

CITY COUNCIL MEETING
WEDNESDAY, OCTOBER 3, 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.

COMMUNICATIONS

COM-18-197 SPECIAL BOARD OF CONTROL MEETING WAS HELD SEPTEMBER 19, 2018. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED.
CARRIED

COM-18-198 BOARD OF CONTROL MEETING WAS HELD SEPTEMBER 27, 2018. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED.
CARRIED

COM-18-199 DESIGN REVIEW COMMITTEE MEETING WAS HELD OCTOBER 2, 2018. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED.
CARRIED

COM-18-200 MAHONING COUNTY COMMISSIONERS' BOARD MEETING WAS HELD SEPTEMBER 28, 2018. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED.
CARRIED

COM-18-201 MAHONING COUNTY COMMISSIONERS' BOARD MEETING WAS HELD SEPTEMBER 28, 2018. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED.
CARRIED

COM-18-202 MAHONING VALLEY SANITARY DISTRICT BOARD MEETING WAS HELD SEPTEMBER 26, 2018. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED.
CARRIED

COM-18-203 YNDC (YOUNGSTOWN NEIGHBORHOOD DEVELOPMENT CORPORATION) JULY – SEPTEMBER 2018 QUARTERLY REPORT. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND FILED.
CARRIED

COM-18-204 OHIO DIVISION OF LIQUOR CONTROL NOTICE RE: TRFO – FROM: PERMIT #2830661 4 GIRLS INC., DBA DOWNTOWN CIRCLE & PATIO 116 W. FEDERAL PLAZA, YOUNGSTOWN, OHIO 44503 TO: PERMIT # 2293255 DOWNTOWN CIRCLE, LLC, DBA DOWNTOWN CIRCLE & PATIO 116 W. FEDERAL PLAZA, YOUNGSTOWN,

OH 44503. WAS READ AND UPON MOTION OF MR. PINKARD WAS RECEIVED AND
FILED. CARRIED

COM-18-205 HEALTH COMMISSIONER ERIN BISHOP IS UNABLE TO ATTEND THE
CITY COUNCIL MEETING ON OCTOBER 3, 2018. WAS READ AND UPON MOTION OF
MR. PINKARD WAS RECEIVED AND FILED. CARRIED

COM-18-206 POLICE CHIEF ROBIN LEES RECOMMENDING TRICK OR TREAT HOURS
BE SET FROM 5:00 P.M. TO 7:00 P.M. ON WEDNESDAY, OCTOBER 31, 2018. WAS READ
AND UPON MOTION OF MR. PINKARD WAS MOVED TO A ROLL CALL VOTE: YEAS,
7, NAYS, NONE. CARRIED

ORDINANCES

ORD-18-268 AUTHORIZING THE CITY TO ENTER INTO AGREEMENTS WITH THE
UNITED STATES SECRETARY OF HOUSING AND URBAN DEVELOPMENT FOR LOAN
GUARANTEE ASSISTANCE TO PROVIDE FUNDS NECESSARY TO PAY COSTS OF
CONSTRUCTING AN AMPHITHEATER ADJACENT TO THE EXISTING COVELLI
CENTER. PRINCIPAL AMOUNT NOT TO EXCEED \$4,000,000.00; 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. 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-18-269 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF
YOUNGSTOWN TO APPROVE PAYMENT IN THE AMOUNT OF \$38,725.00 TO JOHNSON
CONTROLS FOR WORK PERFORMED FOR AN EMERGENCY REPAIR ON THE CITY-
OWNED COVELLI CENTER ICE CHILLER PLANT; 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-18-270 AUTHORIZING THE BOARD OF CONTROL OF YOUNGSTOWN TO FILE
NECESSARY APPLICATIONS AND ENTER INTO A GRANT AGREEMENT WITH THE
OHIO PUBLIC WORKS COMMISSION TO PROVIDE EMERGENCY PROGRAM FUNDING
FOR THE EMERGENCY SEWER REPAIR TO THE CRAB CREEK WET WEATHER

OVERFLOW IN THE AMOUNT OF \$350,000.00; 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-18-271 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ENTER INTO AN AGREEMENT WITH THE WATER POLLUTION CONTROL LOAN FUND FOR A LOAN NOT TO EXCEED \$11,000,000.00. PROCEEDS WILL BE USED TO FUND THE WASTE WATER TREATMENT PLANT IMPROVEMENTS TO THE PRIMARY CLARIFIERS 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. 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-18-272 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ADVERTISE FORBIDS AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE WASTE WATER TREATMENT PLANT IMPROVEMENTS TO THE PRIMARY CLARIFIERS PROJECT. COST OF THE PROJECT WILL NOT EXCEED \$11,000,000.00 AND WILL BE FINANCED WITH A WATER POLLUTION CONTROL LOAN FUND LOAN; 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-18-273 AUTHORIZING THE DIRECTOR OF FINANCE TO ESTABLISH FUND 2309, TITLED "COMMUNITY REINVESTMENT AREA TAX INCENTIVE FUND"; 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-18-274 AUTHORIZING THE ACCEPTANCE OF A HOMELAND SECURITY ASSISTANCE TO FIREFIGHTERS GRANT (AFG) IN THE AMOUNT OF \$425,000.00 TO PURCHASE A 2018 PIERCE PUMPER FIREFIGHTER TRUCK; 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-18-275 AUTHORIZING THE ACCEPTANCE OF THE YOUNGSTOWN CIRV 2018 GRANT, # 2017-JG-A02-6811, IN THE AMOUNT OF \$66,666.68 AWARDED BY THE OHIO OFFICE OF CRIMINAL JUSTICE SERVICES WITH NO LOCAL MATCH FOR THE PERIOD OF JANUARY 1, 2018-DECEMBER 31, 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-18-276 APPROPRIATING \$66,666.68 TO THE POLICE UNIFORM PROJECT EXPENSE FUND 2101.12.202_5817; 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-18-277 AUTHORIZING THE ACCEPTANCE OF THE AIR POLLUTION CONTROL ASBESTOS PROGRAM FUNDS IN THE SUM OF \$32,486.00; 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-18-278 APPROPRIATING AND MAKING AVAILABLE FOR EXPENDITURE THE SUM OF \$32,486.00 IN THE AIR POLLUTION CONTROL ASBESTOS PROGRAM FUNDS; 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-18-279 AUTHORIZING THE ACCEPTANCE OF A KEEP AMERICA BEAUTIFUL / UPS COMMUNITY & RECOVERY TREE PLANTING GRANT FOR \$5,000.00. FURTHER, APPROPRIATING \$5,000.00 INTO LITTER CONTROL PROJECTS – FUND 2903; 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-18-280 AUTHORIZING THE ACCEPTANCE \$75,000.00 IN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS TO SUPPORT THE LITTER CONTROL ENFORCEMENT PROGRAM. FURTHER, APPROPRIATING \$75,000.00 INTO THE LITTER CONTROL FUND 2903; 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-18-281 AUTHORIZING THE EXPENDITURE IN THE AMOUNT OF \$500.00 FROM THE THIRD WARD DISCRETIONARY FUND. FUNDS WILL BE USED TO HELP DEFRAY COSTS OF MAINTAINING THE NEIGHBORHOOD POCKET PARKS; 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-18-282 AUTHORIZING THE EXPENDITURE IN THE AMOUNT OF \$10,000.00 FROM THE FIFTH WARD DISCRETIONARY FUND 1001.01.005_5107, OPERATING SERVICES FOR SIDEWALK REPLACEMENT AROUND GLENWOOD PARK AND DEAD TREE REMOVAL FOR PUBLIC PROPERTIES IN THE FIFTH 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-18-283 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 FIRST TIME AND UPON MOTION OF MR. PINKARD WAS **MOVED TO THE PLANNING COMMISSION.**

UPON MOTION COUNCIL ADJOURNED.

APPROVED: WEDNESDAY, OCTOBER 17, 2018


CLERK


PRESIDENT OF COUNCIL