

CITY COUNCIL MEETING
WEDNESDAY, OCTOBER 16, 2019

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 OCTOBER 2, 2019 WERE APPROVED.

COMMUNICATIONS

COM-19-205 BOARD OF CONTROL MEETING WAS HELD OCTOBER 3, 2019. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-19-206 PLANNING COMMISSION MEETING WAS HELD OCTOBER 15, 2019. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-19-207 MAHONING COUNTY COMMISSIONERS MEETING WAS HELD OCTOBER 3, 2019. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-19-208 MAHONING COUNTY COMMISSIONERS MEETING WAS HELD OCTOBER 10, 2019. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-19-209 MAHONING COUNTY COMMISSIONERS MEETING WAS HELD OCTOBER 16, 2019. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-19-210 YOUNGSTOWN NEIGHBORHOOD DEVELOPMENT CORPORATION (YNDC) APRIL – SEPTEMBER 2019 REPORT. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-19-211 OHIO DIVISION OF LIQUOR NOTICE RE: TRFO: TO: KASS ENTERPRISES, LLC DBA NEW RED & WHITE, 1721 LANSDOWNE BLVD., YOUNGSTOWN, OH 44505 PERMIT # 4500149. FROM: 1721 RED & WHITE, INC. DBA NEW RED & WHITE, 1721 LANSDOWNE BLVD., YOUNGSTOWN, OH 44505. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-19-212 PASTOR CHARLES HUDSON REQUESTS PERMISSION TO ADDRESS CITY COUNCIL ON OCTOBER 16, 2019. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-19-213 DEBRA COVINO REQUESTS PERMISSION TO ADDRESS CITY COUNCIL ON OCTOBER 16, 2019. WAS READ AND UPON MOTION OF MR. PINKARD WAS MOVED TO A ROLL CALL VOTE: YEAS, 7. NAYS, NONE. CARRIED

RESOLUTION

RES-19-25 AUTHORIZING THE MAHONING COUNTY SOLID WASTE MANAGEMENT PLAN UPDATE RATIFICATION. 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-19-303 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ENTER INTO AN AGREEMENT TO REPAIR A 2016 CAT-CT6605 STREET DEPARTMENT TRI-AXLE DUMP TRUCK AND APPROVE PAYMENT IN THE AMOUNT OF \$29,300.00 TO J&J TRUCK BODIES AND TRAILERS; 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-19-304 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ENTER INTO AN ANNUAL AGREEMENT WITH THE AUSTINTOWN, BOARDMAN, AND MAHONING COUNTY JOINT COMMUNICATIONS DISTRICT, WHICH ALLOWS THE CITY TO CONNECT TO THE DISTRICT'S COMMUNICATION SYSTEM AND INFRASTRUCTURE. THE CITY SHALL PAY FOR THE COST OF CONNECTIVITY TO SAID INFRASTRUCTURE IN AN AMOUNT OF \$75,985.05 PER YEAR IN EQUAL QUARTERLY INSTALLMENTS; 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-19-305 AMENDING SECTION 1 OF ORDINANCE NO. 19-47, PASSED BY YOUNGSTOWN CITY COUNCIL ON MARCH 20, 2019, WHICH ESTABLISHED THE MASTER SALARY ORDINANCE FOR THE CITY OF YOUNGSTOWN. THE AMENDMENT BEING: TO TRANSFER POSITION NO. 2903-5821, ENVIRONMENTAL COMMUNITY AND NEIGHBORHOOD SERVICES AIDE FROM THE DEPARTMENT OF COMMUNITY PLANNING AND ECONOMIC DEVELOPMENT TO THE YOUNGSTOWN CITY HEALTH DISTRICT, AND TO AMEND THE TITLE AND SALARY TO REFLECT THE ADDITIONAL DUTIES THAT ALIGN WITH THE OBJECTIVES AND SERVICES OF THE YOUNGSTOWN CITY HEALTH DEPARTMENT; 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-19-306 AMENDING SECTION 1 OF ORDINANCE NO. 19-47, PASSED BY YOUNGSTOWN CITY COUNCIL ON MARCH 20, 2019, WHICH ESTABLISHED THE MASTER SALARY ORDINANCE FOR THE CITY OF YOUNGSTOWN. THE AMENDMENT BEING: TO TRANSFER POSITION NO. 2903-2001, COMMUNITY AND NEIGHBORHOOD SERVICE COORDINATOR FROM THE DEPARTMENT OF COMMUNITY PLANNING AND ECONOMIC DEVELOPMENT TO THE YOUNGSTOWN CITY HEALTH DISTRICT, AND TO AMEND THE TITLE AND SALARY TO REFLECT THE ADDITIONAL DUTIES THAT ALIGN WITH THE OBJECTIVES AND SERVICES OF THE YOUNGSTOWN CITY HEALTH DEPARTMENT; 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-19-307 AMENDING ORDINANCE NO. 16-66, PASSED BY YOUNGSTOWN CITY COUNCIL ON APRIL 6, 2016, WHICH AUTHORIZED THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO NEGOTIATE AND ENTER INTO A MULTI-YEAR ASSET MANAGEMENT PROFESSIONAL SERVICES CONTRACT FOR THE ENGINEERING, EMERGENCY REPAIR, SUSTAINABILITY, WATER QUALITY MANAGEMENT AND MAINTENANCE OF CITY-OWNED WATER STORAGE TANKS. THE AMENDMENT BEING: TO EXPAND ON THE FIRST AGREEMENT AND ALLOW UTILITY SERVICE CO.,

INC. TO PROVIDE THEIR SIPP (SPRAY-IN-PIPE PIPE) REHABILITATION PROCESS, TO AID THE YOUNGSTOWN WATER DEPARTMENT WITH CORROSION CONTROL AND ADDRESS THE STRUCTURAL RESTORATION OF AGING WATERLINES IN THE DISTRIBUTION SYSTEM. COSTS NOT TO EXCEED \$375,000.00; 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-19-308 AUTHORIZING THE ACCEPTANCE OF THE DRUGGED-DRIVING ENFORCEMENT PROGRAM (DDEP) GRANT (#DDEP-2020-YOUNGSTOWNPOLICEDEPARTM-00010) 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 OCTOBER 1, 2019 THROUGH SEPTEMBER 30, 2020; 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-19-309 AUTHORIZING THE ACCEPTANCE OF THE IDEP AND STEP GRANT (#IDEP/STEP-2020-YOUNGSTOWNPOLICEDEPARTM-00020) AWARDED TO THE YOUNGSTOWN POLICE DEPARTMENT BY THE OHIO DEPARTMENT OF PUBLIC SAFETY IN THE AMOUNT OF \$42,814.12 WITH NO LOCAL MATCH FOR THE PERIOD OF OCTOBER 1, 2019 THROUGH SEPTEMBER 30, 2020; 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-19-310 AUTHORIZING THE ACCEPTANCE OF THE 2019 JUSTICE ASSISTANCE GRANT, AWARD #2019-DJ-BX-0435, IN THE AMOUNT OF \$43,212.00, AWARDED TO THE CITY OF YOUNGSTOWN POLICE DEPARTMENT BY THE BUREAU OF JUSTICE ASSISTANCE FOR THE PERIOD OF OCTOBER 1, 2018 TO SEPTEMBER 30, 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. PINKARD WAS MOVED TO A SECOND READING.

ORD-19-311 AUTHORIZING THE ACCEPTANCE OF FUNDS IN THE AMOUNT OF \$1,900.00 DONATED TO THE YOUNGSTOWN CITY HEALTH DISTRICT FOR COMMUNITY OUTREACH; 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-19-312 INCREASING THE APPROPRIATION TO FUND 2411.30_5802, HEALTH CLINIC SERVICES, MANAGEMENT CAPACITY BY \$1,900.00; 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-19-313 AUTHORIZING THE DIRECTOR OF FINANCE TO DECLARE 159 SIGSAUER DUTY (P226'S, P229'S AND P239'S) PISTOLS AS SURPLUS; 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-19-314 REMOVING SPECIAL ASSESSMENTS IN ACCORDANCE WITH ORDINANCE 15-284, ORDINANCE 16-278, ORDINANCE 17-334, ORDINANCE 18-252 FOR COSTS ASSOCIATED WITH THE DEMOLITION OF STRUCTURES, GRASS CUTTING, OR BOARDING OF STRUCTURES THAT WERE ASSESSED BY THE CITY OF YOUNGSTOWN FOR THE PROPERTIES AND AMOUNTS LISTED 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-19-315 REJECTING THE ATTACHED DOCUMENTS SUBMITTED BY THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS LOCAL 377 CAPTIONED AS "AGREEMENT BETWEEN THE CITY OF YOUNGSTOWN AND THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS LOCAL 377, SERB CASE #2015-MED-12-1307, EFFECTIVE UPON RATIFICATION THROUGH DECEMBER 31, 2021; 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-19-316 CHANGING THE ZONE CLASSIFICATION OF THE PROPERTY LOCATED AT 54 MILTON AVENUE, CITY LOT NUMBER 17742, 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. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD WAS **MOVED TO THE PLANNING COMMISSION.**

ORD-19-317 CHANGING THE ZONE CLASSIFICATION OF THE PROPERTY LOCATED AT 953 WINONA DRIVE, CITY LOT NUMBER 34517, CURRENTLY ZONED, RS-12, (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. WAS READ THE FIRST TIME AND UPON MOTION OF MR. PINKARD WAS **MOVED TO THE PLANNING COMMISSION.**

ORD-19-318 CHANGING THE ZONE CLASSIFICATION OF THE PROPERTY LOCATED AT E. WOODLAND AVENUE, CITY LOT NUMBERS 1667 AND 1668, 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.

APPROVED: WEDNESDAY, NOVEMBER 13, 2019


CLERK


PRESIDENT OF COUNCIL