

CITY COUNCIL MEETING
WEDNESDAY, JUNE 21, 2023

***MEETING HELD AT MAHONING COUNTY COMMISSIONER'S HEARING 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: BASIA ADAMCZAK, ANITA DAVIS, JIMMY HUGHES, PATRICK KELLY, JULIUS OLIVER, MIKE RAY, SAMANTHA TURNER AND TOM HETRICK, 8. THE MINUTES FROM JUNE 7, 2023 WERE APPROVED. COUNCIL SWORE ALLEGIANCE TO THE FLAG.

COMMUNICATIONS

COM-23-119 BOARD OF CONTROL MEETING WAS HELD JUNE 15, 2023. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-23-120 MAYOR JAMAE L TITO BROWN LETTER RE: CONVENING OF A CHARTER REVIEW COMMITTEE. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-23-121 LETTER FROM RESIDENT PATRICIA FERRARA RE: SAVE THE DEER GROUP OPPOSING THE KILLING OF THE DEER IN MILL CREEK PARK. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-23-122 CITY PLANNING COMMISSION MEETING WAS HELD JUNE 13, 2023. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-23-123 BOARD OF ZONING APPEALS MEETING WAS HELD JUNE 20, 2023. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-23-124 MAHONING COUNTY COMMISSIONERS BOARD MEETING WAS HELD JUNE 1, 2023. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-23-125 MAHONING COUNTY COMMISSIONERS BOARD MEETING WAS HELD JUNE 7, 2023. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-23-126 MAHONING COUNTY COMMISSIONERS BOARD MEETING WAS HELD JUNE 12, 2023. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-23-127 OHIO DIVISION OF LIQUOR CONTROL NOTICE RE: TRFO TO: MERCHITE CORP. DBA UPTOWN SHELL, 3200 MARKET ST., YOUNGSTOWN, OH 44507, PERMIT #5841577. FROM: UPTOWN MARKET DBA MARKET ST. SHELL 3200 MARKET ST., YOUNGSTOWN, OH 44507, PERMIT # 9170567. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-23-128 OHIO DIVISION OF LIQUOR CONTROL NOTICE RE: TRFO TO: BUDDY'S CAFÉ & GRILL, LLC, 28 JACOBS RD. 1ST FL., YOUNGSTOWN, OH 44505, PERMIT #1082667. FROM: BUDDY'S GRILL, LLC, 28 JACOBS RD. 1ST FL., YOUNGSTOWN, OH 44505, PERMIT #1082670. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-23-129 WATER COMMISSIONER HARRY JOHNSON IS UNABLE TO ATTEND CITY COUNCIL ON JUNE 21, 2023. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-23-130 MAGDALENA MAINOR REQUESTS PERMISSION TO SPEAK BEFORE CITY COUNCIL ON JUNE 21, 2023. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-23-131 KATHLEEN CROWE REQUESTS PERMISSION TO SPEAK BEFORE CITY COUNCIL ON JUNE 21, 2023. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-23-132 DAVID FERRO REQUESTS PERMISSION TO SPEAK BEFORE CITY COUNCIL ON JUNE 21, 2023. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-23-133 ROSETTA CARTER REQUESTS PERMISSION TO SPEAK BEFORE CITY COUNCIL ON JUNE 21, 2023. WAS READ AND UPON MOTION OF MR. RAY WAS RECEIVED AND FILED. CARRIED

COM-23-134 APPOINTMENT TO FILL THE UNEXPIRED TERM TO THE MAHONING VALLEY SANITARY DISTRICT BOARD OF DIRECTORS. COUNCILMAN RAY MADE A MOTION TO NOMINATE CATRINA DONALD. COUNCILWOMAN TURNER MADE A MOTION TO NOMINATE BRYANT YOUNGBLOOD.

ROLL CALL VOTE FOR THE APPOINTMENT OF CATRINA DONALD: YEAS, 4. NAYS, 1. ABSTAIN, 2.

ROLL CALL VOTE FOR THE APPOINTMENT OF BRYANT YOUNGBLOOD: YEAS, 1, NAYS, 6.

THE APPOINTMENT OF CATRINA DONALD TO THE UNEXPIRED TERM OF THE MVSD BOARD OF DIRECTORS WAS CONFIRMED. CARRIED

ORDINANCES

ORD-23-248 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO APPROVE PAYMENT, PURSUANT TO SECTION 735.051 OF THE OHIO REVISED CODE, TO MG ELECTRIC, IN AN AMOUNT NOT TO EXCEED \$39,415.00 FOR INSTALLATION OF CITY HALL EXTERIOR LIGHTING; 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-23-249 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO APPROVE PAYMENT, PURSUANT TO SECTION 735.051 OF THE OHIO REVISED CODE, TO VEC INC., IN AN AMOUNT NOT TO EXCEED \$42,525.00 FOR PURCHASE AND INSTALLATION OF 29 SECURITY CAMERAS ON THE INTERIOR AND EXTERIOR OF CITY HALL; 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-23-250 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 FOR THE REPLACEMENT OF A WATERLINE ON INDUSTRIAL ROAD. ESTIMATED ENGINEERING COST IS \$720,731.00; 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-23-251 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO NEGOTIATE TERMS AND ENTER INTO NECESSARY AGREEMENTS WITH P& L METAL CRAFTS, LLC, OFFERING A TEN-YEAR REAL PROPERTY TAX ABATEMENT NOT TO EXCEED A TEN-YEAR AVERAGE OF 75%. THE COMPANY PROPOSES TO EXPAND THEIR OPERATIONS AND INVEST APPROXIMATELY \$2 MILLION DOLLARS TOWARDS NEW CONSTRUCTION, SITE IMPROVEMENTS, AND EQUIPMENT; 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-23-252 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 UTILITY CONTRACTING, IN THE AMOUNT OF \$167,119.66 FOR REPLACEMENT OF POOR CONDITION 600' OF 8-INCH WATER MAIN IN HIGH TRAFFIC AREA AT THE INTERSECTION OF GLENWOOD AVE AND MIDLOTHIAN BLVD; 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-23-253 AUTHORIZING THE ACCEPTANCE OF THE MINORITY HEALTH GRANT IN THE AMOUNT OF \$52,500.00, AWARDED TO THE YOUNGSTOWN CITY HEALTH DISTRICT BY THE OHIO COMMISSION ON MINORITY HEALTH, FOR THE PERIOD JULY 1, 2023 THROUGH JUNE 30, 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-23-254 APPROPRIATING \$52,500.00 INTO FUND 2405.30_5802 MINORITY HEALTH; 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-23-255 APPROPRIATING \$30,000.00 TO 2103.30_5107, THE LAW ENFORCEMENT OPERATING SERVICES 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. 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-23-256 AMERICAN RESCUE PLAN: APPROPRIATING \$163,328.00 FROM 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 COVER HALF (50%) OF THE COST TO UPGRADE THE COURT'S DATABASE MANAGEMENT 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-23-257 AUTHORIZING THE EXPENDITURE OF \$500.00 FROM THE FIRST WARD DISCRETIONARY FUND. FUNDS WILL BE USED TO DEFRAID COST TO SUPPORT THE NEEDLES EYE IN PROVIDING 1ST WARD RESIDENTS WITH EDUCATIONAL PROGRAMS THAT TEACH HOW TO MAINTAIN AND REPAIR THEIR PROPERTIES; 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-23-258 AUTHORIZING THE EXPENDITURE OF \$500.00 FROM THE FIRST WARD DISCRETIONARY FUND. FUNDS WILL BE USED TO BE USED BY SOUTHSIDE SUMMER EXPERIENCE PROJECT WHICH OFFERS FREE DAY CAMP AT HORIZON SCIENCE ACADEMY; 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-23-259 AUTHORIZING THE EXPENDITURE OF \$500.00 FROM THE FIRST WARD DISCRETIONARY FUND. FUNDS WILL BE USED TO OFFSET COSTS OF FOOD FOR THE ANNUAL KENMORE BLOCK PARTY COMMUNITY EVENT; 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-23-260 AUTHORIZING THE EXPENDITURE OF \$500.00 FROM THE FIRST WARD DISCRETIONARY FUND. FUNDS WILL BE USED TO OFFSET COSTS OF FOOD FOR A FRESH WIND CATERING COMMUNITY EVENT; 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-23-261 AUTHORIZING THE EXPENDITURE OF \$3,500.00 FROM THE FIRST WARD DISCRETIONARY FUND. FUNDS WILL BE USED TO SUPPORT THE GREEN-N-YOUTH PROJECT TO PROVIDE FOR YOUTH TO PARTICIPATE IN GRASS CUTTING AND BEAUTIFICATION PROJECTS AROUND THE CITY; 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-23-262 AUTHORIZING THE EXPENDITURE IN THE AMOUNT OF \$1,000.00 FROM THE FOURTH WARD DISCRETIONARY FUND. FUNDS WILL BE USED BY THE YOUNGSTOWN CREATIVE COLLECTION TO SUPPORT THE PLANNING AND PREPARATION FOR A JUNETEENTH 2023 CELEBRATION; 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-23-263 AUTHORIZING THE EXPENDITURE IN THE AMOUNT OF \$800.00 FROM THE SIXTH WARD DISCRETIONARY FUND. FUNDS WILL BE USED BY JAZZ IN THE PARK YOUNGSTOWN TO SUPPORT THE ANNUAL SUMMER CONCERT SERIES; 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-23-264 AMERICAN RESCUE PLAN: AUTHORIZING THE ALLOCATION OF AMERICAN RESCUE PLAN (ARP) FUNDS FOR THE SIXTH WARD, IN THE AMOUNT OF \$55,000.00 TO YOUNGSTOWN NEIGHBORHOOD DEVELOPMENT CORPORATION (YNDC), FOR SPECIFIC WARD PROJECTS, PER ORDINANCE 22-103, AS PASSED BY YOUNGSTOWN CITY COUNCIL ON APRIL 6, 2022. FUNDS WILL BE USED BY YNDC TO SPONSOR FIVE (5) STUDENTS AT BEYOND EXPECTATIONS BARBER COLLEGE. FURTHER, AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO EXECUTE A SERVICE AGREEMENT WITH YOUNGSTOWN NEIGHBORHOOD DEVELOPMENT CORPORATION (YNDC) TO PROVIDE THE ABOVE-DESCRIBED AND ATTACHED SCOPE OF WORK; 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 REGARDING ORD-23-264 SHE UNDERSTANDS YNDC IS ACTING AS A FIDUCIARY AGENT IN THE SPACES AND CORRIDORS THEY HAVE ADOPTED, BUT HOW DOES THE SCHOLARSHIP PROGRAM FIT INTO THE MISSION AND VISION OF THE ORGANIZATION.

COUNCILWOMAN DAVIS ANSWERED THAT UNDER WORKFORCE DEVELOPMENT, THEY ARE TRAINING PEOPLE FOR CAREERS TO EARN A LIVING.

COUNCILWOMAN TURNER STATED SHE IS SPEAKING ABOUT YNDC.

COUNCILWOMAN DAVIS DEFERRED TO JACK DAUGHERTY OF YNDC.

MR. DAUGHERTY ANSWERED THAT IT'S SELF EXPLANATORY, THEIR MISSION IS TO INCREASE QUALITY OF LIFE IN YOUNGSTOWN, AND A BIG PART OF THAT IS CREATING OPPORTUNITY FOR YOUNG PEOPLE.

COUNCILWOMAN TURNER ASKED IF THEY HAVE ADMINISTERED SCHOLARSHIP PROGRAMS BEFORE.

MR. DAUGHERTY STATED THEY HAVE ADMINISTERED A VARIETY OF PROGRAMS AND THEY ARE CAPABLE OF ADMINISTERING THIS ONE.

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

ORD-23-265 AMERICAN RESCUE PLAN: AUTHORIZING THE ALLOCATION OF AMERICAN RESCUE PLAN (ARP) FUNDS FOR THE SIXTH WARD, IN THE AMOUNT OF \$100,000.00 TO YOUNGSTOWN NEIGHBORHOOD DEVELOPMENT CORPORATION (YNDC), FOR SPECIFIC WARD PROJECTS, PER ORDINANCE 22-103, AS PASSED BY YOUNGSTOWN CITY COUNCIL ON APRIL 6, 2022. FUNDS WILL BE USED BY YNDC TO RENOVATE THE FORMER FOSTER THEATER LOCATED AT 2504 GLENWOOD AVENUE. FURTHER, AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO EXECUTE A SERVICE AGREEMENT WITH YOUNGSTOWN NEIGHBORHOOD DEVELOPMENT CORPORATION (YNDC) TO PROVIDE THE ABOVE-DESCRIBED AND ATTACHED SCOPE OF WORK; 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 ASKED HOW MUCH MONEY WAS RAISED FOR THE RENOVATION OF THIS BUILDING.

MR. DAUGHERTY RESPONDED THAT THIS PROJECT HAS BEEN IN THE WORKS FOR YEARS. THEY HAVE LEVERAGED WELL OVER \$1 MILLION, AND ARE CURRENTLY APPLYING FOR SEVERAL LARGE GRANTS TO FUND A SIGNIFICANT PORTION AS WELL, INCLUDING THE FEDERAL HOME LOAN BANK OF PITTSBURGH AND AN APPROPRIATION REQUEST THROUGH SENATOR BROWN'S OFFICE.

COUNCILWOMAN TURNER ASKED HOW MUCH IS NEEDED FOR THE RENOVATION.

MR. DAUGHERTY STATED AROUND \$2 MILLION.

COUNCILWOMAN DAVIS ADDED SHE WAS GIVEN A FIGURE OF \$2.1 MILLION.

COUNCILWOMAN TURNER ASKED WHAT DOES THIS \$100,000.00 COVER FOR A BUILDING YOU AREN'T YET READY TO RENOVATE.

MR. DAUGHERTY EXPECTS TO LEVERAGE THE REMAINING FUNDS BY THE END OF THE YEAR. THIS BUILDING WILL HAVE 4 UNITS OF AFFORDABLE HOUSING AND CREATE COMMERCIAL SPACE.

COUNCILWOMAN TURNER ASKED HOW DOES THIS PRICE OUT THE UNITS AND COMMERCIAL SPACE.

MR. DAUGHERTY STATED THIS IS ONE STRATEGY TOWARD MAKING AFFORDABLE HOUSING FOR LOW TO MODERATE INCOME PEOPLE.

COUNCILMAN RAY STATED THAT YNDC HAS A GOOD TRACK RECORD AND THAT THE BUILDING IS LARGE INSIDE.

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

ORD-23-266 AUTHORIZING A DIRECTOR OF FINANCE TRANSFER OF \$600.00 FROM THE SEVENTH WARD DISCRETIONARY FUND 1001.01.007_5107 TO PARKS AND RECREATION FUND 2301.11.111_5107 TO BE USED FOR SUMMER PROGRAMMING; 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-23-267 AUTHORIZING THE EXPENDITURE OF \$1,000.00 FROM THE SEVENTH WARD DISCRETIONARY FUNDS TO BE USED BY SOUTHSIDE SUMMER EXPERIENCE PROJECT WHICH OFFERS FREE DAY CAMP AT HORIZON SCIENCE ACADEMY; 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-23-268 AUTHORIZING THE EXPENDITURE OF \$3,000.00 FROM THE PRESIDENT OF COUNCIL'S DISCRETIONARY FUND. FUNDS TO BE USED BY SOUTHSIDE SUMMER EXPERIENCE PROJECT WHICH OFFERS FREE DAY CAMP AT HORIZON SCIENCE ACADEMY; 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-23-269 AUTHORIZING THE EXPENDITURE OF \$500.00 FROM THE PRESIDENT OF COUNCIL'S DISCRETIONARY FUND. FUNDS WILL BE USED TO SUPPORT COLLEGE BOUND PROJECT IN PURCHASING BEDDING AND BATH TOWELS TO BE GIVEN TO COLLEGE BOUND STUDENTS; 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.

REMARKS

COUNCILWOMAN DAVIS REFERENCED A LETTER LAW DIRECTOR LIMBIAN SENT. COUNCIL VOTED AND PASSED A PIECE OF LEGISLATION AND IT WAS SUPPOSED TO GO TO THE BOARD OF CONTROL. HIS LETTER MENTIONED THE ROLE OF THE ARP COMMITTEE. SHE ASKED WHAT IS THE ROLE OF THE ARP COMMITTEE LOOKING LEGISLATION OVER AFTER COUNCIL ALREADY APPROVED IT, AND WHAT IS THE NEXT STEP.

ATTORNEY LIMBIAN STATED THE ARP COMMITTEE'S ROLE IS TO VET ALL PROJECTS TO MAKE SURE THEY FIT UNDER FEDERAL GUIDELINES; WHETHER OR NOT THEY FIT UNDER THE MASTER PLAN DESIGNED BY THE MAYOR; AND WHETHER OR NOT IT IS AN APPROPRIATE EXPENDITURE UNDER THE LAW.

COUNCILWOMAN DAVIS NOTED YOU ARE SAYING THAT THE ARP COMMITTEE IS TO VET, BUT THEY ARE SUPPOSED TO MAKE RECOMMENDATIONS AND THOSE RECOMMENDATIONS ARE THEN BROUGHT TO COUNCIL. BUT NOT AFTER COUNCIL APPROVES SOMETHING? SHOULD THEY TURN AROUND AND THEN VET IT? THE COUNCIL'S AUTHORITY COMES FROM THE CITY CHARTER TO PASS THESE THINGS, THE MAYOR HAS THE AUTHORITY TO VETO IT, AND THE BOARD OF CONTROL HAS THE AUTHORITY TO LOOK OVER THE CONTRACTS. WHERE DOES THE ARP COMMITTEE GET ITS AUTHORITY TO SAY YEA OR NAY TO THIS? DO THEY GET A YEA OR NAY THAT SUPERSEDES COUNCIL?

ATTORNEY LIMBIAN ANSWERED NO, THAT THEY DO NOT GET A YEA OR NAY ON WHAT COUNCIL DOES.

COUNCILWOMAN TURNER ASKED IF ATTORNEY LIMBIAN IS SAYING THE ARP COMMITTEE VETTED THIS PIECE.

ATTORNEY LIMBIAN STATED HE DID NOT BELIEVE THAT THE ARP COMMITTEE HAD AN OPPORTUNITY TO VET IT BEFORE IT WAS PUT BEFORE COUNCIL.

COUNCILMAN HUGHES STATED IT SOUNDS LIKE ATTORNEY LIMBIAN IS SAYING THAT THE ARP COMMITTEE IS AN AUTHORITY, AND THAT THEY DIDN'T HAVE AN OPPORTUNITY, AND THAT THEY HAVE A RESPONSIBILITY ON THIS. WHERE DOES IT SAY THIS, AS IT IS NOT IN THE CHARTER? IT IS NOT IN ANY PROCEDURE WE HAVE BEEN DOING. HOW DOES THIS MYSTERIOUSLY COME ABOUT THAT THE ADMINISTRATION CREATED A COMMITTEE HAVING AUTHORITY OVER WHAT COUNCIL LEGISLATES? THE MAYOR HAS AN INDEPENDENT VOTE AS A MEMBER OF THE BOARD OF CONTROL.

MAYOR BROWN COMMENTED THAT WHEN WE FIRST GOT THIS \$82 MILLION, WE WENT TO THE CITIZENS TO SEE WHAT THEY WANTED, AND THOUGHT IF WE ALL CAME TOGETHER AS A COMMITTEE, COUNCIL, THE ADMINISTRATION AND OUTSIDE ENTITIES TO HELP US VET THESE TO MAKE SURE THEY MEET

QUALIFICATIONS AND GUIDELINES. THAT IS THE BEAUTY OF GOVERNMENT, THAT YOU HAVE CHECKS AND BALANCES. TYPICALLY, THE EXECUTIVE SIDE MAKES THE RECOMMENDATIONS TO THE LEGISLATIVE SIDE, AND THAT IS WHY WE WANT ALL MEMBERS TO BE THERE TO HAVE THINGS MOVE FORWARD, AND TO CONTINUE TO BE TRANSPARENT WITH THESE DOLLARS.

COUNCILMAN HUGHES STATED THAT COUNCIL HAS THE SOLE JOB TO LEGISLATE, THE MAYOR CANNOT CONVENE A COMMITTEE AND SAY NO YOU DON'T. THE CHARTER DOESN'T SAY HE CAN DO THAT.

COUNCILMAN RAY STATED THAT THE COMMITTEE CAN INFLUENCE THE MAYOR'S DECISION, BUT THEY DON'T HAVE AUTHORITY OVER OUR DECISIONS.

COUNCILMAN HUGHES STATED COUNCIL IS THE FINAL SAY.

COUNCILMAN OLIVER ASKED ATTORNEY LIMBIAN WHEN DOES THE BOARD OF CONTROL HAVE THE PURVIEW NOT TO EXECUTE COUNCIL'S LEGISLATION?

ATTORNEY LIMBIAN ANSWERED ANYTIME THAT THE ADMINISTRATION, PARTICULARLY THE MAYOR, BELIEVES IT'S AN ILL ADVISED OR INAPPROPRIATE EXPENDITURE. THE LEGISLATION MERELY AUTHORIZES THE BOARD OF CONTROL TO CONSIDER IT, IT DOESN'T SAY YOU MUST DO THIS.

COUNCILWOMAN ADAMCZAK ASKED FOR CLARITY. IS IT THAT THIS PIECE OF LEGISLATION IS JUST WAITING TO APPEAR ON THE BOARD OF CONTROL AGENDA PER THE MAYOR? IS IT THE MAYOR'S PURVIEW TO NOT PUT IT ON THAT AGENDA? SO, RATHER THAN PUTTING IT ON THE AGENDA AND VETOING THE LEGISLATION, IS MAYOR BROWN JUST WANTING MORE TIME?

MAYOR BROWN ANSWERED THAT SINCE ALL OF COUNCIL AGREED TO THE LEGISLATION, HE DOESN'T HAVE ENOUGH VETO POWER. HE DECIDED IT DOESN'T MEET THE ARP FUNDING REQUIREMENT CRITERIA. WE NEED TO MAKE SURE THESE PROGRAMS WILL HAVE IMPACT ON OUR COMMUNITY, BUT WE CAN'T CREATE PROGRAMS BECAUSE WE HAVE THIS MONEY. WE TALKED ABOUT SUPPLEMENTING WHAT THE COMMUNITY WANTS. SOME OF THESE PROGRAMS BEING CREATED DO NOT MEET THE QUALIFICATIONS, AND THE ONE THEY ARE DISCUSSING WAS MISSING A LOT OF THINGS. HE DOESN'T QUESTION THEIR AUTHORITY ON THE LEGISLATIVE SIDE, BUT HE DOES HAVE THE AUTHORITY ON THE BOARD OF CONTROL SIDE.

COUNCILWOMAN ADAMCZAK ADDED WHETHER WE AGREE OR NOT, DOES THE MAYOR HAVE THE AUTHORITY TO DO THIS? THIS IS A STRONG MAYOR AUTHORITY GOVERNMENT SYSTEM.

COUNCILWOMAN DAVIS STATED SHE BELIEVES THE MAYOR HAS THE AUTHORITY TO VETO LEGISLATION. SHE WOULD LIKE HONESTY IN THE PROCESS,

INSTEAD OF HOLDING IT UP IN THE BOARD OF CONTROL. WE CAN OVERRIDE THE VETO, OR COME TO YOU AND ASK YOU WHAT IS NEEDED, LEAVING IT ON THE BOARD OF CONTROL TABLE HOLDS IT UP. THERE IS NO CHECKS AND BALANCES.

MAYOR BROWN COMMENTED THAT HIS VETO POWER ONLY APPLIES WHEN THERE IS NOT A SUPER MAJORITY. IF IT DOESN'T MEET ARP QUALIFICATIONS, COUNCIL NOW HAS TO DECIDE IF IT DOESN'T GO THROUGH BOARD OF CONTROL, WHAT THEY WANT TO DO WITH IT FROM THERE.

COUNCILMAN HUGHES STATED IF HE THINKS HE HAS THE VOTES, THE MAYOR CAN VETO IT. BUT IF HE DOESN'T VETO IT, HE DOESN'T HAVE THE AUTHORITY TO TELL COUNCIL THEY CAN'T PASS LEGISLATION.

CPED DIRECTOR NIKKI POSTERLI COMMENTED THAT THE WORD "VET" FOR THE ARP COMMITTEE CAME THROUGH HER. THE REASON IS BECAUSE THE ARP COMMITTEE HAS DONE OUR DUE DILIGENCE ON A PROJECT BEFORE IT COMES TO COUNCIL, AND THEN GOES TO THE BOARD OF CONTROL. THE ENTIRE BOC SITS ON THE ARP COMMITTEE. THE PROBLEM WITH THE PIECE BEING DISCUSSED HERE IS THIS IS THE FIRST TIME WE HAVE SEEN THIS WHEN IT IS ALREADY PASSED AS LEGISLATION. MEMBERS OF COUNCIL HAVE EXPRESSED FRUSTRATION ON THEIR LEGISLATION GETTING THROUGH THE BOARD OF CONTROL. SHE ASKED IF COUNCIL WOULD DISCUSS THEIR LEGISLATION WITH THE ARP COMMITTEE SO THERE WOULDN'T BE ANY HANG UPS, AND SOME DID. SHE AND PUBLIC WORKS DIRECTOR CHUCK SHASHO HAVE TO CREATE THE CONTRACTS, AND THEY NEED TO KNOW WHAT ARE THEY CONTRACTING FOR AND WHAT IS THE PROCESS AND PURPOSE. THE BOARD OF CONTROL HAS THE FINAL SAY AFTER COUNCIL APPROVES THE LEGISLATION.

COUNCILMAN HUGHES NOTED THE SYSTEM IN PLACE HAS NEVER QUESTIONED ANYTHING THAT PASSED. NOW COUNCIL'S VOTE DOESN'T SEEM TO MEAN ANYTHING.

COUNCILMAN OLIVER STATED ALL OF HIS PIECES OF LEGISLATION MEET THE FEDERAL GUIDELINES, BUT THERE SEEMS TO BE ADDITIONAL GUIDELINES IN PLACE. ONE PROJECT HE WAS TOLD HOW TO DO IT BY THE BOARD OF CONTROL AND THE ADMINISTRATION, AND EVEN THOUGH HE WAS INSTRUCTED, THAT PROJECT IS STILL NOT BEING DONE. THE COMMUNITY IS WAITING TO SEE THE IMPACT OF THESE FUNDS. HOW DO WE WORK TOGETHER SO THAT IT MEETS THE GOALS OF THE ADMINISTRATION AND THE FEDERAL GUIDELINES, AS THE ARP COMMITTEE IS STILL NOT GETTING THIS PASSED THROUGH THE BOARD OF CONTROL?

MAYOR BROWN STATED HIS RECOMMENDATION IS THAT IT COMES THROUGH THE EXECUTIVE SIDE, AND COUNCIL IS TAKING IT IN REVERSE.

COUNCILMAN RAY STATED WE DO HAVE A LEGISLATION COMMITTEE OF COUNCIL, AND AS A LEGISLATIVE AUTHORITY, WE DO HAVE THE AUTHORITY TO MANDATE HOW THE SPENDING GOES. THERE IS SOME MISCOMMUNICATION HERE, AND MAYBE WE NEED A MEETING FOR CLARIFICATION.

COUNCILWOMAN DAVIS STATED THAT THE CITIZENS PRESENT ARE WITNESSING THE POWER OF THE MAYOR VERSUS THE POWER OF CITY COUNCIL. COUNCIL ASKS, BUT THE MAYOR CAN ORDER, AND THE LAW DIRECTOR ANSWERS TO THE MAYOR. THIS IS BASED ON HOW THE CITY CHARTER IS DESIGNED. IF THE CITIZENS WANT TO SEE CHANGE, CHANGE THE CHARTER, AND UNDERSTAND THAT GOVERNMENT IS YOU.

COUNCILWOMAN TURNER MENTIONED THAT SHE MET WITH THE ARP COMMITTEE TWICE PRIOR TO PRESENTING LEGISLATION, TO GO OVER STRATEGY, PLAN OF ACTION, SUSTAINABILITY, ETC..., AND WENT THROUGH THAT PROCESS. AFTER THE LEGISLATION PASSED, SHE MET WITH THEM AGAIN. AS A BODY, WE COULD DO BETTER TO WORK WITH THE ADMINISTRATION ON THE FRONT END AND DO BETTER AT COMMUNICATING ON THIS ARP SPENDING.

COUNCILWOMAN ADAMCZAK AGREED WITH COUNCILWOMAN TURNER ON WORKING ON ARP LEGISLATION ON THE FRONT END, AND COMMENDED THE RESULTING LEGISLATION FOR THE PARKS PLAN.

PUBLIC WORKS DIRECTOR CHUCK SHASHO GAVE AN UPDATE ON THE STATUS OF THE CITY HALL FIRE ESCAPE: THEY FOUND MORE ISSUES THAN EXPECTED, AND DESPITE THAT, EVEN WITH A WORST CASE SCENARIO, HE EXPECTS THE REPAIRS TO BE WRAPPED UP BY 45 DAYS.

PRESIDENT TOM HETRICK STATED THERE IS A TENTATIVE SPECIAL COUNCIL MEETING ON JULY 31, 2023.

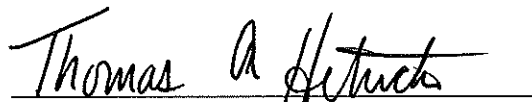
COUNCILWOMAN DAVIS MADE A MOTION TO ADJOURN.

COUNCILMAN KELLY SECONDED.

UPON MOTION COUNCIL ADJOURNED

APPROVED: WEDNESDAY, SEPTEMBER 20, 2023


CLERK


PRESIDENT OF COUNCIL