

Warren, Ohio

MINUTES

REGULAR MEETING WARREN CITY COUNCIL

February 11, 2009

- CALL TO ORDER** The regular meeting of Warren City Council was called to order by President of Council Robert A. Marchese in Warren City Council Chambers at 7:30 PM, 141 South St. SE, Warren, Ohio.
- INVOCATION/PLEDGE** The meeting opened with prayer lead by Councilman at Large Daniel Crouse and was followed by the Pledge of Allegiance.
- ROLL CALL** MEMBERS PRESENT: Crouse, Dean, Dippolito, Novak, Barkley, Morn, Flask, Pugh, Dean
ABSENT: Rucker
- MOTION-EXCUSE COUNCIL MEMBER** Motion Crouse, second Morn to excuse Councilwoman Rucker for good and sufficient reason.
VIVA VOCE: Yeas; no nays. Motion passed.
- OFFICIALS PRESENT** Mayor O'Brien, Law Director Hicks, Treasurer Homlitas, Director Franklin
- DEPARTMENT HEADS** Chief Mandopoulos, Chief Nussle, Gary Cicero, Bob Davis, Sal DiLiello, Bob Pinti, Frank Tempesta, Tom Angelo, Bill Totten, Renee Cicero, Lisa Mazzochi, Mike Keys, Chris Stephenson
ABSENT: Tom Gaffney
- MOTION-ACCEPT PREVIOUS MINUTES** Motion Dean, second Novak to accept the minutes of the last meeting but dispense with reading of the same. VIVA VOCE: Yeas; no nays. Motion passed.
- PRESIDENT MARCHESE: A reminder to Council, in the last few weeks in a Council as a Whole meeting Mr. Barkley has taken on an assignment along with Mr. Crouse as well as; I'd like to add to that Doc Pugh to form an ad hoc committee over the next month to look at the possibility of Council moving to a paperless system by way of the modern medium and they certainly have their work cut out for them but will save numerous trees in the process and will probably make the Clerk's role that much easier. So we look forward to that assignment that Mr. Barkley has undertaken and we hope that he'll come back to us with some message regarding how we can enforce that. Mr. Barkley.
- MR. BARKLEY: We're working on it and we would hope that we would have some kind of preliminary on that before the end of the month.
- PRESIDENT MARCHESE: Very good and I think the addition of Councilman Pugh will be a big help as he's an expert in this area.

REPORTS

- MAYOR** MAYOR O'BRIEN: Thank you very much Mr. President, Members of Council: The only report I have is short: Number one, the workers at the Water Department this time of the year, last month there were two dozen water main breaks, two dozen and of course prior to the last few days, the two dozen, probably twenty-three of the water main breaks were repaired with about five to seven degrees outside. So, this fluctuation of the temperatures plus, of course the Operations Department with their continuous pothole patching right now and this process. But of course at times we forget what's going on underground the roads and on the roads unless there is a substantial water main break. So to Mr. Davis and his

crew appreciate it very much. And also to the all city employees, you know we're also (inaudible) our issues regarding our city employees; they're doing more with less personnel available and it's (inaudible) in the Operations Department. It's very tough, it's very difficult. We understand (inaudible) everyone's showing the pain but we're working together and that's what's most important.

Mr. Flask, the light, as you've probably noticed the light at the corner of Willard and Youngstown Road is operational. I want to thank Mr. Totten and the rest of his office for accomplishing that and as I understand the new Willard School's suppose to be open this weekend. So the City of Warren played a role also with that along with Warren City Schools.

(inaudible) I have been receiving the latest, actually it was most of it's complete now, but the National Association of Mayor's will be contacting the Mayor's which belong to the organization which I do and we'll be receiving information from the economic recovery and reinvestment act passed by the Senate last night, and of course negotiated today with the House and the Senate. We'll be receiving the details and will be passing the information on to City Council and of course the department heads.

I was in Youngstown today with representatives from Washington DC regarding this and they thought that they would have something probably at 6:30, 7:30 tonight. I'd publicly like to thank Senator Sherrod Brown for his vote and of course thank Congressman Ryan for his support and Congressman Charlie English. I'm disappointed in the vote of Senator George Voinovich and especially a lot of the issues regarding the simple points of the reinvested act that is primarily dealing with stabilization and law enforcement, community development block grants. All of these issues that are important to the State of Ohio and Senator Voinovich's vote is still 'no'. To that regard next Tuesday I'll be (inaudible) in Youngstown Tuesday; I'm sure all members of Councils are invited as well as department heads. I'll be speaking in particular to (inaudible) and also Lynn Hayes from the governor's office. Also I'll be meeting with Lt. Governor Lee Fisher later on that afternoon and that will be Tuesday. One of the issues among the things I wish to discuss with Lt. Fisher is the particular objection to the increase of fees and primarily the increase in tipping fees for municipal waste and construction debris waste. I have been talking to Trumbull County Commissioners and I have contacted some of the other mayor's in Trumbull County and we'll be putting together a letter voicing the concerns of elected officials and hope that City Council will be a part of that to address these increased fees. And more than increased fees, but primarily with the topic of increased fees and tipping fees for municipal solid waste and construction debris waste which would be directly affect the City of Warren. So I'll be, I met with representatives from the county Monday and I'll be directing those issues regarding that back to City Council, to different mayor's in Trumbull County and also I've coordinated this with Mr. Novak and Council of Governments so we can get a boarder picture of this. And with that, that's the end of my report. Thank you very much.

LAW

MR. HICKS: Short report, but it took a long time. No report.

AUDITOR

MR. GRIFFING: Thank you Mr. President. No report this evening.

TREASURER

MR. HOMLITAS: Thank you, Mr. President. Tax collections through this morning were \$2,062,000. Thank you.

DIRECTOR

MR. FRANKLIN: Thank you Mr. President. No report however

DEPARTMENT HEAD REPORTS

No reports.

February 11, 2009

SUMMARY OF CORRESPONDENCE

**C-001-09
1-20-09**

**Received from the Ohio Dept. of Commerce, Division of
Liquor Control:**

2-11-09

Regarding a transfer of ownership and location application from:

J. Frank LLC
DBA Paradise
2261 North Park
Warren, Ohio 44483

The division finds that Warren City Council was unable to present sufficient evidence to show that the applicant is unfit to engage in the retail sale of alcoholic beverages or that the transfer of this permit would adversely impact the peace, sobriety, and good order of the community.

Therefore, it is ordered that the legislative objection be overruled and the processing of this application continue.

REF: All Council Members
Law Department
Police Department

C-002-09
1-30-09

Received from the Ohio Dept. of Commerce, Division of Liquor Control:

A request for a transfer of a D1, D2, D3, D3A license:

TO: Summit Lounge LLC
DBA Summit Lounge
1010 Tod NW
Warren, Ohio 44485

FROM: Summit Lounge Inc.
DBA Summit Lounge Inc.
1010 Tod NW
Warren, Ohio 44485

REF: Fiore Dippolito, 1st Ward Councilman
Legislative Chairman
Police, Fire, Health, Planning, Building and Law
Departments.

THIS CORRESPONDENCE IS ON FILE IN THE CLERK OF COUNCIL OFFICE.

PUBLIC SPEAKING

No speakers for this evening.

STANDING COMMITTEE REPORTS

FINANCE

MR. NOVAK: Thank you Mr. President. The Finance Committee met yesterday. We reviewed the agenda for the previously cancelled meeting with the agenda for this evening. We did not make any recommendations for anything that was on the agenda.

Also I would hope that Mayor O'Brien eluded to that we work with the Council of Governments especially when it comes to the federal money coming in to the City of Warren and Trumbull County, that we all work

together and make sure that these dollars are well spent. Thank you Mr. President.

LEGISLATIVE

MR. BARKLEY: Thank you Mr. President. Just to re-notify Council that I have asked for a Legislative Committee meeting next week Wednesday, February 18, 4 PM. I'd like to see if we can't discuss some strategies to enforce the noise ordinance. Spring is coming and the on slot of noisy cars is going to follow. I've had resident calls already in advance of this spring time annoyance and I'm hoping that we can get together and talk about a strategy where we might be able to tackle this issue and keep it under control this year. I appreciate it. Thank you Mr. President.

SPECIAL COMMITTEE REPORTS

ENERGY

MR. CROUSE: Thank you Mr. President. Just want the Energy Committee; we had sent out a request for qualifications Water Pollution Control has done that and we've received three responses that they will be reviewing relative to the sludge and energy contract and the bio-diesel contract. So we hope to have something in the weeks before you. Thank you Mr. President.

STRATEGIC PLANNING

MR. BARKLEY: Thank you Mr. President. The Strategic Planning Committee met on January 20th. We reviewed some preliminary reports that Poggemeyer put forth on neighborhood groups. We also got an update from them on the status of comprehensive planning for the city. As a result of that meeting and some concerns by some Council Members on this report, I have scheduled a follow-up meeting to deal specifically with the neighborhood reports, and that meeting is scheduled for Monday, March 9th at 4 PM. I think notice went out today on that and I did this specifically so I could address some concerns that Council Members Pugh and Hartman had so if you'd be in attendance at that meeting specifically. And I know that Poggemeyer also has several meetings with neighborhood groups set up between now and that date which is the reason I pushed this up so that we could have a chance to meet.

So for the public's information I know that there's a meeting on February 23rd with the northeast group at St. Paul's Church and a meeting on Tuesday the 24th, February 24th for the southwest group; that's 6 PM at New Freedom Baptist Church. We wanted to push this meeting out, this strategic planning meeting out so that we could give them a chance to meet and toss around some of those issues in that report. So I hope that any of you council members would be in attendance there. Thank you.

PRESIDENT MARCHESE: Mr. Barkley I recently received word from board member Harrell, a school board member, that if you would consider having another school board/council get-together meeting. She really didn't give me an agenda (inaudible).

MR. BARKLEY: I'll contact her and then we'll schedule a meeting. Thank you.

LEGISLATION FOR FIRST READING

**DRAFT 2866R
TREASURER'S
SALARY**

An ordinance for the purpose of adjusting and reestablishing the salary for the office of Treasurer of the City of Warren effective January 1, 2010.

Mr. Dippolito requests the clerk to read the title on Draft 2866R and place it in first reading.

READ

Clerk reads same.

REF: Finance

**DRAFT 2870
GARBAGE & REFUSE
COLLECTION**

An ordinance for the purpose of repealing and reenacting, and enacting, various provisions of and to Section 927.12 (Collection Charges) of the codified ordinances of the City of Warren for the purpose, among other things, of providing for collection charges for the collection by the City of Warren's Environmental Services Department of garbage and refuse from single and multiple family dwellings located outside a radius of five (5) miles of 613 Main Avenue SW, Warren, Ohio and declaring an emergency.

Mr. Pugh requests the clerk to read the title on Draft 2870 and place it in first reading.

READ

Clerk reads same.

REF: H & W

LEGISLATION FOR PASSAGE

**DRAFT 2864
SEWER SYSTEM FOR
LORDSTOWN, PHASE I**

An ordinance for the purpose of authorizing the Mayor and Director of Public Service and Safety, for and on behalf of the City of Warren, to enter into agreement(s) with the Mayor of the Village of Lordstown to provide for operation and maintenance of the sewer system for the Village of Lordstown sanitary sewer district's east side sanitary phase I and declaring an emergency.

Mr. Crouse requests the clerk to read the title on Draft 2864.

READ

Clerk reads same.

MOTION-SUSPEND
THREE READINGS

Motion Crouse, second Novak to suspend the rule requiring three readings on Draft 2864.

ROLL CALL

YES: Crouse, Dean, Dippolito, Novak, Barkley, Morn, Flask, Pugh, Hartman

NO: None.

MOTION PASSED

9 YES; 0 NO. Motion passed.

MOTION FOR PASSAGE

Motion Crouse, second Morn to pass Draft 2864.

REMARKS

None.

ROLL CALL

YES: Crouse, Dean, Dippolito, Novak, Barkley, Morn, Flask, Pugh, Hartman

NO: None.

PASSED
ORD. 12168/09

9 YES; 0 NO. Motion passed. Draft 2864 is now ORD. 12168/09.

**DRAFT 2865
AGREEMENT WITH
HABITAT FOR
HUMANITY**

An ordinance for the purpose of authorizing the Mayor and the Director of Public Service and Safety, on behalf of the City of Warren, as lead agency for the Warren-Trumbull Home Consortium, to enter into written agreement with Habitat for Humanity of Trumbull County for rehabilitation of a single family home in the City of Warren utilizing approximately \$30,000 of consortium funds, as authorized by the National Affordable Housing act and declaring an emergency.

Mrs. Morn requests the clerk to read the title on Draft 2865.

READ

Clerk reads same.

MOTION-SUSPEND
THREE READINGS

Motion Morn, second Novak to suspend the rule requiring three readings on Draft 2865.

2-11-09

ROLL CALL YES: Crouse, Dean, Dippolito, Novak,
Barkley, Morn, Flask, Pugh, Hartman

NO: None.

MOTION PASSED 9 YES; 0 NO. Motion passed.

MOTION FOR PASSAGE Motion Morn, second Barkley to pass Draft 2865.

REMARKS

None.

ROLL CALL YES: Crouse, Dean, Dippolito, Novak,
Barkley, Morn, Flask, Pugh, Hartman

NO: None.

PASSED 9 YES; 0 NO. Motion passed. Draft 2865 is now ORD. 12169/09.
ORD. 12169/09

DRAFT 2867
APPROPRIATIONS An ordinance for the purpose of appropriating from the unappropriated,
unencumbered balances of certain city funds and declaring an
emergency.

Mr. Novak requests the clerk to read the title on Draft 2867.

READ Clerk reads same.

MOTION-SUSPEND Motion Novak, second Barkley to suspend the rule requiring three
THREE READINGS readings on Draft 2867.

ROLL CALL YES: Crouse, Dean, Dippolito, Novak,
Barkley, Morn, Flask, Pugh, Hartman

NO: None.

MOTION PASSED 9 YES; 0 NO. Motion passed.

MOTION FOR PASSAGE Motion Novak, second Dippolito to pass Draft 2867.

REMARKS

None.

ROLL CALL YES: Crouse, Dean, Dippolito, Novak,
Barkley, Morn, Flask, Pugh, Hartman

NO: None

PASSED 9 YES; 0 NO. Motion passed. Draft 2867 is now ORD. 12170/09.
ORD. 12170/09

DRAFT 2868
PAYMENT OF SPECIFIC An ordinance for the purpose of authorizing the payment of specific
ORDERS OR CONTRACTS orders or contracts upon receipt of certification of the fiscal officer
of the sufficiency of funds for said expenditures and declaring an
emergency.

Mr. Novak requests the clerk to read the title on Draft 2868.

READ Clerk reads same.

MOTION FOR PASSAGE Motion Novak, second Dippolito to suspend the rule requiring three
readings of Draft 2868.

ROLL CALL YES: Crouse, Dean, Dippolito, Novak, Barkley, Morn,

2-11-09

Flask, Pugh, Hartman

NO: 0

MOTION PASSED 9 YES; 0 NO. Motion passed.

MOTION FOR PASSAGE Motion Novak, second Barkley to pass Draft 2868.

REMARKS

None.

ROLL CALL YES: Crouse, Dean, Dippolito, Novak, Barkley, Morn, Flask, Pugh, Hartman

NO: 0

PASSED 9 YES; 0 NO. Motion passed. Draft 2868 is now ORD. 12171/09.
ORD. 12171/09

**DRAFT 2869
NEIGHBORHOOD
STABILIZATION
PROGRAM (NSP)**

An ordinance for the purpose of authorizing the Mayor, on behalf of the City of Warren, to participate in the Ohio Neighborhood Stabilization Program (NSP) by preparing and submitting the application for the NSP and agreeing to accept the funds and implement the NSP Program and declaring an emergency.

Mrs. Morn requests the clerk to read the title on Draft 2869.

READ Clerk reads same.

MOTION-SUSPEND Motion Morn, second Barkley to suspend the rule requiring
THREE READINGS three readings on Draft 2869.

ROLL CALL YES: Crouse, Dean, Dippolito, Novak, Barkley, Morn, Flask, Pugh, Hartman

NO: None.

MOTION PASSED 9 YES; 0 NO. Motion passed.

MOTION FOR PASSAGE Motion Morn, second Barkley to pass Draft 2869.

REMARKS

Mr. Novak: Yes, thank you Mr. President. Just for clarification, there were some folks that saw Mr. Keys on the news and they misunderstood when he said we were going to utilize this money only where there were new schools in the neighborhoods. And I just wanted reassure them and for the record that we will be evaluating the whole city and especially the neighborhoods where we need to do a lot of work. Some of the folks were concerned because unfortunately in the 2nd Ward we no longer have a school. So I assured them that we would be looking at some of these areas (inaudible) just so they are not getting the wrong idea (inaudible). Thank you Mr. President.

ROLL CALL YES: Crouse, Dean, Dippolito, Novak, Barkley, Morn, Flask, Pugh, Hartman

NO: None.

PASSED 9 YES; 0 NO. Motion passed. Draft 2869 is now ORD. 12172/09.
ORD. 12172/09

SECOND READING

**DRAFT 2863
FIRE DEPT./EMS
SERVICES**

An ordinance for the purpose of authorizing the Mayor and the Director of Public Service and Safety to advertise for bids and enter into contract(s) for the purchase and/or lease of equipment and like items

for use by the city's fire department for the providing of emergency medical services and declaring an emergency.

Mrs. Hartman requests the clerk to read the title on Draft 2863 and place it in second reading.

READ

Clerk reads same.

PRESIDENT MARCHESE: We are encountering some major storm outside. There are already trees and power lines down in the city. Given that I'm going to exercise the ability to end the meeting without discussion or executive session and without miscellaneous matters.

Motion to adjourn.

ADJOURNMENT 7:55 PM

**MOTION FOR
ADJOURNMENT**

Motion Dean, second Novak to adjourn the meeting at 7:55 PM.
VIVA VOCE: Yeas; no nays.

President of Council Marchese declared the meeting closed and urged those in attendance to move expeditiously out the doors.

dkn

Robert A. Marchese, President of Council

Darla K. Neugebauer, Clerk of Council, C.M.C.

