

# Warren, Ohio

## MINUTES

### REGULAR MEETING WARREN CITY COUNCIL

**OCTOBER 28, 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 M. Andrew Barkley, 3rd Ward Councilman and was followed by the Pledge of Allegiance.
- ROLL CALL** MEMBERS PRESENT: Barkley, Morn, Flask, Pugh, Hartman, Crouse, Rucker, Dean, Dippolito, Novak
- OFFICIALS PRESENT** Mayor O'Brien, Director Franklin, Law Director Hicks, Auditor Griffing Treasurer Homlitas
- DEPARTMENT HEADS** Chief Bowers, Chief Nussle, Gary Cicero, Bob Davis, Bob Pinti, Tom Angelo, Bill Totten, Lisa Mazzochi, Renee Cicero  
ABSENT: Chris Stephenson, Sal DiLiello, Mike Keys, 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: Yes; 0 No. Motion passed.
- MOTION TO CHANGE NEXT MEETING DATE** Motion Dean, second Novak to change the date of the next regularly scheduled meeting from Wed. Nov. 11<sup>th</sup> to Tues, Nov. 10<sup>th</sup>.
- ROLL CALL** YES: Barkley, Morn, Flask, Pugh, Hartman, Crouse, Rucker, Dean, Dippolito, Novak
- PRESIDENT MARCHESE: The motion has passed and the meeting of November 11<sup>th</sup> has been changed to Tuesday, November 10<sup>th</sup> and a reminder to Council and to the residents, the month of November, both our meetings that month are on Tuesday. The second meeting is Thanksgiving eve.

### REPORTS

- MAYOR** MAYOR O'BRIEN: Thank you very much Mr. President, Members of Council; First of all I'd like to welcome the students that I saw Saturday, Make A Difference Day at East High School and there in walks the person that was responsible for bringing them to East High School, Jimmy Pugh. Doc Pugh's son who a lot of people right now are saying well, who is the fellow with Jimmy Pugh?
- MR. PUGH: Amen.
- MAYOR O'BRIEN: But I would like to welcome the students from Warren Harding that were present at the East High School that I was present for Make A Difference Day and in our discussions I was on a panel with Mayor Jay Williams. The difference is I was sitting there and Jay Williams was in a video cause Jay Williams was in Germany at the time, so we had a panel discussion and some interesting concepts were discussed regarding the students input in local government. Dave Talanco was asking some questions and Dave Talanco you see is the relative of former councilman John Talanco who was the former 2<sup>nd</sup> Ward Councilman and also councilman, 2<sup>nd</sup> Ward Councilman for quite some time.

Part of the discussion centered on youth participation and it was suggested that possibly if we can have some representatives from the school who would be cleared through city council to bring more or less a school's perspective, or a student's perspective, or a teenager's perspective to the city and they could give reports whether it be every council meeting which is twice a month or they could come to the meetings once a month and give a perspective and we'll have to work on those things with the Education Committee Chair Mr. Barkley. I suggest that it was some interesting thoughts about, from a student's perspective about how we can develop things from, ideas from students to tangible legislation through different quality of life or different laws as they pertain to the city. And, in the event, like for instance and not that I'm in no way promoting this, but only using it as an example the cell phone law that was originally introduced by Niles City Council; getting a perspective from the youth in our community; or texting laws that are going to be, now apparently going through the state senate and the state house that where they'll have testimony. They're going to be receiving testimony from state patrolmen, law enforcement officials, and also from youth in the community, so these types of ideas; things that as they pertain to the youth or some may not pertain to the youth. I think that the youth input is vital. It's important and it's been long awaited. So I think that we can work this through the education department chaired by Mr. Barkley and I'm glad that, I asked some of the youth that were present at East High School to come to the council meeting and they're here.

I want to again thank Mr. Pugh for the organization for what you do for the Warren Gridiron and it's very appreciated.

Also I, some members of council might be aware, we were approved by the federal government to do a Weed & Seed site. We were approved recently by the federal government to do a Weed & Seed site. Mr. Rick George from YSU and the Director and myself originally had discussions regarding this and they had some preliminary discussions we went through and of course the wards and this will be affecting will be the 2<sup>nd</sup> Ward, the 4<sup>th</sup> Ward, the 6<sup>th</sup> Ward and the 7<sup>th</sup> Ward. Those are the areas of concern and then this will be bid out. There's going to be more information. Rick George will be presenting ah, having a press conference with the media to discuss and go. And we'll coordinate this; we'll of course be inviting city council and the police chief and the police department are intricately involved in the Weed & Seed Program. It's good news for the city and it's good news for those targeted areas of the 2<sup>nd</sup> Ward, the 4<sup>th</sup> Ward, the 6<sup>th</sup> Ward and the 7<sup>th</sup> Ward. Those council members have been all participating in input in those meetings and as a result the federal government has approved the Warren to be one of the Weed & Seed sites for 2010. So Mr. Rick George will go in to detail regarding that and of course he's with the Department of Human Services at Y.S.U. So, thank you Mr. President.

## LAW

ATTORNEY HICKS: Thank you Mr. President. Just one item, this being the political season, we have all seen the up-cropping of signs both those that have been placed in areas that are permitted to have signs and those that are placed in areas that are not permitted to have signs. It seems that many of them are on the tree lawns, many of them are on vacant lots that probably whether or not permission was granted by that particular property owner or not. And the point of that being is that they become litter after the election particularly if someone is not successful. They're even less likely to go out and retrieve their signs than those that were successful in that election. And I bring that out, thinking maybe Marly will give a little side bar saying 'hey, candidates go out and pick up your sign' and not leave litter in our city and hope that someone else has to go out and pick them up. And in addition that maybe our Legislative Committee, we need to sit down and start once again looking when all this is behind us and it's not a hot issue at the moment, about some of our sign ordinances and see if there's some way we understand that the political speech is a highly protective speech and it has to be something that suits not only political speech but also commercial speech and so forth when we do that. But maybe we can sit down and talk a little bit about some ways to help us in regulating it. We just don't have the personnel any more to go out and pick up everybody's signs and like I said it becomes litter and that's just one more thing that detracts from our community when you drive up and down our streets. So let's all of us who are involved in elections right now and who support various candidates hopefully the day after we see them, we'll just stop and pick

them up, you know on our own and get them off of there and hopefully their supporters will also do the same. Thank you Mr. President.

MR. NOVAK: Mr. President, just quickly just to add on your conversation Mr. Law Director, one in particular a candidate that's seeking re-election on the school board went around and it's ironic that many of these were put in the right of way's at the bus stops. But I noticed a lot of them, since they were put out last weekend, today I saw a lot of them, they were sticking out of garbage cans. So some folks took care of them on their own saying, hey, I don't want this in my yard and they pulled them out. So I mean someone that's been seated that long should be aware of the sign law, so it was an effort in futility. Thank you Mr. President.

**AUDITOR**

MR. GRIFFING: Thank you Mr. President. I'd just like to update council. After our meeting yesterday, I had a short meeting with the administration and we have a meeting scheduled for tomorrow morning to try and work out the final completion of the 2010 budget and hopefully we'll have that ready for council to distribute on Monday so they'll be prepared for the Wednesday meeting. I'll let you know for sure on Friday Mr. Novak. Thank you Mr. President.

**TREASURER**

MR. HOMLITAS: Thank you Mr. President. No report.

**DIRECTOR**

MR. FRANKLIN: Thank you Mr. President. I'd just like to piggyback on what the Mayor said and a couple of other short items. First I'd like to (inaudible/coughing occurs) regarding the Weed and Seed thing; Miss Tina Milner for her lobbying efforts on those committees and contacts and with federal agencies and local representatives regarding that, so I'd like to thank her for that effort.

Also when you have the chance, I'd like for council to pay attention to the downtown, to the beautification and lighting effort at the Trumbull Art Gallery. It's pretty spectacular now that you can see the displays and art work from the street side. I was told to take a look and I think it's something that the citizens would be proud of. I think it is a job well done and also I'd like to thank the TBTN neighborhood for their diligent work on the tree on Porter Street, 311 Porter, which I know everybody's seen for years and years we've been trying to work with that. They adopted that as one of their projects and that tree is now off of that house and you don't even notice the house. The project was completed and I went to see it and I couldn't even find the house and I had to go back, and I know that councilman Crouse was there and I'd like to thank the Law Department for it's hardhat donations for that project. Thank you Mr. President.

**DEPARTMENT HEAD REPORTS**

**WATER POLLUTION CONTROL**

MR. ANGELO: Thank you Mr. Marchese, Council Members; Just a quick reminder, Larry kind of reminded me, with the leaves falling hopefully the Tribune will put a little blurb in there that we will be picking the leaves up, but more importantly it's very important that the residents get the leaves off the street, catch basins and particularly out of their ditches. We do not have a program that goes out and cleans the leaves out of the ditches and that will clog the ditches up very quickly. So if we can just all be a little diligent and if you see a problem, council members, where neighbors are maybe not addressing it, just call the department and we'll go out and give them a little brochure and remind them of maybe some civic responsibilities. Thank you.

**HEALTH**

MR. PINTI: Thank you Mr. President. Just a quick report to council and those in attendance, since our last council meeting HINI clinics have started. We are following the guidelines set forth by the Ohio Department of Health. We have made contact with all of the schools in Warren City, public, parochial and charter to make arrangements for students within those school systems to receive the vaccination if they chose to.

On an environmental note I'd like to thank Renee at Environmental Services and the NECAP crew under the direction of Al Seifert for cleaning up the Riverwalk area from the bridge to the amphitheater. If anyone gets a minute, take a look down there, it's quite a site to behold and I think everyone will enjoy it for the Veteran's Day services. And thanks to those folks, that area is cleaned and looks very good.

10-28-09

Something more recent, I'd like to thank Tom Angelo and his crew for getting out to the bike path at the corner of Olive and Fairfield and opening that area up and cleaning it up and hopefully we can maintain it in that fashion and keep the neighborhoods looking good.

And back to flu for a minute, everybody please use good hand washing technique, cover your coughs and sneezes appropriately and stay home when you're ill. Thank you.

PRESIDENT MARCHESE: I'd like to thank Mr. Angelo, Mr. Cicero and Jim Black for help with the material on council and adding to the online, screen-in system and I appreciate the help Gary and Tom and Mr. Black provided. Thank you.

**October 28, 2009**

## **SUMMARY OF CORRESPONDENCE**

C-021-09  
10-15-09

Received from the Ohio Division of Liquor Control:

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

TO: Julie Bytyci  
DBA JAMM INN  
1<sup>st</sup> Fl Bsmt & Patio  
3950 Parkman Rd  
Warren, Ohio 44481

FROM: Michelle R. Fuduric  
DBA Villa Madrid  
1<sup>st</sup> Fl Bsmt & Patio  
3950 Parkman Rd  
Warren, Ohio 44481

REF: Fiore Dippolito, 1<sup>st</sup> Ward Councilman  
Legislative Chairman  
Police, Fire, Health, Law, Planning & Building  
Depts.

C-022-09  
10-15-09

Received from the Ohio Division of Liquor Control:

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

TO: GMP Properties LLC  
2461 Youngstown Rd.  
Warren, Ohio 44484

FROM: MMG Investments LLC  
DBA Benji Browns  
2261 N. Park Ave. 1<sup>st</sup> Floor Only  
Warren, Ohio 44483

REF: Vincent Flask, 5<sup>th</sup> Ward Councilman  
Legislative Chairman  
Police, Fire, Health, Law, Planning & Building  
Depts.

10-28-09

C-023-09  
10-28-09

Received from the Ohio Division of Liquor Control:

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

TO: U Name It Venues LLC  
DBA The Reef  
5000 E. Market St. Suite 14 & Patio  
Warren, Ohio 44484

FROM: Baileys Pub Inc.  
5000 E. Market St. Suite 14 & Patio  
Warren, Ohio 44484

REF: Andy Barkley, 3<sup>rd</sup> Ward Councilman &  
Legislative Chairman  
Police, Fire, Health Law, Planning & Building  
Depts.

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

**STANDING COMMITTEE REPORTS**

**HEALTH & WELFARE** MR. PUGH: Thank you Mr. President. We met last Wednesday to discuss some legislation that was on the table. It hadn't been discussed for four or five years and we were hoping to put it back in the process. It was a good meeting. I think we got everything ironed out that we need to get ironed out. We're going to tweek the legislation that's already there to make it fit exactly what we're trying to do. You didn't get a copy of it Darla because we used something else and I just remembered when I was thinking about it. We used a little microphone; little tape recorder and we wrote notes for you so I do have it for next, hopefully have it for you tomorrow.

CLERK: Okay.

MR. PUGH: But that's what we did and it was a very good meeting and we're heading in the right direction to get this thing resolved as far as utilities, collections and some more stringent guidelines for rental properties and individually owned properties. Thank you Mr. President.

MR. NOVAK: Just referring to the Health and Welfare Chairman, I was out of town hunting and was unable to attend that meeting, but just food for thought, Councilwoman Morn and I had been approached by a number of the historic Perkins group and he had asked if we were still going to entertain adopting at least in part or in whole the Shaker Heights ordinance concerning the nuisances at the rental properties. And we had started on that and then it kind of fell by the wayside a couple years ago, but I would hope that we could reconsider that especially as you mentioned the one house over on Market Street where the big drug bust was. And that was just in a nutshell where there were reports filed and complaints and those are kept on hand and then that was utilized when they were going after nuisance boarding. So we can consider that again. Thank you Mr. President.

MR PUGH: Thank you Mr. President. We're hoping to get that legislation done and we'll have a meeting before it comes to council again. We'll be glad to have you guys come to that meeting and hopefully if we can incorporate what you're asking for into this legislation, we can work on that. Thank you Mr. President.

FINANCE

MR. NOVAK: Thank you Mr. President. Finance Committee met yesterday. We reviewed the agenda for today's meeting. There were no recommendations made for passage on any of the drafts on the agenda this evening. Thank you Mr. President.

**SPECIAL COMMITTEE REPORTS**

No reports.

PRESIDENT MARCHESE: There are no public speakers this evening, however I met a most impressive young man, Terrell Harvey and Terrell, I'd like to give you a couple minutes if you want to come up to the microphone. It's impressive what you and your group are doing along with Mr. Pugh and we thought maybe we'd let you talk a little bit about what's going on. Don't be shy.

TERRELL HARVEY: Hello, my name is Terrell Harvey. I live at 1954 Wood Street SE and I am here tonight to speak on our youth group called ONE, You Only Need Everybody. We started like this summer and we have one big activity that we do (inaudible) at the library. And we had a campaign and we title it, a petition I believe to save the library cause we all need the library especially us youth and we can't go to the school and we don't have any computers at home so we had the rally at the library. And right now we're trying to get some more students involved, but that's not what our group is about, it's about us being involved in the community and doing different projects and that's all.

MR. MARCHESE: Great. Terrell we think a lot of you coming forward and establishing this, I think that's wonderful. Do you want to introduce your other people?

TERRELL HARVEY: Yes, I'd like to bring the other youth up to explain about their, what's happening at Youngstown City High School.

MR. MARCHESE: Sure. (inaudible)

(TEENAGE FEMALE SPEAKER) Hello, I'm (inaudible) was it Saturday, last Saturday we had meeting and we were just talking about the issues we have in Warren and what we want to do to help about it, and I think our word in our community is actually a really good thing because we are the future of this community. And I think although it is important because without the future for us, there is no future. If we try to do things to make it better then we're doing things to make our future and our children (inaudible) we'll try to make it better for them too. So I just wanted to say that I really hope you listen to our comments and really take us in to consideration here at your council. That's it.

PRESIDENT MARCHESE: Great.

GABE TALANCA: Hello, my name is Gabe Talanca. I live on (inaudible) East Avenue and I just, I'm glad that I went to the meeting on Saturday. It was pretty cool. The meeting was held at (inaudible) Other kids from other cities wanting to change stuff in their city and the group that I was in, what we were planning on doin', we plan on doing a project, we plan on doing a project that we're going to try to take a section of the city and we're going to go door to door and see if they have working smoke alarms and like give them smoke alarms if they don't have working and try to make sure they work. Hopefully we can do that. (inaudible)

ALEX (inaudible) Hello, my name is Alex (inaudible) I live on 331 Central Parkway and we all had a lot to talk about at the meeting and I think we have a lot to give to the community and also the community has a lot to give back to us and ah yeah.

JIM PUGH: Real quick my name is Jimmy Pugh. I reside at 1169 Bingham Avenue and I am the only son of Doc Pugh. How this began, twenty-two years I started working with young people, with teenagers when I was a teenager and my major concern at that time was I was always standing on a soap box like my Dad and there was no one behind me that really wanted to address the issues that I felt was important as a teenager and there was a frustration you know, there was a frustration with me and there was a frustration at college. And when I came back from college I said, you know what I have to get these young people organized. One thing that we all have to realize is that these teenagers are our future. We have to take in to account what they feel is important. What I've always vowed to do with these young people is I vowed to empower them to make a difference in whatever community they reside in. So what we're going to do is we're going to, my job I'm the truancy mediator at Harding, but I also run a non-profit organization called Project Grid , it's on the west side, that we do leadership training, youth committee organizing and things like that. We partner with various organizations throughout the city; Community Solutions, Mahoning Valley Organizing Collaborative, Helping Hands Network of Mahoning Valley, so there's organizations that we partner with that we all, we're all going to play a certain part to equip these young people to make a difference in this city, to make a difference in this nation, to make a difference in this world. So you're going to see a lot more of these young people. They will be active participants at council. They will be active participants at Warren City School Board meetings. They will meet with each one of these departments and find out exactly how all the nuts and bolts of council, what happens. So you will be seeing these people. They're going to be respectful but they're going to demand certain things from you all and if they're demands aren't addressed I guarantee you these young people will be, their voices will be heard. I want to thank you for this time giving these young people an opportunity to speak to you all and please introduce yourselves to them. This is only a portion of, we have a lot more involved, but these are the ones that came out today and I want to thank them for talking the time to come out and meet you all. Thank you.

PRESIDENT MARCHESE: Thank you Mr. Pugh, thank you guys and gals for coming out. One of the things about having our voices heard is to know the right buttons to push and the young lady from the Tribune is pretty powerful and she would be glad to sit with you and take all kinds of information and write a nice article. And I know that if you hound her and don't let her get out of the building, she'll sit and talk with you. That's cause I know how good she is. So welcome, you're welcome here anytime and we appreciate what you're doing.

MR. BARKLEY: Thank you Mr. President. Perhaps, I, I like to see young people come out and I like to see them acting to be active in the process. Perhaps we could call an Education committee meeting, invite young Mr. Pugh, not old Mr. Pugh who's certainly welcome to attend as a member of council, but have Mr. Pugh and the youth, and I had the privilege of working with young Mr. Harvey here in the past and he's just a tremendous asset. Have them come and sit down and not that I know the best avenue to give them, but why don't we sit down in Education committee and hammer out a role that they can play to give them a more active voice with council and in the process and see what we can do to step that up. Because I agree with all that's been said that they are the future of the city and they are probably future council members and mayor's and department heads and you know the future of the city is sitting right there. So I'd be happy to do that if you think that would be an appropriate venue for these folks.

PRESIDENT MARCHESE: I think that as we look at the reminder of the year that's something that we should push to the front and I'd be happy to help in any way that I could Mr. Barkley with that.

MR. BARKLEY: If you'll stay around Mr. Pugh I'd like to talk to you a couple minutes after. Thanks.

PRESIDENT MARCHESE: Very good.

**PUBLIC SPEAKING**

No speakers tonight.

**LEGISLATION FOR PASSAGE**

**DRAFT 2952  
VETERANS BONUS  
INITIATIVE**

A resolution for the purpose of supporting the Veterans Bonus Initiative that will be on the ballot in the General Election, Tuesday, November 3, 2009.

Mr. Dean requests the clerk to read the title on Draft 2952.

READ

Clerk reads same.

MOTION-SUSPEND  
THREE READINGS

Motion Dean, second Dippolito to suspend the rule of three readings on Draft 2952.

ROLL CALL

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

NO: None.

MOTION PASSED

10 YES; 0 NO. Motion passed.

MOTION FOR PASSAGE

Motion Dean, second Flask to pass Draft 2952.

**REMARKS**

MR. DEAN: Thank you Mr. President. This will be the first time I've ever had remarks after a piece of legislation. Council member Romain, former Council member Romain, those of us that were here will remember that every meeting he would mention veterans; every single meeting. I called him last week to talk about this legislation and one of the things that came up during that conversation was that this legislation, or this issue number one will begin with those persons, veterans who served beginning with Desert Storm and did not include the former Vietnam Veterans. The both of us agreed that it didn't make any difference. I told him that when I came I went to Camron Bay, Vietnam and I had a call from the Red Cross that a family member had died and my first sergeant told me that as soon as I got to Travis Air Force Base, the first thing that I was going to do was take off that uniform because I would be treated differently; they would lose my bags; I could be spit upon, the whole nine yards. And you would think that some of us who came back would have the bitterness for the guys that have it made now and that's just not the case. When I was up at the nursing home at Sandusky in Mt. Horo with about 800 patients, none of those patients knew anything about the kind of good times that these guys were having after Desert Storm, now in Iraq and Afganistan. They were not jealous and they support all of them. I would hope that all of us when we start to think of what we can do other than say I support our military members both men and women when we think about their families because there are some deceased members whose families are still struggling this stipend will also go to some of those folks as well. I think it is honorable of Senator Wilson to initiate this legislation. I think it is great that all of us as Ohioans vote 'yes' on Issue I and in a small way say thank you to those who have given so much to this country. Thank you Mr. President.

ROLL CALL

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

PASSED  
RES. 4439/09

10 YES: 0 No. Motion passed. Draft 2952 is now RES. 4439 /09.

**DRAFT 2953  
MAHONINGSIDE  
SITE**

An ordinance for the purpose of authorizing the Mayor and the Director of Public Service and Safety to enter into contract(s) with McCabe Engineering and contracting to act as the certified professional on behalf of the City of Warren's implementation of the city's Clean Ohio Revitalization Grant from the Ohio Department of Development for the remediation of the Mahoningside Brownfield Site and declaring an emergency.

Mrs. Rucker requests the clerk to read the title on Draft 2953.

READ

Clerk reads same.

MOTION-SUSPEND  
THREE READINGS

Motion Rucker, second Crouse to suspend the rule requiring three readings on Draft 2953.

ROLL CALL

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

NO: None.

MOTION PASSED

10 YES; 0 NO. Motion passed.

MOTION FOR PASSAGE

Motion Rucker, second Novak to pass Draft 2953.

REMARKS

MAYOR O'BRIEN: Thank you Mr. President, Members of Council; I just wanted to make sure that everyone realizes that our target dates we'll be on target for our dates and the certified consultant for this task and his dates will be on target according to the contract. The dates will also be on target according to the regulations of the EPA. Therein lies the issue, just make sure that everyone understands that where Mr. McCabe is complete with his task that he sends his information to the Ohio EPA. Hopefully there's a speedy turnaround in that and therein lies the problems of the past. The EPA's return on their information was not as fast as one would like. Again that doesn't matter to the persons sitting at the light on Mahoning Avenue waiting to turn left to go across the Summit Street Bridge. There is no sign there that says the city project is underway, the city's timetables have been met. We are waiting for the information from the Ohio EPA. That signs not erected and that person that's sitting at the light really doesn't know, sometimes doesn't care. He's calling Fiore Dippolito, 1<sup>st</sup> Ward Councilman or he's calling a Councilman at Large or he's calling the Director; most of the time they call me and said when are you going to get this project complete? Believe me the demolition of the buildings will be commencing in December and then the other parts. They'll be watering and the filling of the tunnels of that go through to the river and the negotiations with First Energy and Ohio EPA on the particular fill, but that withstanding fill will be there, grass will be growing. The city's deadlines have been met and will continue to be met. I just want to make sure that everyone understands that some of the delays in the past is because of waiting the results from the EPA. And as I first started this discussion Mr. Angelo's head was knotting up and down. I just want to make sure everyone understands and we'll keep you informed on that. The day that the topsoil is delivered and the day the grass seed is spread is another day of celebration for that site. Thank you Mr. President.

MR. NOVAK: Thank you Mr. President. Just quickly you mentioned when I took all the news media in there the one wall inside a graffiti artist had spray painted the ecology world and he spray painted above it, save our world. Somebody came underneath and spray painted, save us from ourselves. I'll always remember that. Thank you Mr. President.

10-28-09

ROLL CALL

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

NO: None.

PASSED  
ORD. 12225/09

10 YES; 0 NO. Motion passed. Draft 2953 is now ORD. 12225/09.

**DRAFT 2954  
CONTRACT-  
MAHONINGSIDE**

An ordinance for the purpose of authorizing the Mayor and the Director of Public Service and Safety to advertise for bids and to enter into contract(s) for the demolition and remediation of the Mahoningside property located at 650 Summit Street NW in the City of Warren and declaring an emergency.

Mrs. Rucker requests the clerk to read the title on Draft 2954.

READ

Clerk reads same.

MOTION-SUSPEND  
THREE READINGS

Motion Rucker, second Novak to suspend the rule requiring three readings on Draft 2954.

ROLL CALL

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

NO: None.

MOTION PASSED

10 YES; 0 NO. Motion passed.

MOTION FOR PASSAGE

Motion Rucker, second Novak to pass Draft 2954.

REMARKS

MRS. RUCKER: I would just like to make note to the public and anybody that wasn't in the back that both Drafts 2953 and '54 is paid in full by the Clean Ohio Grant. I was told several times by Mr. Keys to say that over and over, so I want you all to let him know I did. Thank you Mr. President.

ROLL CALL

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

NO: None.

PASSED  
ORD. 12226/09

10 YES; 0 NO. Motion passed. Draft 2954 is now ORD. 12226/09.

**DRAFT 2955  
MATERIALS FOR 2010**

An ordinance for the purpose of authorizing the Director of Public Service and Safety to advertise for bids and enter into contract(s) for the purchase of materials for use in various departments in the city during the calendar year of 2010 and declaring an emergency.

Mr. Dippolito requests the clerk to read the title on Draft 2955.

READ

Clerk reads same.

MOTION-SUSPEND  
THREE READINGS

Motion Dippolito, second Novak to suspend the rule requiring three readings on Draft 2955.

ROLL CALL

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

NO: None.

MOTION PASSED

10 YES; 0 NO. Motion passed.

MOTION FOR PASSAGE

Motion Dippolito, second Hartman to pass Draft 2955.

10-28-09

REMARKS

None.

ROLL CALL

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

PASSED  
ORD. 12227/09

10 YES; 0 NO. Motion passed. Draft 2955 is now ORD. 12227/09.

**DRAFT 2956  
PAYMENT OF  
ORDERS OR  
CONTRACTS**

An ordinance for the purpose of authorizing the payment of specific orders or contracts upon receipt of certification of the fiscal officer of the sufficiency of funds for said expenditures and declaring an emergency.

Mr. Crouse requests the clerk to read the title on Draft 2956.

READ

Clerk reads same.

MOTION-SUSPEND  
THREE READINGS

Motion Crouse, second Novak to suspend the rule requiring three readings on Draft 2956.

ROLL CALL

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

NO: None.

MOTION PASSED

10 YES; 0 NO. Motion passed.

MOTION FOR PASSAGE

Motion Crouse, second Novak to pass Draft 2956.

REMARKS

None.

ROLL CALL

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

NO: None.

PASSED  
ORD. 12228/09

10 YES; 0 NO. Motion passed. Draft 2956 is now ORD. 12228/09.

**DRAFT 2957  
APPROPRIATIONS**

An ordinance for the purpose of appropriating from the unappropriated, anticipated 2009 receipts of the general fund and declaring an emergency.

Mr. Crouse requests the clerk to read the title on Draft 2957.

READ

Clerk reads same.

MOTION-SUSPEND  
THREE READINGS

Motion Crouse, second Novak to suspend the rule requiring three readings on Draft 2957.

ROLL CALL

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

NO: None.

MOTION PASSED

10 YES; 0 NO. Motion passed.

MOTION FOR PASSAGE

Motion Crouse, second Novak to pass Draft 2957.

REMARKS

MAYOR O'BRIEN: Thank you Mr. President. I just wanted to comment regarding the appropriation itself. I just wanted Council to be aware they have, the administration has full confidence and I'm sure Council has full confidence, specifically Deputy Health Director Mr. Pinti has as far as the health clinics concern and health departments concern, he's on top the H1N1 vaccinations. He's on top of the H1N1 vaccinations as a result as it relates to the school's, the public, the women that are pregnant. They've already had vaccination clinics for those, for pregnant women for different seminars and believe me the seminars that Mr. Pinti has been to with other deputy health directors throughout the state very informative and as president of the health board, I, I hear of the information that he has had given to us over probably two years. This was coming. This was coming. So this, this what's happening now is two years of preparation throughout the state, throughout the country, health professionals that have been involved and I'm very confident that under the direction of Mr. Pinti that our community can be safe under this H1N1 virus as it relates top vaccinations and as it relates to the basic information regarding this pandemic virus.

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

PASSED 10 YES; 0 NO. Motion passed. Draft 2957 is now ORD. 12229/09.  
ORD. 12229/09

**DRAFT 2958** An ordinance for the purpose of appropriating from the unappropriated, **STORMWATER CAPITAL** anticipated 2009 receipts of the Stormwater Capital Fund and declaring **FUND** an emergency. **APPROPRIATIONS**

Mr. Novak requests the clerk to read the title on Draft 2958.

READ Clerk reads same.

MOTION-SUSPEND Motion Novak, second Dippolito to suspend the rule of three readings  
THREE READINGS on Draft 2958.

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

NO: None.

MOTION PASSED 10 YES; 0 NO. Motion passed.

MOTION FOR PASSAGE Motion Novak, second Dippolito to pass Draft 2958.

REMARKS

MR. NOVAK: Thank you Mr. President. Just quickly I'd like to remember, it seems like a hundred years ago Bob, you and I stood in a ladies basement over there on Irene Street listening to water run around her foundation footer drain and that was in July in the middle of a drought. So hopefully this is the beginning to the help of that flooding problem in that area and that we could continue and work our way around the city and help all the areas that have flooding and basement flooding and street flooding and the safety issue also. Thank you Mr. President.

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

NO: None.

PASSED 10 YES; 0 NO. Motion passed. Draft 2958 is now ORD. 12230/09.  
ORD. 12230/09

PRESIDENT MARCHESE: Before we go to miscellaneous, if you would I neglected to announce a very sad, sad thing but necessary, this is a brother, a city worker and a brother with all of us; Mike Keys brother passed away today in Florida. If we could stand and just have one moment of silence for a brother worker.

That finishes our legislation for this evening. We're now ready for miscellaneous. As the ode to miscellaneous I want to as tradition evolves in this building want to wish best of luck to those of you that are in a race on Tuesday. God bless you all in your campaign that has been going on for a long time. Best wishes and know that from the president's seat, know that as we cross next week we must begin the task of something that happens every two years and that is to realign ourselves to begin setting up for another new term. And with that some organizational meetings that have to take place. So we start with 1<sup>st</sup> Ward Councilman Fiore Dippolito.

### **MISCELLANEOUS 8:20 PM**

MR. DIPPOLITO

Thank you Mr. President. First I'd like to congratulate the administration, the mayor especially in beginning the process of Packard Music Hall. I certainly hope that it all works out for the best.

In addition to these young folks with us here this evening, I congratulate you here and convey my best wishes to your friends that are not with you and I can say one thing about you, but I know not much about you, but you are in good hands with Mr. young Jimmy Pugh obviously. He comes from a fine stock. I'm sure if he doesn't look after you too well his dad will be taken to task. Thank you Mr. President.

MR. NOVAK

Thank you Mr. President. First I think I'd like to congratulate and thank all those folks who came out last Saturday for Make A Difference Day and put efforts out not only in the City of Warren, but all around Trumbull County, especially the neighborhoods groups that came out. I mean it was a rainy, cold and nasty day but there was still a very good turn out of people and any time people come out and no matter what they do, it does make a difference and we should be proud that we're a nationally recognized area for all of our efforts, not only for Make A Difference Day, but the cancer walk and many other things.

Also too, I got some phone calls today some people are very happy about the demo's. I hope we can continue and I hope we are going to keep applying for the neighborhood money for that. And also mentioning the arts and what has taken place down there with TAG, possibly in the future I'd like to see us recognize someone we don't have around here anymore, and he was probably one of the people that always was very, very adamant about education and art in the City of Warren and especially Warren City Schools. Being as we've recognized some artists, some musicians in that downtown, but I would like to see us at some time to be able to put something up to recognize Marvin Young. He's been gone for a long time but people haven't forgotten him, so possibly if we could look at that with TAG sometime down the road I think it would be very nice to see it in downtown Warren.

Good luck to everybody that's on the ballot and new folks that may be coming on, just remember, once you're sworn in sooner or later you're going to be sworn at. Thank you Mr. President.

MRS. MORN

Thank you Mr. President. I'd like to call an Engineering, Planning and Building meeting on the 5<sup>th</sup> at 4 PM. We're going to be discussing Mr. Flask's overlay, and also Mrs. Rucker eluded to the nice little pumpkin patch party we went to. She forgot to tell you that Mr. Harvey was our boss. He was very instrumental in setting up the pumpkin patch along with Cesta. He created the haunted house. I'm not going there again,

but he did a fine job and he's going to do a fine job in this city and he is the 4<sup>th</sup> Ward. Thank you.

PRESIDENT MARCHESE: So Wednesday the 5<sup>th</sup> at 4 PM you say?

MRS. MORN: Thursday the 5<sup>th</sup>.

MR. FLASK

Thank you Mr. President. Last week I made mention of census 2010 and the importance there is to our community. I would like to re-emphasize that. It is critical for this city, for any city and especially for minorities to be the hardest to count. So I would again emphasize the fact that we need to focus on that and I will have a resolution supporting the Census 2010 possibly next meeting.

You know Mr. Dean made a comment yesterday that kind of hit home with me. What we do to support our troops in name only. You know it is very easy for all of us to say that we support our troops. We all do it. Who doesn't support our troops? There's 180,000 men and women a year enlisted in to our armed services. 1.06% of them are from the State of Ohio which equates to just under 2,000 a year and any one makes \$1,399.50 to start which if that could be broken down in to a 40 hour work week which it can't, comes out to \$8.75 an hour. I say this because my son is just recruit, has just graduated from Navy boot camp and yeah, very, very proud of him. He came a long way in a very short period of time, but that's not why I'm saying this. I'm saying this because I've taken part in a program called Cell Phones For Soliders for the past three years and I never even really thought about much of what I was doing. But come to find out that it costs approximately \$15.00 a minute for one of our soldiers from overseas to call home. A one use cell phone turned in to the organization which was started by a couple of young men and women just like these here who had an idea. Those used cell phones are turned in to calling cards for 1700 minutes and shipped overseas so that they can call home and contact their families. So I would just like to say that maybe everyone of us could find a way to do something to continue to support our troops. Thank you Mr. President.

PRESIDENT MARCHESE: Thank you Mr. Flask, well put. I tease about growing up and continually telling my father who spent years in the military, this is at age 4 and 5, I had no intention of going in to the military. And he did the next best punch when he could and that was force me to go 12 years to Catholic school. He did get his way. 6<sup>th</sup> Ward Councilman, Mr. Pugh.

MR. PUGH

Thank you Mr. President. Last week I made reference to the drug problem on the southwest side, 6<sup>th</sup> Ward. And I made reference to the fact that we needed to participate more closely with the task force. Chief, I commend you. You've done all that we need to have done. You're a light in the dark as compared to what we had before. The kind of response that I, personally got you for and I think you very much. I know the commitment has changed and the respect that you demand from your officers, you'll get that because you're a man with a cause and you do the right things, for the right reasons, and I commend you for that.

The busts have been successful. I'm sure you've got your eyes on some other things that need to happen over there too. So my citizens have called and they have said, it's finally happening and yes it's going to happen and we'll clean up the west side as far as (inaudible). Thank you very much.

MRS. HARTMAN

Thank you. We'll be calling a Police and Fire Committee meeting to discuss some concerns about the future of the department. I'll let you know the date of that.

I really wasn't going to say anything tonight and then I was sitting here and I was just thinking a few months back Mr. Novak sponsored a piece of legislation to address the salary of Council Members and at that time I said I don't want to support that piece only because I think the language we have built in to the legislation that was passed eleven years ago was good and I was afraid what you're opening the city up to if you change that language. And I think some times we tend to over regulate. We tend to have knee jerk reactions and what we saw happen is the piece of legislation we had in place, it did what it was suppose to do. Mr. Dippolito was concerned, is this going to be for all elected officials when Mr. Novak brought his in. The piece of legislation that was passed about ten or eleven years ago tied elected officials salary to the economy around us. Without touching that piece of legislation every elected official in Warren is taking a pay freeze for next year. A lot of them gave money back this year, voluntarily, but next year because of the piece we have in place no matter where you're at in your term, your salary is frozen. That is no longer the case after this. Your salary will be the same or you will have to revisit it, so just wanted to throw that out there. Thank you.

DIRECTOR FRANKLIN: Thank you Mr. President. I wanted to just mention to you that last meeting you made a request about some movement on the dog ordinance. A meeting took place this week at the police department with Mr. Pinti, Mr. Onatz and Lt. Skocylas. Jim Ries has rescheduled another meeting, so we're trying to work towards some resolution, but as mentioned before the legislation is fine, we have to shore up the enforcement administrative end and as soon as that's completed, we'll connect with a formal report to your committee.

Thank you Mr. President and could you refer to Chief Bowers?

CHIEF BOWERS: Yes while you're on that subject, I was at that meeting too. Sue, I was told by Johnny Onatz this morning that he filed 6 summons, he sited 6 different people for failing to register their animal today as a start. So we're moving forward as you requested.

MR. CROUSE

Thank you Mr. President. A couple things, first of all I'm going to return that hard hat it's (inaudible/coughing) parked car tonight.

And the second thing is we got this memorandum from the sheriff and I, I take extreme exception to this because while we all tend to blow our horns, this says that the savings to the communities were 44, 700 dollars through the work of the sheriff. And I just multiplied 2500 yards times 30 bucks a yard and that comes out well over 77,000 dollars. This is an immense amount of work and an immense amount of savings and I personally would like to extend my thanks to the sheriff and to Al Novak and Marti Morn. And it's a really ugly, hasty, thankless job that these two people have undertaken for the last two years, but thousands of lawn mowings later the city is far better for the work that they did in getting the sheriff and coordinating it. So I just ah, I don't rarely take exception to reports like this and say they're understated, but this one is grossly understated and the work that these two have done towards this is understated too. Thank you Mr. President.

MRS. RUCKER

Thank you Mr. President. I want to comment on volunteer day. It was so awesome to see people at work. I always say that Warren's greatest asset is its volunteers and to just watch, I was going around from one group to another and helping out or whatever and it got too much for me. It was just awesome. There was so many people out doing something to better our city. You know it was just an awesome site. I think Mr. Barkley said it, we are nationally known. Well we really deserve it because when we need them the most our citizens always step up and they really did on Make A Difference Day. So I just wanted to say thank you.

10-28-09

Thanks to the Tribune for their coverage on the Holy Ground Initiative on October 13<sup>th</sup>. The march was against crime on the southwest side, the entire neighborhood area. It was also sponsored by ACTION and the Southwest Neighborhood Association and I wanted to thank everybody that attended that. Thank you Mr. President.

**ADJOURNMENT 8:34 PM**

**MOTION FOR  
ADJOURNMENT**

Motion Dean, second Novak to adjourn the meeting at 8:34 PM.  
VIVA VOCE: ALL YES. Meeting is adjourned.

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Robert A. Marchese, President of Council

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

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