

SPECIAL CITY COUNCIL MEETING
WEDNESDAY, AUGUST 28, 2024

***MEETING HELD AT THE COVELLI CENTRE'S DOUBLETREE BY HILTON
COMMUNITY ROOM**

CITY COUNCIL CONVENED IN SPECIAL SESSION AT 4:37 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. COUNCIL SWORE ALLEGIANCE TO THE FLAG.

COMMUNICATIONS

COM-24-177 NOTICE OF SPECIAL CITY COUNCIL MEETING TO BE HELD WEDNESDAY, AUGUST 28, 2024. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-24-178 BOARD OF CONTROL MEETING WAS HELD AUGUST 1, 2024. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-24-179 BOARD OF CONTROL MEETING WAS HELD AUGUST 15, 2024. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-24-180 BOARD OF CONTROL MEETING WAS HELD AUGUST 19, 2024. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-24-181 DESIGN REVIEW COMMITTEE MEETING WAS HELD AUGUST 6, 2024. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-24-182 BOARD OF ZONING APPEALS & PLANNING COMMISSION MEETING WAS HELD AUGUST 20, 2024. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-24-183 PRESIDENT OF JAC MANAGEMENT GROUP, LLC ERIC RYAN LETTER RE: THE COVELLI CENTRE, YOUNGSTOWN FOUNDATION AMPHITHEATRE AND WEAN PARK'S 2024 SECOND QUARTER OPERATIONAL FINANCIAL STATEMENT. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-24-184 MAHONING COUNTY COMMISSIONERS BOARD MEETING WAS HELD AUGUST 1, 2024. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-24-185 MAHONING COUNTY COMMISSIONERS BOARD MEETING WAS HELD AUGUST 8, 2024. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-24-186 MAHONING COUNTY COMMISSIONERS BOARD MEETING WAS HELD AUGUST 14, 2024. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-24-187 MAHONING COUNTY COMMISSIONERS BOARD MEETING WAS HELD AUGUST 22, 2024. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-24-188 MAHONING VALLEY SANITARY DISTRICT BOARD MEETING WAS HELD AUGUST 28, 2024. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-24-189 OHIO DIVISION OF LIQUOR CONTROL NOTICE RE: TFOL TO: ADAMS MAHONING MART, INC. LLC, 3212 MAHONING AVENUE, 4, YOUNGSTOWN, OH 44509, PERMIT # 0053637. FROM: UPTOWN MARKET, INC DBA UPTOWN SHELL, 3200 MARKET ST., YOUNGSTOWN, OH 44507, PERMIT # 9170567. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

REPORTS

REP-24-04 PLANNING COMMISSION LETTER RECOMMENDING **APPROVAL** OF ORD-24-346 ENTITLED: "CHANGING THE ZONE CLASSIFICATION OF PROPERTY LOCATED AT 1268 S. SCHENLEY AVE. (INCLUDES ADDRESSES 1260 AND 1264 S. SCHENLEY AVE.) PARCEL 53-161-0-017.01-0, CITY LOT NUMBER 62217, CURRENTLY ZONED RS-12 SINGLE FAMILY, TO MU-C (MIXED-USE COMMUNITY)." WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

REP-24-05 PLANNING COMMISSION LETTER RECOMMENDING **APPROVAL** OF ORD-24-347 ENTITLED: "CHANGING THE ZONE CLASSIFICATION OF PROPERTIES LOCATED AT 3918 SOUTHERN BLVD., PARCEL: 53-190-0-230.00-0, CITY LOT NUMBER 33262; AND 3926 SOUTHERN BLVD., PARCEL: 53-190-0-229.00-0, CITY LOT NUMBER 33263 CURRENTLY ZONED RS-12 SINGLE FAMILY, TO MU-C (MIXED-USE COMMUNITY)." WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

RESOLUTIONS

RES-24-22 HONORING ROSE MODARELLI AS THE BRIER HILL FEST 2024 ITALIAN WOMAN OF THE YEAR. 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 RESOLUTION WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

RES-24-23 HONORING DANIEL R. YEMMA AS THE BRIER HILL FEST 2024 ITALIAN MAN OF THE YEAR. 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 RESOLUTION WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORDINANCES

ORD-24-348 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO APPROVE PAYMENT IN THE AMOUNT OF \$58,172.90 TO IRWIN FOR REPLACEMENT OF ALL DAMAGED SEATING COMPONENTS AND REPLENISHMENT OF BACKSTOCK REPLACEMENT PARTS, AT THE CITY-OWNED COVELLI CENTRE; 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-24-349 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO APPROVE PAYMENT IN THE AMOUNT OF \$69,119.00 TO JOHNSON CONTROLS, INC. TO UPGRADE THE BUILDING AUTOMATION SYSTEM SOFTWARE THAT CONTROLS THE HVAC SYSTEM AT THE CITY-OWNED COVELLI CENTRE; 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-24-350 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO MAKE PAYMENT TO MARUCCI AND GAFFNEY EXCAVATING IN THE AMOUNT OF \$62,000.00 FOR THE REIMBURSEMENT OF TEN (10) LIGHT POLES AND FIXTURES THAT WERE PURCHASED AS SPARES FOR THE SMART2 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.

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

ORD-24-351 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO MAKE PAYMENT TO THE CITY'S LIABILITY INSURANCE PROVIDER, TOKIO MARINE HCC – PRG, IN THE AMOUNT OF \$50,000.00 TO SATISFY THE POLICY DEDUCTIBLE FOR CLAIM NUMBER 191448, IN THE MATTER OF TARON CUNNINGHAM VS. CITY OF YOUNGSTOWN (MULTIPLE CASE NUMBERS); 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-24-352 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH A QUALIFIED CONSULTANT TO PROVIDE DESIGN SERVICES, AND PREPARATION OF BID DOCUMENTS AND SPECIFICATIONS, FOR REPAIRS TO COMMERCE STREET, EAST FEDERAL STREET AND MARKET STREET. TOTAL COST WILL NOT EXCEED \$38,295.00; 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-24-353 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ENTER INTO A CONTRACT WITH THE COMMUNITY CORRECTIONS ASSOCIATION, INC., FOR AN AMOUNT NOT TO EXCEED \$127,008.00, FOR THE PROVISION OF TWO LITTER REMOVAL CREWS FOR THE PERIOD SEPTEMBER 1, 2024 THROUGH AUGUST 31, 2025; 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-24-354 **AMERICAN RESCUE PLAN:** AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO EXECUTE ALL REQUIRED CONTRACTS AND AGREEMENTS WITH FLOCK SAFETY TO FINALIZE THE INSTALLATION OF FIFTY-SIX (56) FLOCK SAFETY FALCON LICENSE PLATE READER (LPR) CAMERAS THROUGHOUT THE CITY OF YOUNGSTOWN, AND THE MAINTENANCE AGREEMENT. TERMS OF THE AGREEMENT ARE TWENTY-FOUR (24) MONTHS WITH \$188,900.00 DUE THE FIRST YEAR, AND A RECURRING ANNUAL COST OF \$168,000.00; 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, 6. NAYS, 1.

ORD-24-355 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ISSUE A REQUEST FOR PROPOSALS, AND ENTER INTO AN AGREEMENT WITH A FISCAL AGENT TO ADMINISTER \$8,000,000.00 OF AMERICAN RESCUE PLAN (ARP) 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. 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-24-356 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO WAIVE THE FORMAL BIDDING PROCESS, PURSUANT TO

SECTION 735.051 OF THE OHIO REVISED CODE, AND MAKE PAYMENT TO DANIEL A. TERRERI AND SONS IN THE AMOUNT OF \$175,000.00 FOR EMERGENCY STABILIZATION OF THE NORTH EXTERIOR WALL OF THE 7TH, 8TH, AND 9TH FLOORS OF 20 FEDERAL PLACE; 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-24-357 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO WAIVE THE FORMAL BIDDING PROCESS, PURSUANT TO SECTION 735.051 OF THE OHIO REVISED CODE, AND MAKE PAYMENT TO PRO QUALITY DEMOLITION IN THE AMOUNT OF \$259,700.00 FOR EMERGENCY SERVICES DURING THE GAS LINE EXPLOSION AT THE REALTY TOWER BUILDING; 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-24-358 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 ON WINDSOR AVE., IN FRONT OF PARCEL NO. 53-069-0-520.00-0 (POLE #20-359). OHIO EDISON'S ESTIMATED "RELATED CAPITAL CHARGE" WILL BE \$3,910.25. APPROXIMATE MONTHLY OPERATING COST WILL BE \$4.98, SUBJECT TO CHANGE PER TARIFF PROVISIONS; 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-24-359 AMERICAN RESCUE PLAN: AMENDING ORDINANCE NUMBER 22-169, PASSED BY YOUNGSTOWN CITY COUNCIL ON MAY 18, 2022, WHICH APPROPRIATED \$2,261,119.00 UNDER THE AMERICAN RESCUE PLAN (ARP) FUND, 2701.30_5828, PURSUANT TO THE U.S. DEPARTMENT OF TREASURY GUIDANCE ON

USING AMERICAN RESCUE PLAN (ARP) FUNDS TO MAKE NECESSARY ENGINEERING, INSPECTION AND CONSTRUCTION INVESTMENTS TO IMPROVE WATER DISTRIBUTION ON EDDIE STREET, ROY STREET AND HAZELWOOD AVENUE FROM VESTAL ROAD TO DONALD AVENUE. THE AMENDMENT BEING: **TO DECREASE THE APPROPRIATIONS FROM \$2,261,119.00 TO \$1,315,272.00 DUE TO THE COST BEING LESS THAN THE ENGINEERING ESTIMATES**; 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-24-360 INCREASING APPROPRIATIONS BY \$4,722.00 IN 1001.09_5109 – MUNICIPAL COURT, OFFICE SUPPLIES; 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-24-361 REMOVING A SPECIAL ASSESSMENT FROM ORDINANCE 24-186 FOR COSTS ASSOCIATED WITH WHITEWAY LIGHTING, THAT WAS ASSESSED BY THE CITY OF YOUNGSTOWN FOR THE PROPERTY AND AMOUNT LISTED IN ATTACHED EXHIBIT “A” (PARCEL # 53-121-0-103.00-0 MARKET ST.); 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-24-362 **AMERICAN RESCUE PLAN:** AUTHORIZING THE ALLOCATION OF AMERICAN RESCUE PLAN (ARP) FUNDS FOR THE FIRST WARD IN THE AMOUNT OF \$20,000.00, PER ORDINANCE 22-103, AS PASSED BY YOUNGSTOWN CITY COUNCIL ON APRIL 6, 2022 FOR SPECIFIC PROJECTS. ARP FUNDING WILL BE USED BY ECONOMIC ACTION GROUP (EAG) FOR THE PURCHASE OF A UTILITY TASK VEHICLE (UTV) AND ATTACHMENTS, FOR NEIGHBORHOOD CLEAN-UP, MAINTENANCE, AND OTHER RELATED ACTIVITIES IN COORDINATION WITH THE

CITY OF YOUNGSTOWN. FURTHER, AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ENTER INTO AN AGREEMENT FOR SAID 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-24-363 AMERICAN RESCUE PLAN: AUTHORIZING THE ALLOCATION OF AMERICAN RESCUE PLAN (ARP) FUNDS FOR THE FIRST WARD IN THE AMOUNT OF \$50,000.00, PER ORDINANCE 22-103, AS PASSED BY YOUNGSTOWN CITY COUNCIL ON APRIL 6, 2022 FOR SPECIFIC PROJECTS. ARP FUNDING WILL BE USED BY YOUNGSTOWN JUBILEE URBAN DEVELOPMENT FOR RENOVATION OF THE FORMER SOUTH HIGH SCHOOL AUDITORIUM; 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-24-364 AMERICAN RESCUE PLAN: AUTHORIZING THE ALLOCATION OF AMERICAN RESCUE PLAN (ARP) FUNDS FOR THE SECOND WARD IN THE AMOUNT OF \$50,000.00, PER ORDINANCE 22-103, AS PASSED BY YOUNGSTOWN CITY COUNCIL ON APRIL 6, 2022 FOR SPECIFIC PROJECTS. ARP FUNDING WILL BE USED BY BESS PURPOSE, INC. TO EXPAND THEIR OUTREACH SERVICES AT THEIR MCGUFFEY RD. LOCATION TO HELP MORE WOMEN TRANSITION FROM CRISIS TO STABILITY; 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-24-365 AMERICAN RESCUE PLAN: AUTHORIZING THE ALLOCATION OF AMERICAN RESCUE PLAN (ARP) FUNDS FOR THE FOURTH WARD IN THE AMOUNT OF \$400,000.00, PER ORDINANCE 22-103, AS PASSED BY YOUNGSTOWN CITY

COUNCIL ON APRIL 6, 2022 FOR SPECIFIC PROJECTS. ARP FUNDING WILL BE USED FOR MAH-MAHONING AVE., PH1 AND PH2, PID 112622 AND 112623, FOR PEDESTRIAN AND SAFETY ENHANCEMENTS ALONG MAHONING 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. 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-24-366 AUTHORIZING THE EXPENDITURE OF \$1,000.00 FROM THE PRESIDENT OF COUNCIL'S DISCRETIONARY FUND TO SUPPORT THE FIFTH AVENUE NEIGHBORS 2024 HISTORIC HOMES TOUR EVENT IN DECEMBER; 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, 6. NAYS, NONE.

ORD-24-367 AUTHORIZING THE EXPENDITURE OF \$2,000.00 FROM THE SEVENTH WARD DISCRETIONARY FUND TO BE USED BY THE JERICO PROJECT STREET MINISTRY TO DEFRAY THE COST OF MATERIALS AND SUPPLIES FOR THE FREE BACK-TO-SCHOOL BACKPACKS EVENT AND OTHER COMMUNITY GATHERINGS; 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-24-368 **AMERICAN RESCUE PLAN:** RESCINDING, IN ITS ENTIRETY, ORDINANCE NO. 22-336, PASSED BY YOUNGSTOWN CITY COUNCIL ON SEPTEMBER 21, 2022, WHICH AUTHORIZED THE ALLOCATION OF ARP FUNDS IN AN AMOUNT NOT TO EXCEED \$3,000.00 TO SUPPORT EAG INVESTMENTS IN PUBLIC ART, AS HEREIN DESCRIBED; 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-24-369 AUTHORIZING THE CITY OF YOUNGSTOWN TO ACCEPT THE RIGHT-OF-WAY DEDICATION OF A STRIP OF LAND, A 33.35 FOOT X 137 FOOT AND 33.13 FOOT X 369.73 FOOT RECTANGULAR STRIP OF LAND, 0.384 ACRES ALONG O.L. 991, FOR BEARS DEN ROAD, AS CURRENTLY LAID OUT, ATTACHED AS 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.

LATES ORDINANCES

ORD-24-370 AMENDING SECTION 935.20, RATES, OF CHAPTER 935, SEWER CHARGES, OF THE CODIFIED ORDINANCES OF THE CITY OF YOUNGSTOWN, TO ADOPT THE SEWER RATE SCHEDULED HEREIN BELOW, EFFECTIVE JANUARY 1, 2025: INCREASES ARE AS FOLLOWS: JANUARY 1, 2025 – 5.00%, JANUARY 1, 2026 – 5.00%, JANUARY 1, 2027 – 5.00%, AND JANUARY 1, 2028 – 5.00%; 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 SECOND 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 IT IS UNFORTUNATE THAT THIS RATE INCREASE HAS TO HAPPEN ESPECIALLY WITH OUR CITY'S SOCIOECONOMIC MAKEUP. AS OUR PAST AND PRESENT LEADERSHIP HAS NOT PRIORITIZED LONG TERM SOLUTIONS.

COUNCILMAN OLIVER NOTED THIS ISSUE HAS BEEN AROUND A LONG TIME, BUT IT IS NOT THE FAULT OF THIS CITY COUNCIL OR THIS ADMINISTRATION.

COUNCILMAN RAY NOTED THE CONSENT DECREE WE AGREED TO WITH THE EPA IS APPROXIMATELY TEN YEARS OLD, AND THAT TIMELINE IS A LITTLE DELAYED,

BUT THIS IS A RESULT OF THE NEGOTIATION AND WE HAVE TO FOLLOW THROUGH WITH THIS MANDATED BURDEN AND SHARED COSTS WITH THE CITIZENS.

COUNCILWOMAN DAVIS STATED THESE ISSUES BEGAN IN THE 1990'S AND WE ARE NEAR COMPLIANCE, BUT WE DON'T HAVE ANY OTHER CHOICE.

COUNCILMAN RAY NOTED ALONG WITH CONSULTANTS AND WITH THE ADVICE OF LEGAL COUNSEL, WE MUST PASS THESE COSTS ALONG TO REMAIN IN COMPLIANCE WITH THE CONSENT DECREE WITH THE EPA.

COUNCILMAN OLIVER STATED WE HAVE FOUGHT THIS YEAR AFTER YEAR AND WILL CONTINUE TO FIGHT FOR OUR CITIZENS, HOWEVER WE ARE AT THE POINT WHERE THERE IS NO OTHER CHOICE.

THE ORDINANCE WAS THEN PLACED BEFORE COUNCIL AND PASSED BY A VOTE OF YEAS, 6. NAYS, 1.

ORD-24-371 **AMERICAN RESCUE PLAN:** AUTHORIZING THE ALLOCATION OF AMERICAN RESCUE PLAN (ARP) FUNDS FOR THE FOURTH WARD IN THE AMOUNT OF \$600,000.00, PER ORDINANCE 22-103, AS PASSED BY YOUNGSTOWN CITY COUNCIL ON APRIL 6, 2022 FOR SPECIFIC PROJECTS. ARP FUNDING WILL BE USED FOR 2024 CITY PARKS REHAB AND IMPROVEMENT, FOR REHABILITATION AND IMPROVEMENTS TO BORTS FIELD AND MVSD PLAYGROUND; 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 SECOND 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.

RESOLUTION

RES-24-24 APPROVING THE APPLICATION FOR CREATION OF THE DOWNTOWN YOUNGSTOWN DESIGNATED OUTDOOR REFRESHMENT AREA (DORA) PURSUANT TO OHIO REVISED CODE CHAPTER 4301.82, AND DECLARING AN EMERGENCY. 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 STATED HER CONCERNS WITH THE LACK OF POLICE PRESENCE.

CHIEF OF POLICE CARL DAVIS ANSWERED THAT THEY ALWAYS PROVIDE POLICE PRESENCE IN THE DOWNTOWN AREA AND WILL CONTINUE TO DO SO.

COUNCILWOMAN TURNER ASKED WHO TAKES ON THE ADDITIONAL EXPENSE TO THE DOWNTOWN BUSINESS OWNERS.

CHIEF DAVIS REPLIED THAT THEY ALWAYS HAVE POLICE PRESENCE FOR ALL FUNCTIONS AND EVENTS DOWNTOWN.

COUNCILMAN OLIVER NOTED THAT THERE WERE MULTIPLE MEETINGS REGARDING PLANNING A DORA, AND IT WAS MENTIONED HOW THERE WOULD BE ADDED EAG AMBASSADORS DURING THE DORA PERIODS WHO WILL HAVE DIRECT CONTACT WITH THE POLICE, SO IT WOULDN'T REQUIRE ANY ADDITIONAL POLICE PRESENCE.

COUNCILWOMAN WHITE ASKED WHAT DAYS AND HOURS WOULD THE DORA TAKE PLACE.

CHIEF OF STAFF POSTERLI RESPONDED THAT THE DORA WILL RUN THURSDAY AND FRIDAY 4PM TO 11PM, SATURDAY FROM NOON TO 11PM, AND DURING SPECIAL EVENTS.

COUNCILWOMAN TURNER ASKED IF THE AMBASSADORS WOULD BE TRAINED.

MS. POSTERLI ANSWERED THAT WE ALREADY HAVE A CONTRACT WITH EAG AND THEY ALREADY WORK WITH THE POLICE. THE AMBASSADORS WILL NOT BE BREAKING UP FIGHTS, THEY WILL JUST BE THE EYES AND EARS AND WILL CONTACT THE POLICE.

COUNCILMAN RAY STATED A LOT OF THE HOMEWORK WAS DONE, AND THEY HAD TALKED WITH OTHER COMMUNITIES SUCH AS COLUMBIANA AND THEY HAVE NOT HAD ISSUES WITH THIS. WHEN ESTABLISHMENTS NEED TO DO SPECIAL EVENTS SUCH AS ST. PATRICK'S DAY, THEY REQUIRE SPECIAL PERMITS AND EXTRA EXPENSES, SO THIS WOULD SAVE COSTS FOR DOWNTOWN BUSINESS OWNERS.

COUNCILWOMAN DAVIS NOTED THAT WHEN COUNCILMAN JIMMY HUGHES SERVED AS POLICE CHIEF, THIS USE OF SUB-UNITS TO BE THE EYES AND EARS OF THE POLICE DEPARTMENT WAS UTILIZED AND THEY HAD THE APPROPRIATE TRAINING AND SO IT IS NOT A NEW THING.

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

PUBLIC HEARINGS

ORD-24-346 “CHANGING THE ZONE CLASSIFICATION OF PROPERTY LOCATED AT 1268 S. SCHENLEY AVE. (INCLUDES ADDRESSES 1260 AND 1264 S. SCHENLEY AVE.) PARCEL 53-161-0-017.01-0, CITY LOT NUMBER 62217, CURRENTLY ZONED RS-12 SINGLE FAMILY, 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.
PUBLIC HEARING SET FOR SEPTEMBER 27, 2024 AT 2:30 P.M.

ORD-24-347 “CHANGING THE ZONE CLASSIFICATION OF PROPERTIES LOCATED AT 3918 SOUTHERN BLVD., PARCEL: 53-190-0-230.00-0, CITY LOT NUMBER 33262; AND 3926 SOUTHERN BLVD., PARCEL: 53-190-0-229.00-0, CITY LOT NUMBER 33263 CURRENTLY ZONED RS-12 SINGLE FAMILY, 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.
PUBLIC HEARING SET FOR SEPTEMBER 27, 2024 AT 2:35 P.M.

ADJOURNMENT

COUNCILWOMAN DAVIS: MADE A MOTION TO ADJOURN.

COUNCILMAN RAY: SECONDED.

UPON MOTION COUNCIL ADJOURNED

SPECIAL CITY COUNCIL MINUTES
WEDNESDAY, AUGUST 28, 2024

APPROVED: WEDNESDAY, OCTOBER 2, 2024


CLERK


PRESIDENT OF COUNCIL