESCINDING PIECE FORWARD.

COUNCILMAN OLIVER NOTED HE SUPPORTED THIS PROJECT FROM THE BEGINNING AND STILL SUPPORTS IT.

COUNCILWOMAN DAVIS NOTED SHE ALSO SUPPORTED THIS PROJECT, LIKES THE RENDERING PARK DIRECTOR FRANKLIN PRESENTED, AND SHE WOULD LIKE TO SEE IT GO FORWARD.

COUNCILWOMAN WHITE STATED THERE IS NO PLAN TO SUSTAIN THIS PROJECT, AND THE BULK OF THIS SHOULD NOT BE OUT OF THE 7TH WARD ARP FUNDS, BUT SHOULD COME OUT OF PARK AND RECREATION. AS A NEW COUNCILMEMBER, SHE IS NOT ON BOARD WITH THIS. SHE HAS NUMEROUS PROJECTS THAT NEED DONE IN THE 7TH WARD. SHE HAS A LARGE ELDERLY POPULATION AND NEEDS SIDEWALKS REPLACED, AND COULD REPLACE DOUBLE THE 694 SIDEWALK PIECES SLATED FOR REPLACEMENT WITH SOME OF THESE FUNDS. THESE FUNDS SHOULD COME FROM THE PARK DEPARTMENT AND THE PARK DEPARTMENT SHOULD WORK WITH HER. IT NEEDS TO BE REASONABLE TO SUSTAIN.

COUNCILMAN RAY STATED WE'VE HAD SUBSTANTIAL CONVERSATIONS AND RECOMMENDATIONS AND A LARGE ALLOCATION WAS MADE. HE IS INSPIRED BY THIS PROJECT AND WANTS TO DO SOMETHING SIMILAR IN HIS WARD, AND HE FEELS PARKS ARE ANCHORS.

COUNCILMAN HUGHES STATED WE HAVE GONE THROUGH DIFFERENT PARK DIRECTORS AND DIFFERENT PARK CHAIRPERSONS, AND TALKED ABOUT THE MONIES FOR THIS, AND HE NEVER WANTS TO GO THROUGH THAT AGAIN.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND WAS **DEFEATED** BY A VOTE OF YEAS, 2. NAYS, 5.

ORD-24-78 AMENDING THE CODIFIED ORDINANCES OF THE CITY OF YOUNGSTOWN: ENACTING SECTION 331.47, TEXTING WHILE DRIVING PROHIBITED; 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.

REMARKS

COUNCILMAN HUGHES NOTED WE HAVE A STATE LAW THAT ADDRESSES THIS, AND ASKED IF THIS IS A CARBON COPY OF THE STATE LAW.

ATTORNEY FRITZ NOTED THIS MIRRORS THE STATE LAW EXACTLY. THIS ORDINANCE ALLOWS THE POLICE TO WRITE THE TICKET UNDER THE LOCAL CODE, AND THE FINES AND COSTS CAN GO TO THE CITY INSTEAD OF STATE AGENCIES.

COUNCILMAN KELLY ASKED IF IT IS A MINOR MISDEMEANOR (MM).

ATTORNEY FRITZ ACKNOWLEDGED IT IS AN MM.

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

REMARKS

EXECUTIVE SESSION

COUNCILMAN RAY MOTIONED TO MOVE INTO EXECUTIVE SESSION TO DISCUSS PENDING AND CURRENT LITIGATION.

COUNCILWOMAN DAVIS SECONDED. ROLL CALL VOTE TO ENTER EXECUTIVE SESSION: YEAS, 7. NAYS, NONE.

COUNCIL ENTERED INTO EXECUTIVE SESSION AT 6:05 PM

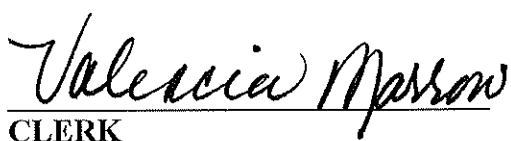
REGULAR MEETING RESUMED AT 6:43 PM.

COUNCILWOMAN DAVIS MADE A MOTION TO ADJOURN.

COUNCILMAN RAY: SECONDED.

UPON MOTION COUNCIL ADJOURNED

APPROVED: WEDNESDAY, MARCH 6, 2024


CLERK


PRESIDENT OF COUNCIL