

CITY COUNCIL CHAMBERS
WEDNESDAY, JANUARY 6, 2010

CITY COUNCIL CONVENED IN REGULAR SESSION AND WAS CALLED TO ORDER BY PRESIDENT SAMMARONE. ON A CALL OF THE ROLL THE FOLLOWING MEMBERS RESPONDED TO THEIR NAMES: MESS. BROWN, DRENNEN, GILLAM, KITCHEN, RIGHETTI, SWIERZ, TARPLEY, AND SAMMARONE, 8. COUNCIL SWORE ALLEGIANCE TO THE FLAG. THE JOURNAL OF THE LAST REGULAR MEETING DECEMBER 16, 2009 AND SPECIAL COUNCIL MEETING DECEMBER 30, 2009 WAS APPROVED.

COMMUNICATIONS

COM-10-01 JEFF STEINBERG, EXECUTIVE DIRECTOR OF SOJOURN TO THE PAST, THANKING COUNCIL FOR HELPING STUDENTS. WAS READ AND UPON MOTION OF MR. SWIERZ WAS RECEIVED AND FILED. CARRIED

COM-10-02 BOARD OF CONTROL MEETING WAS HELD ON THURSDAY, DECEMBER 17, 2009. WAS READ AND UPON MOTION OF MR. SWIERZ WAS RECEIVED AND FILED. CARRIED

COM-10-03 BOARD OF CONTROL MEETING WAS HELD ON FRIDAY, DECEMBER 18, 2009. WAS READ AND UPON MOTION OF MR. SWIERZ WAS RECEIVED AND FILED. CARRIED

COM-10-04 BOARD OF CONTROL MEETING HELD ON THURSDAY, DECEMBER 31, 2009. WAS READ AND UPON MOTION OF MR. SWIERZ WAS RECEIVED AND FILED. CARRIED

COM-10-05 MAHONING COUNTY COMMISSIONERS MEETING WAS HELD ON THURSDAY, DECEMBER 17, 2009. WAS READ AND UPON MOTION OF MR. SWIERZ WAS RECEIVED AND FILED. CARRIED

COM-10-06 MAHONING COUNTY COMMISSIONERS MEETING WAS HELD ON TUESDAY, DECEMBER 29, 2009. WAS READ AND UPON MOTION OF MR. SWIERZ WAS RECEIVED AND FILED. CARRIED

COM-10-07 SEAN MCKINNEY WAS UNABLE TO ATTEND THE DECEMBER 30, 2009 SPECIAL COUNCIL MEETING. WAS READ AND UPON MOTION OF MR. SWIERZ WAS RECEIVED AND FILED. CARRIED

COM-10-08 EASTGATE REGIONAL COUNCIL OF GOVERNMENTS WILL BE MEETING ON THURSDAY, JANUARY 7, 2010. WAS READ AND UPON MOTION OF MR. SWIERZ WAS RECEIVED AND FILED. CARRIED

COM-10-09 BOARD OF CONTROL MEETING WAS HELD ON WEDNESDAY, JANUARY 6, 2010. WAS READ AND UPON MOTION OF MR. SWIERZ WAS RECEIVED AND FILED.
CARRIED

COM-10-10 DAVID TURNER, OHIO EDISON COMPANY REQUEST PERMISSION TO INTRODUCE HIMSELF TO COUNCIL ON 1/6/10. WAS READ AND UPON MOTION OF MR. SWIERZ WAS RECEIVED AND FILED.
CARRIED

ORDINANCES

ORD-10-01 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO ENTER INTO AN AGREEMENT TO PURCHASE FOUR USED HARLEY DAVIDSON POLICE MOTORCYCLES FROM HARLEY-DAVIDSON BIKETOWN, 5700 INTERSTATE BLVD., BIKETOWN, OHIO 44515, AT A PRICE NOT TO EXCEED \$40,000.00; AND THESE MOTORCYCLES HAVE BEEN USED BY THE YOUNGSTOWN POLICE DEPARTMENT SINCE THEY WERE BRAND NEW AND ARE IN EXCELLENT CONDITION. THE VEHICLES HAVE HAD ALL REGULAR SCHEDULES MAINTENANCE SERVICE PERFORMED AND DO NOT REQUIRE ANY REPAIRS; AND FUNDS ARE AVAILABLE AND WILL BE EXPENDED FROM EQUITABLE SHARING FUND 709, ORG. CODE 709099, OBJECT 152 EQUIPMENT; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX OF THE 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. SWIERZ THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED UPON ITS PASSAGE AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-10-02 APPROPRIATING THE SUM OF \$47,000.00 FROM THE EQUITABLE SHARING FUND 709 INTO ORG. CODE 709099, OBJECT 152 EQUIPMENT. THE MONEY WILL BE USED TO BUY POLICE VEHICLES AND EQUIPMENT; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX OF THE 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. SWIERZ THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED UPON ITS PASSAGE AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-10-03 APPROPRIATING THE SUM OF \$18,692.44 TO FUND 691, ORG. CODE 960691, OBJ. CODE 132 TO ENABLE THE CITY OF YOUNGSTOWN TO ENTER INTO AN AGREEMENT WITH DELORES SCOTCHIE FOR PROFESSIONAL SERVICES AS CRIME PREVENTION SPECIALIST FOR THE GOLDEN ALERT PROGRAM FOR THE PERIOD OF JANUARY 1, 2010 THROUGH JUNE 30, 2010. THE GOLDEN ALERT PROGRAM WILL BE DISCONTINUED EFFECTIVE JULY 1 2010; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE

AFFIRMATIVE VOTE OF SIX OF THE 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. SWIERZ THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED UPON ITS PASSAGE AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-09-04 **SUSPENDING SECTION 143.03 (a) THROUGH (d), ELIGIBILITY LISTS FOR ORIGINAL APPOINTMENTS**, OF THE CODIFIED ORDINANCES OF THE CITY OF YOUNGSTOWN, INITIAL APPOINTMENTS FROM FIREFIGHTER CIVIL SERVICE LIST NO. 1844; AND PURSUANT TO AUTHORITY GRANTED BY SECTION 124.90(B) OF THE OHIO REVISED CODE TO AVOID FEDERALLY PROHIBITED DISCRIMINATION IN THE YOUNGSTOWN FIRE DEPARTMENT, AND TO PROVIDE FOR THE INITIAL APPOINTMENT OF MINORITIES AND FEMALES FROM FIREFIGHTER CIVIL SERVICE LIST NO. 1844, OHIO REVISED CODE SECTIONS 124.26 AND 124.27 KNOWN AS THE "RULE OF TEN", BE AND THE SAME ARE HEREBY WAIVED AND THE APPOINTING AUTHORITY IS HEREBY AUTHORIZED TO APPOINT FROM THE LIST OF ALL NON-MINORITY APPLICANTS WHO OBTAINED A PASSING SCORE ON THE EXAM; AND THAT THIS ORDINANCE IS HEREBY DECLARED TO BE AN EMERGENCY MEASURE FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, WELFARE AND SAFETY IN FILLING VACANT FIREFIGHTERS' POSITIONS WITH QUALIFIED NON-MINORITY AND MINORITY CANDIDATES AND PROVIDED THAT THIS ORDINANCE RECEIVES THE AFFIRMATIVE VOTE OF SIX OF THE MEMBERS ELECTED TO THE LEGISLATIVE AUTHORITY, IT SHALL TAKE EFFECT AND BE IN FORCE IMMEDIATELY UPON ITS PASSAGE AND APPROVAL BY THE MAYOR; 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. SWIERZ WAS ADVANCED TO A SECOND READING.

ORD-10-05 **ADOPTING AND ESTABLISHING THE MASTER SALARY FOR THE CITY OF YOUNGSTOWN, CONTAINED IN EXHIBIT "A", HERETO ATTACHED AND MADE A PART HEREOF, WHICH INCORPORATES ALL AMENDMENTS TO DATE.** CITY COUNCIL HEREBY ESTABLISHES AND ADOPTS THE ATTACHED MASTER SALARY ORDINANCE DATED JANUARY 1, 2010, AND INCORPORATES ALL AMENDMENTS TO DATE, AS THE MASTER SALARY ORDINANCE FOR THE CITY OF YOUNGSTOWN REFLECTING ALL EXISTING EMPLOYEE POSITIONS WHETHER CURRENTLY FILLED OR VACANT AND THEIR SALARIES, AND AS MAY BE AMENDED BY COUNCIL PURSUANT TO ORDINANCES THROUGH DECEMBER 31, 2010, HEREBY REPEALING ALL PRIOR MASTER SALARY ORDINANCES ADOPTED BY COUNCIL, EXCEPT FOR USE AS HISTORICAL REFERENCE; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX OF THE 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. SWIERZ THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED UPON ITS PASSAGE AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

ORD-10-06 AUTHORIZING THE **PROHIBITION OF PARKING ON THE NORTH SIDE OF DELASON AVENUE BETWEEN MARKET STREET AND ERIE STREET**; THEREBY REPEALING AND/OR AMENDING ANY ORDINANCES INCONSISTENT WITH THIS LEGISLATION. THERE IS A NEED FOR INCREASED SAFETY FOR THE CHILDREN COMING AND LEAVING FROM SCHOOL AT EAGLE HEIGHTS; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX OF THE 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. SWIERZ THE RULES OF COUNCIL WERE SUSPENDED BY A VOTE OF YEAS, 7. NAYS, NONE.

THE ORDINANCE WAS THEN PLACED UPON ITS PASSAGE AND PASSED BY A VOTE OF YEAS, 7. NAYS, NONE.

READING

ORD-09-388 AUTHORIZING THE BOARD OF CONTROL OF THE CITY OF YOUNGSTOWN TO **NEGOTIATE TERMS AND ENTER INTO A DEVELOPMENT AGREEMENT WITH NORTH STAR DISPOSAL SERVICES, LLC THAT PROVIDES FOR THE TRANSFER OF 7.5 ACRES OF PROPERTY ON OHIO WORKS DRIVE, GRANTS ENVIRONMENTAL INDEMNIFICATION TO THE SITE, AND A TEN-YEAR 75% TAX ABATEMENT ON ALL REAL PROPERTY IMPROVEMENTS**; AND THE COMPANY PROPOSED TO INVEST \$1.7 MILLION DOLLARS FOR CONSTRUCTION OF A WASTEWATER PRE-TREATMENT FACILITY AND INJECTION WELL SITE. 5-10 JOBS WILL BE CREATED AS A RESULT OF THIS PROJECT; AND PROVIDING THAT THIS ORDINANCE SHALL BE AN EMERGENCY MEASURE IF IT RECEIVES THE AFFIRMATIVE VOTE OF SIX OF THE 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. SWIERZ WAS ADVANCED TO A THIRD READING.

MR. SAMMARONE: "THAT CONCLUDES THE AGENDA, LADIES AND GENTLEMEN, WE NEED A MOTION TO ADJOURN".

MR. SWIERZ: "I MOVE TO ADJOURN MR. CHAIRMAN".

MS. TARPLEY: "SECOND".

MR. SAMMARONE: "MOVED AND SECONDED, THANK YOU".

**UPON MOTION COUNCIL ADJOURNED.
APPROVED: WEDNESDAY, JANUARY 20, 2010**

CLERK

PRESIDENT