

Warren, Ohio

MINUTES

REGULAR MEETING WARREN CITY COUNCIL

NOVEMBER 24, 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 a musical concert by the Warren G. Harding Madrigal Singers and was followed by the Pledge of Allegiance.
- ROLL CALL** MEMBERS PRESENT: Flask, Pugh, Hartman, Crouse, Dean, Dippolito, Novak, Barkley, Morn
ABSENT: Rucker
- OFFICIALS PRESENT** Mayor O'Brien, Director Franklin, Law Director Hicks, Auditor Griffing Treasurer Homlitas
- DEPARTMENT HEADS** Chief Bowers, Chief Nussle, Gary Cicero, Bob Pinti, Bob Davis, Sal DiLiello, Tom Angelo, Lisa Mazzochi, Mike Keys
ABSENT: Bill Totten, Renee Cicero, Chris Stephenson, Tom Gaffney
- MOTION-EXCUSE COUNCIL MEMBER** Motion Dean, second Novak to excuse Councilwoman Rucker for good and sufficient reason. Motion passed. VIVA VOCE: All Yes; 0 No. Motion passed.
- 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.
- PRESIDENT MARCHESE: I eye in the back our State Representative; I'd like to say 'hi'. Mr. Letson, welcome, always good to see someone fresh off of 71 north or south.
- I have a few announcements. First of all on behalf of Warren City Council and I'm sure I speak for the administration as well; I want to extend to everybody, all 43,000 plus residents of the City of Warren, very best wishes for a happy and healthy Thanksgiving. I can think of no better year than this year for people to celebrate together with their family a holiday. With the turmoil that's going on in the world I cannot think of a probably a Thanksgiving more necessary than this year.
- A reminder to Council we have several meetings coming up to please mark your schedules; they are important. On Monday, November 30th we will have the first re-organizational meeting of the next term of Council, the 2010-2011 term. That is at 6 PM here and that is open, it says open to all of Council. And the second re-organizational meeting will be Tuesday, December 15th at 6 PM. Within those two meeting time frames we hope to have all our business started and next years, next terms materials in order. And Wednesday, December 2nd at 6 PM we're going to have a public meeting. Several residents have sat down with me in the past couple months and asked, is there a way we could talk about some kind of data base building for youth recreation and having met with the superintendent of the schools and our safety chairman and talked to several board members, we thought it was something we could do together and then my personal philosophy and I know it's the same as all the Council has when the residents come to us asking for help, we're going to out and get their backs. So that meeting is going to be on Wednesday, December 2nd at 6 PM; part discussion, part trying to get a citizens group together; part of that is also a piece of transportation. Transportation is a real problem for many youth in the city. So we'll be doing this combined with the Warren City Schools.

Lastly on Saturday, December 5th at 5 PM the Main Street, Warren Grows, or whatever they call themselves anymore, will be having the downtown Christmas tree lighting ceremony. I have volunteered Council and I will come myself in concert with the Salvation Army we will have four bell ringing stations at the Courthouse Square. And yes, I'll come to help you do that. I do once in a while turn left at the end of my street and go downtown. Saturday, December 5th and if you want to sign up for that, I think it will be a nice event and it will be a good way to help the Salvation Army and help those people in need.

REPORTS

MAYOR

MAYOR O'BRIEN: Thank you very much Mr. President, Members of Council; First of all I'd like to announce to Council that in the absence of myself, I was at two other meetings; Councilman Bob Dean met with members of the Western Reserve Port Authority, Mayor's throughout Trumbull County, members of labor, the regional chamber to meet the new executive director of the Western Reserve Port Authority. The new executive director (inaudible) Roseann Deleon. I think Mr. Dean has a little comment (inaudible). I'm looking forward to working with her and I'm sure members of council are. This was a, we're a partner in this program as well as other cities, municipalities and some townships. We're expecting great things from this person and she comes with a vast amount of knowledge and I'm sure Mr. Dean will speak about her. But I just wanted to tell the Council that she starts work December 7th. She knows what her task is and she's up for the task, so Roseann Deleon and we met with her and like I say Mr. Dean will have some more comments regarding that.

Also at a meeting today, I was with the Mahoning River Corridor mayor's, in McDonald, we had a meeting and some of the real interesting concepts were the it was called the, it's a bill sponsored by Congressman Ryan and also a compatible bill sponsored by United States Senator Sherrod Brown. It's called the Fully Regeneration Stabilization Initiative. Basically it's going to address, now it's different than our Neighborhood Stabilization I and Neighborhood Stabilization II funds. And it, even though it address some of the main issues nationwide: address the vacancy issue; creates a pot of money for demolition and relocation, but focuses a lot on green energy and green infrastructure and a lot on data collection. It's a city's initiative and allows mayors and city council members to address the type of city they would like to have in the future and talking about initiative is create a pot of money in excess of 500 million dollars. It's a good, new piece of legislation and also Senator Dodd has also got a companion stimulus bill, so in the next year we should see not only federal dollars happen, close to half a million dollars just in this bill focusing on cities throughout the country. Primarily cities who lost a 10 to 20% of the population over the last 30 years which the City of Warren, the City of Youngstown and Warren, so we look for some support from the National League of Mayors and other organizations and in the next coming months we'll be of course asking for a resolution from Warren City Council.

Also the last piece of news I have is unfortunately sad news with Thanksgiving and Christmas coming up. This gentleman was not a citizen of the City of Warren not a citizen of Trumbull County, however over the last three years met hundreds and hundreds upon thousands of people in the City of Warren and Trumbull County. And was responsible for thousands upon thousands of people in the last two and a half years of being entertained in the city and you might have guessed already, just yesterday Walt English passed away. And Walt English was the promoter of all the different tribute bands that were downtown in the amphitheater and very untimely death and I was notified today. And I haven't talked to his wife, but I was notified today he passed away yesterday and (inaudible) So Walt English was the face of entertainment for the last two years, two and a half years in Warren, and I never met a person who knew so many people in such a short time. And I was talking to Chief Bowers about it today and the cup is always half full with Walt and he always put a positive spin on everything and if someone had a question he always did his best to try to answer it. And he had a rolodex full of entertainers and so we'll add to the, have everything settled, we'll address what plans we have for the amphitheater. Thank you Mr. President.

MR. DEAN: Thank you Mr. President and Mayor I do want to thank you. I knew that you came to the reception for the new director of the economic development division a little bit late and everybody, by the way was asking where you were and of course we all knew you'd be there. If you noticed when you walked in the room there was quite an assortment of people in that room. People ranging from labor people, from Mahoning County Commissioners, Trumbull County Commissioners, just an assortment of people in one court and remember this idea to do this economic development piece came with one commissioner going to visit the Cleveland Cuyahoga County Port Authority in 2006. And remember that it was the commissioners here who got that idea started and rolling and brought people from Toledo and Summit County and Cleveland here all to help us do what we think we can do. Roseann Deleon and I happened to start on the same day at the Port Authority, so we signed off on about a billion dollars worth of contracts. She knows how to do it. I'd planned to have the council president at some time after she finds out how to get to the turnpike from her new office, if we could possibly invite her here for a short presentation of some sort. I mentioned a long time ago there's new language for us now. There's synthetic leases and (inaudible) and things that we're not used to hearing in our everyday life and some of that can be explained very briefly by a pro like Roseann Deleon. So I hope that we can plan some invitation for her to at least address us here. Thank you Mr. President.

LAW

ATTORNEY HICKS: Thank you Mr. President. No report.

AUDITOR

MR. GRIFFING: Thank you Mr. President. I'd just like to remind Council that before the end of the year we need to pass a budget for 2010 and I hope that we have enough meetings prior to that so that everyone will be comfortable with that. If there's any time that Mr. Novak would like to set up meetings, please notify me. Details that you have are going to change based on the adjustments that have come along and the grants that we've gotten and the street projects and the H1N1 clinics that we are going to have to add in to the budget. So please set up the meetings so that we can get that passed before the end of the year. Thank you Mr. President.

TREASURER

MR. HOMLITAS: Thank you Mr. President. As of this morning, tax collections are about 400,000 dollars behind 2009 Budget. The Income Tax Office will be beginning to collect the taxes on 2009 income in early January and like we did this year, we'll be sending out postcards reminding the taxpayers when the taxes are actually due and advising them where they can secure the funds. Thank you.

DIRECTOR

MR. FRANKLIN: Thank you Mr. President, no report this evening.

DEPARTMENT HEAD REPORTS

No reports.

November 24, 2009

SUMMARY OF CORRESPONDENCE

THERE IS NO NEW CORRESPONDENCE FOR TONIGHT.

**COUNCIL MEMBER
IN ATTENDANCE**

PRESIDENT MARCHESE: Let the record show that Councilwoman Rucker arrived at 7:40 PM.

I understand if I may turn to our State Rep. Mr. Letson, you have some things to present to Council?

STATE REPRESENTATIVE LETSON: I have a couple of things here. One of them, oh, there's the Chief, the first one is then Chief Bowers from the on behalf of the Ohio House of Representatives, Representative Sandra Stabile-Harwood and myself. We would like to give you this proclamation congratulating you on the attainment of your dreams or the worse nightmare you could ever have in becoming Chief of Police of my hometown and congratulations. I think we're all very proud of you,

The next one is President Pro-Tem Robert Dean and this one is from Sandra Harwood and myself once again and this happens to be for the excellence award for public service from the Youngstown Alumni Chapter of Delta Sigma Phada and the incredible work that you were recognized for by the YSU alumni's, and if you would come forward Sandra and I would like to give you this on behalf of the Ohio House of Representatives.

And lastly Mr. President and Mr. Mayor both and I can deliver this after I put the microphone down and turn it off, on behalf of the Ohio House of Representatives Sandra Harwood and myself on receiving the 2009 Healthy Community Gold Star Award from the Ohio Department of Health for all the good work that has been done on keeping our park system going, new playgrounds that we've incorporated, the different paths that have been cared for and (inaudible) and making the city just a little bit better every time we turn around. So I will deliver this to you if I might sir. Thank you.

MR. NOVAK: Mr. President, yes, just if a request for Mr. Letson if he could remain after the meeting, I have an issue I'd like to discuss with him.

MR. LETSON: I have no problem with remaining.

MR. NOVAK: Okay, thank you Mr. President.

PRESIDENT MARCHESE: Thank you Mr. Novak and again thank you Mr. Representative.

We are now ready for public speaking. We have two speakers this evening before Council. A reminder to our speakers, you have three minutes to address Council. Please on the microphone, give us your name and address.

PUBLIC SPEAKING 7:50 PM

ELIZABETH BALINT, 1081 KENMORE SE, WARREN, OHIO: Hello, first of all I want to say thank you to our Police Chief, oh, I'm sorry, Elizabeth Balint, 1081 Kenmore SE. That's Warren of course and I wanted to thank our new Police Chief. Thank you very much for all your services and we love you very much and also for our Fire Department. But my main reason I'm here is I'm a very concerned citizen about Youngstown Road. I've talked to a lot of different departments. I've talked to the Mayor in the past concerning this and it's becoming a safety issue. There's a brand new school there; we have (inaudible) it's beautiful. I look at it, I see the kids go back and forth. I see all the crime that we've had; I see how dirty it is and I've talked to some of the business owners. They say the city is responsible for cleaning up the tree lawns, the medians. The signs are all broken off. They had a building that was torn down by the Salvation Army, but with all the shootings and (inaudible) are bar openings in Clancy's. We're concerned about the ownership because we've heard a lot of rumors. We have a lot of senior citizens and like I said a lot of kids. I would like to know if there's anything in the future to be done with Youngstown Road within the budget to help clean it up a little bit? I, we've gone down and our Kenmore neighborhood association and we've cleaned up the planter and plants where Charlie's Take-Out used to be and also down by (inaudible). And we're just really concerned. I love where I'm living; I was born and raised here, moved away for a while, came back and I see my street just faltering and (inaudible) is gone. Nobody knows who's going to keep up that property. We go down there. We try our best to keep up that property. It's just dirty, nobody's there. I feel like we're just left. And we have a lot of good businesses coming in there. They've got the Lil' Cesar's, got (inaudible) and we have the barbershop (inaudible) barbershop you know and Bi-Rite. We have a lot of good areas you know that are there and we want to keep it that way and I want to see my city; I want to see the administration; I want to see council; give me the guidance. I want our neighborhood association and (inaudible) things to do to make that a safer environment.

And one more thing; I would like to have the (inaudible) landscaping there, nothing. I am hoping that something happens that I look at Lincoln, beautiful, wonderful; Market, beautiful, wonderful and I understand that there's a different clientele that I've been told on Youngstown Road. Well, you know what my clientele is just as good as any other clientele and we want to keep that safe and when people come in the corridor and when they come down Youngstown Road.

PRESIDENT MARCHESE: Thank you Miss Balint. If you would care to wait till the end of the meeting, we could put together Mr. Flask, your ward councilman and perhaps our Health Director will join, who's always been very giving of his time and we'll have a quick meeting and give you some insight. If you'd wait you know till after the meeting we could meet. You bring up something that we hear a lot of and we don't want to have a deaf ear to that. We want to help you with you.

MISS BALINT: Well, thank you very much.

MR. FLASK: Thank you Mr. President. I was going to save this for miscellaneous, but in regards to the Clancy's Bar and the liquor permit, after discussion with the Law Department and being told that we would probably not have a legal leg to stand on as far as a liquor transfer goes; I had many conversations with the individuals requesting the permit, that purchased the permit. And how they assured me that they would have nothing to do with the individual that they were buying it from, and I believe them which was the reason why I asked for the extension to make sure that that fell in to place. I have been assured by those, by the new permit holder or by what will be the new permit holders that there will be no involvement from the past owner. Thank you Mr. President.

LARRY DUEBER, 1747 ESTABROOK NW, WARREN, OHIO: Thank you Mr. President. Larry Dueber, 1747 Estabrook. Have difficult times in the country certainly as we come to the end of another year and certainly in our community, but we have things to be thankful for and I wanted to touch on three very briefly. The Port Authority which I didn't realize the Mayor was going to be talking about tonight, but I thought of it. I am enthused about it and the council approved it and the city joined it. I think it's the only way to go and we have to join forces with the other communities in getting behind the new executive director and the authority. Secondly, our comprehensive plan that we, that took us eighteen months to write and council approved a few months ago ready to set up a community advisory committee and get ready to implement this plan for the city. Am I saying that the Port Authority and this comprehensive plan are going to solve all the problems of Warren? Certainly not. Anybody tells you that, they're lying. The only way the problems are going to be solved is if the citizens of our community stand up and pull together and work together. These programs are tools, the people have to do the work, and I think people are finally realizing that. And I'm glad to see the president talking about a meeting next week for our youth and the Educational Committee will be meeting prior to that. I said in here before is you're age 5 through age 95, every single one of us has to step up to the plate and I think our young people are looking for things to do, but at the same time they have to step up and contribute too. It's a two-way street and they need to know that. That leads me to the third thing we're thankful for and that, I was hoping the Mayor would mention that because we talked about this before the meeting, is the opening of the skate park and the fact that we see it in place and young people-I haven't been down to it since it was complete, I definitely will go tomorrow, but I, I hope you would say something tonight before we adjourn to tell us what's going on about the skate park and I think it's great to see we finally have that and I thank you Mr. President.

MAYOR O'BRIEN: Thank you very much Mr. President. Thank you, Larry. Regarding the skate park and we still have some work to do regarding the skate park, regarding a sign and Helen's committee is working on it. A protocol sign of rules and regulations for skateboarders, however I want to tell you that the last piece of equipment went in Friday afternoon and so Sunday after church around 11:15 I was there and there were 26 kids skateboarding, all taking turns one at a time and showing off. So at 3:30 Sunday I went back and there were 25 different skateboarders all doing the same thing, one at a time. I asked one gentleman to go over and get the totter over by the shelter house and he came over and I said now, I'll give you some quick rules and regulations, so as I was there at night a young skateboarder came and he had a bag of chips and he put the bag down on the ground and he was chastising me and about 25 other kids, hey, this is our park, put your bag in the garbage can. So the point is ah, while there are kids enjoying themselves, then I walked over to the sidewalk and there weren't any skateboards on the apparatus's or anything. So I asked the skateboarders where they were from: Cortland, Liberty, Newton Falls, places that all have parks. They came to Warren. One of the nicest things about it, I saw a row of cars with parents, some listening to the Browns game, some reading books, some just sitting watching the kids skateboard. So that was my experience at the skateboard park. We still have some work to do with the

rules and regulations. The trees have arrived and trees border the east skateboard park and trees border the south of the skateboard park. And we are working with the rules and regulations and the best park about it is in the couple hours with the kids being entertained and so I was driving down Market Street and Tony Iannucci was painting his building that he owns at 157 Market, and I told him about the experience with the kids at the skateboard park, and he says you know I was wondering as I was painting, I've been here about four hours and I haven't seen a skateboarder downtown cause they are out at the park. So far it's working and I can't think anything but better things to come. Thank you Mr. President.

MR. FLASK: Thank you Mr. President. I, too, was there on the Saturday, the 21st, whenever it was, and there were 21 people there at the time, 9:38 and (inaudible), but in regard, with that there were also quite a few kids on bikes on the outside looking in. I believe there was four of them, plus my son inside my van who was interested. So I'm hoping that with this next meeting addressing the kids maybe we can bring up the topic of the bikes, maybe bring up some way to address that issue as well. Thank you.

MRS. RUCKER: Thank you Mr. President. Three AM I have to bring a negativity to the thing. Because I saw 13 skateboarders at the park and I was excited and I asked them how they liked it and they were really enjoying it and the noise level was fine. At 3 AM this morning I get two phone calls from residents who did hear quite a bit of noise and wondered why the skateboards was inside the park. They had made calls to the Police Department and were told that we were only answering calls of emergencies only and so I'd just like to say to the Mayor that please make sure that that gate is locked and there's no access to that park after the park is closed and also to the Chief, I made an agreement with them folks that we were going to patrol that area and we were going to respond to them calls. I know it's not your fault that a dispatcher would tell a resident that they were told that nobody was going to respond to them because they were only answering, the police were only answering emergency calls. And so I wanted to call you, but I had two shots of Nyquil so I decided that from now on when I'm awakened at 3 AM Mr. Mayor, you will be too. So I'm going to hold a meeting as soon as possible to bring these rules out because you know because my first thought this morning was that we just make a big announcement that the park is closed until we have the rules made and all the things in place, but I don't want to get a damper on them and join them, so I go forward and let them play you know. But we are going to have those rules ready and as soon as the rules are ready I'll hold a meeting so we can bring them in and bring in some of the skateboarders also so that they know what our rules are. Thank you Mr. President.

MRS. HARTMAN: Just a reminder, we said we would try and give it as much patrolling as we can, but that we would always have to prioritize the cars that's in that Police Department and Fire Department and last night was a pretty busy evening from what I was told and so we are down a lot of men, a lot of people in that department and there are going to be times they are not going to be available for that 3 o'clock calls.

CHIEF BOWERS: I apologize Mrs. Rucker, the citizens should never have been advised that, even as busy as they were (microphone not used/difficult to understand) an officer would be there when (microphone not used/coughing only heard) not we're not coming. All calls for service will be followed Helen and will be answered. It might be a while sometimes.

MRS. RUCKER: I know.

CHIEF BOWERS: The citizens needs were misinformed (inaudible) Thank you for bringing it to my attention.

DIRECTOR FRANKLIN: Thank you Mr. President. I'd like to just piggyback on the Chief's comment, I was about to say the same exact thing and I will review with you the transcript of that tape as well. We also looked in to after when we got your early call, looked in to the locking of the gate issue. To our knowledge it was locked however, we're checking that out. We're going to make sure that it's foolproof from here on out. So we're on top

of these early issue starting this (inaudible) for the new project, but we're sure they can be managed. Thank you Mr. President.

STANDING COMMITTEE REPORTS

WATER/W.P.C.

MR. CROUSE: Thank you Mr. President. No report, but we will be having a meeting, I believe it's next week. I apologize for not being quite (inaudible) I believe it's on the 2nd at 4 o'clock and we're going to be discussing some budgetary issues and also tonight's legislation.

TRAFFIC & SAFETY

MR. DEAN: Thank you Mr. President. But I would like to call a Traffic & Safety Committee meeting for the 17th at 3 PM. I received a letter from the director of Main Street, Warren and they're interested in doing what should about a 15-20 minute presentation on some ideas they have about roundabouts. Thank you Mr. President.

**ENGINEERING,
BUILDING & PLANNING**

MRS. MORN: Thank you Mr. President. Engineering, Building and Planning met on the 16th to discuss Mr. Flask's zoning overlay proposal. It was a very good meeting. We got a lot of questions answered such as the legality of trying to do this. Mr. Flask and I are going to set up another meeting. We don't have a date yet, but it's really important that everybody be there because it's going to affect all your wards and it's a very good proposal. Thank you Mr. President.

POLICE & FIRE

MRS. HARTMAN: The Police & Fire Committee met on Thursday, November 18th. We discussed the budget for those two departments. Both chief's were in agreement that the training budgets were inadequate. Chief Bowers said he cannot even consider participating in TAG without at least the police officer that has been in the budget and has relocated being replaced within the department. We also agreed to discuss the law enforcement tax money and it being under the police chief's control. The Fire Department was also there and manpower is critical in the department. The equipment is aging. The Fire Department at Parkman Road will need many renovations in order to even have it opened back up in the future. And there was a statement made that with this budget we're now affecting the functionality of that department. And I think that's very important and we as council need to remember that when we're looking at the budget. Thank you.

PUBLIC UTILITIES

MR. FLASK: Thank you Mr. President. No report on a meeting however, I will be meeting with a member of NOPEC or a representative from NOPEC this coming week for lunch and discussion of some of the phone calls that I've received from residents and conversations that I've had with Lisa Mazzochi on the issue of prices and in the future of NOPEC with the City of Warren. Thank you.

FINANCE

MR. NOVAK: Thank you Mr. President. The Finance Committee met yesterday. We reviewed the agenda for today's meeting. There were no recommendations made on any drafts for passage. I, myself, and other Council Members have some concerns about the numbers and know we're going to have to have an amended budget presented to Council. So just referring to Auditor Griffing, are you available Tuesday for a Finance meeting? Will we be looking at 4 o'clock, reasonable? So we will be meeting at 4 o'clock Tuesday.

MR. GRIFFING: The earlier the better.

MR. NOVAK: Okay and we will have on the agenda 2009-2010 budget. Thank you Auditor Griffing. Thank you Mr. President.

SPECIAL COMMITTEE REPORTS

EDUCATION

MR. BARKLEY: Thank you Mr. President. Just to announce I called an Education Committee meeting for Wednesday, December 2nd at 5PM that is going to follow Mr. Crouse's Water Pollution meeting and

will precede Mr. Marchese’s Council as a Whole. So we’ll going to do 4 o’clock, 5 o’clock, 6 o’clock and 5 will be Education to address some concerns, well not concerns but some desire by some youth in Warren to be specifically involved, specifically the group that has been to Council several times and addressed us and has asked to find some involvement. Happily I got a call from the education writer for the Tribune today and she seems to see some value in this discussion and is going to make it a, write some piece prior to the meeting and hopes maybe we can even turn this in to a larger discussion not necessarily with this group, but maybe we can get some other youth there and have even a larger discussion. So I would welcome attendance at that meeting and then those young folks have agreed to stay and partake of our discussion on recreational needs too. So we’ll get some, we know we’ll have some bonifided (sp) kids or some youth to talk about that, so I’m looking forward to those discussions. Thank you.

MR. NOVAK: Yes, thank you Mr. President. Just a reminder, you called a meeting, a joint meeting with the Chamber and city/county meeting. Just a reminder for the Council Members I believe on the 10th of December.

PRESIDENT MARCHESE: Yeah, December 10th at 2:30, yeah. We’ll get notice of that out and be in concert with the chamber of commerce and –

CLERK: The chamber is putting out the notice.

PRESIDENT MARCHESE: So that will be here.

MR. NOVAK: Okay, thank you Mr. President.

LEGISLATION FOR FIRST READING

**DRAFT 2970
SURCHARGE/MASTER
METERED USERS**

An ordinance for the purpose of enacting a Section 935.052 to Chapter 935 (Storm Water Utility) of the codified ordinances of the City of Warren for the purpose of providing for a monthly wet weather surcharge upon master-metered satellite sewer users and credits therefore and declaring an emergency.

Mr. Crouse requests the clerk to read the title on Draft 2970 and place it in first reading.

READ

Clerk reads same.

REF: Water/ Water Pollution Control

RECOGNITION RESOLUTION

**DRAFT 2964
COMMENDING
TR. CO. JAIL
PERSONNEL**

A resolution for the purpose of recognizing and commending Trumbull County Sheriff Tom Altieri, Chief Doin Guarino, and the staff of the Trumbull County Sheriff’s Department for their outstanding efforts in promoting and conducting their program whereby inmates of the Trumbull County Jail are enlisted to eliminate blight and unsightly conditions throughout the City of Warren and elsewhere throughout Trumbull County.

Mrs. Morn requests the clerk to read in its entirety Draft 2970.

READ

Clerk reads same.

MOTION FOR PASSAGE

Motion Morn, second Novak to pass Draft 2964 as read.

ROLL CALL

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

NO: None.

11-24-09

MOTION PASSED
RES. 4441/09

10 YES; 0 NO. Motion passed. Draft 2964 is now RES. 4441/09.

Presentation of the resolution is made to Chief Don Guarino by Mrs. Morn and Mr. Novak.

**DRAFT 2963
APPROPRIATIONS
AND TRANSFERS**

An ordinance for the purpose of: appropriating from the unappropriated, anticipated 2009 receipts of various city funds; appropriating from the unappropriated, unencumbered 2008 balances of certain city funds and transferring monies within certain funds and declaring an emergency.

Mr. Novak requests the clerk to read the title on Draft 2963.

READ

Clerk reads same.

MOTION-SUSPEND
THREE READINGS

Motion Novak, second Flask to suspend the rule requiring three readings on Draft 2963.

ROLL CALL

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

NO: None.

MOTION PASSED

10 YES; 0 NO. Motion passed.

MOTION FOR PASSAGE

Motion Novak, second Dippolito to pass Draft 2963.

REMARKS

None.

ROLL CALL

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

NO: None.

PASSED
ORD. 12234/09

Motion passed. Draft 2963 is now ORD. 12234/09.

**DRAFT 2965
SCHOOL DISTRICT
MONIES FOR
RESOURCE
OFFICER**

An ordinance for the purpose of authorizing the City of Warren to accept monies, pursuant to revised code Section 715.01 from the Warren City School District and to allow said monies to be used for the authorized municipal purpose of providing a student resource officer and declaring an emergency.

Mrs. Hartman requests the clerk to read the title on Draft 2965.

READ

Clerk reads same.

MOTION-SUSPEND
THREE READINGS

Motion Hartman, second Barkley to suspend the rule of three readings on Draft 2965.

ROLL CALL

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

NO: None.

MOTION PASSED

10 YES; 0 NO. Motion passed.

MOTION FOR PASSAGE

Motion Hartman second Novak to pass Draft 2965.

REMARKS

None.

11-24-09

ROLL CALL

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

PASSED
ORD. 12231509

10 YES: 0 No. Motion passed. Draft 2965 is now ORD. 12235 /09.

**DRAFT 2966
FINANCIAL AUDIT
FOR 2009, 2010, 2011**

An ordinance for the purpose of authorizing the Director of Public Service and Safety to enter into contract with an independent public accounting firm for the purpose of performing a financial audit for the years 2009, 2010 and 2011 of the City of Warren and declaring an emergency.

Mr. Novak requests the clerk to read the title on Draft 2966.

READ

Clerk reads same.

MOTION-SUSPEND
THREE READINGS

Motion Novak, second Barkley to suspend the rule requiring three readings on Draft 2966.

ROLL CALL

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

NO: None.

MOTION PASSED

10 YES; 0 NO. Motion passed.

MOTION FOR PASSAGE

Motion Novak, second Barkley to pass Draft 2966.

REMARKS

None.

ROLL CALL

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

NO: None.

PASSED
ORD. 12236/09

10 YES; 0 NO. Motion passed. Draft 2966 is now ORD. 12236/09.

**DRAFT 2967
FIRE EMPLOYEES
MANDATORY PENSION
PICKUP**

A resolution for the purpose of affirming the City of Warren's continued pick-up of the mandatory pension contributions of the uniformed fire employees of the City of Warren covered by the Ohio Police and Fire Pension Fund and declaring an emergency.

Mrs. Hartman requests the clerk to read the title on Draft 2967.

READ

Clerk reads same.

MOTION-SUSPEND
THREE READINGS

Motion Hartman, second Novak to suspend the rule requiring three readings on Draft 2967.

ROLL CALL

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

NO: None.

MOTION PASSED

10 YES; 0 NO. Motion passed.

MOTION FOR PASSAGE

Motion Hartman, second Barkley to pass Draft 2967.

REMARKS

MR. DIPPOLITO: Thank you Mr. President. Make notice (inaudible) I'm not supporting this draft, but not because of the fact it is a pension pick-up. As you may know it has a taxing situation in my view and

opinion is that it's taxable for federal and state purposes being handled properly in that respect and so on, however, we're not selecting or no one's paying any city income tax on that amount of money. Thank you Mr. President.

MRS. HARTMAN: I do have a copy of the letter here from the Ohio Police and Fire Pension Fund that is mandating us to do this tonight. In fact we must do it by December 16th to be in compliance. Thank you.

ROLL CALL

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

NO: Dippolito

PASSED
RES. 4442/09

9 YES; 1 NO. Motion passed. Draft 2967 is now RES. 4442/09.

**DRAFT 2968
GOLF DRIVE &
COUNTRY CLUB DRIVE
STORM DETENTION
PROJECT**

An ordinance for the purpose of authorizing a contract(s) for the project known as Golf Drive & Country Club Drive Storm Detention Project and further authorizing the execution of the project grant agreement and other proper documents with the State of Ohio Public Works Commission to secure approval and funding or assistance for the project under Section 2K Article VIII of the Constitution of Ohio and Sections 164.01 to 164.13 of the Ohio Revised Code and declaring an emergency.

Mr. Crouse requests the clerk to read the title on Draft 2968.

READ

Clerk reads same.

MOTION-SUSPEND
THREE READINGS

Motion Crouse, second Novak to suspend the rule requiring three readings on Draft 2968.

ROLL CALL

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

NO: None.

MOTION PASSED

10 YES; 0 NO. Motion passed.

MOTION FOR PASSAGE

Motion Crouse, second Barkley to pass Draft 2968.

REMARKS

MR. TOM ANGELO: Thank you for your attention to this, but I didn't want it to go by without making a public accommodation, if you will, to Bill Totten. Bill has worked tirelessly on this. He knows the public works, formerly known as Issue 2, way better than I do and with him and Gary Shaffer both they worked very, very hard and really all the credit goes to those two, so I appreciate your efforts on this tonight, but I just wanted to make sure that the credit goes where it belongs and that's with Bill Totten. Thank you.

ROLL CALL

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

PASSED
ORD. 12237/09

10 YES; 0 NO. Motion passed. Draft 2968 is now ORD. 12237/09.

**DRAFT 2969
COMPUTER SOFTWARE
& HARDWARE**

An ordinance for the purpose of authorizing the Mayor and Director of Public Service and Safety to enter into contract(s) with New World Systems Corporation for the maintenance of the various software and hardware for the city's computer systems for the years 2010, 2011, and 2012 and declaring an emergency.

Mr. Novak requests the clerk to read the title on Draft 2969.

11-24-09

READ Clerk reads same.

MOTION-SUSPEND
THREE READINGS Motion Novak, second Rucker to suspend the rule requiring three readings on Draft 2969.

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

NO: None.

MOTION PASSED 10 YES; 0 NO. Motion passed.

MOTION FOR PASSAGE Motion Novak, second Rucker to pass Draft 2969 as read.

REMARKS

None.

PASSED 10 YES; 0 NO. Motion passed. Draft 2969 is now ORD. 12238/09.
ORD. 12238/09

MISCELLANEOUS 8:35 PM

MR. DIPPOLITO Thank you Mr. President. I surely wish to congratulate you and Mr. Klingeman to convey thanks to the young people here singing from Harding tonight.

In addition I wish to thank the treasurer for making, telling us something about the tax situation at this time of year. It kind of help resolve a lot of problems I've been hearing about in my ward okay. And again I wish you all a Happy Thanksgiving and drive safely and come back quickly and we're see you at this busy time next year almost.

MR. NOVAK Thank you Mr. President. I'd like to wish everyone here a Happy Thanksgiving and also if you're able to whatever you can do either monetarily or as somebody who volunteers to make sure that those folks that are struggling and trying to just live day by day that try to make their day special and that they enjoy a Thanksgiving dinner with their families.

One other issue that I would like to bring up is that I would like to meet with our Representative Letson after the meeting with, I received a letter from the Ohio Bureau of Motor Vehicles with an inquiry about a historical plate on a car that I sold twelve years ago. When I sold the car, at that time, the law was that the license plate went with the car. I sold it to an individual who is a car dealer and the title and the plates were transferred to that individual. They informed me that if I did not return the plate or show that I was going to transfer it to another vehicle in sixty days they were going to cancel the registration on my four vehicles that I own now. I went to the deputy registrar in the Elm Road Plaza. She informed me that they had been in-undated with people coming there that were receiving letters concerning historic plates, vanity plates, people that were required to carry high risk insurance; people that were to provide the state with their, a valid insurance policy etc., etc. A copy individuals were waiting after me were there for the same thing for these letters received. Since then other people have contacted me. I just can't understand a state that is struggling to keep their head above water, that's running in the red, that's cutting funding to libraries and they're sending letters out to a vehicle that I sold twelve years ago. Some of the folks that I talked to, they sent letters out to individuals who are deceased. So I would hope that our representative can get with this bureau and tell them that, please go after something worthwhile rather than bothering people for things that are not going to generate any more funding and that is causing some people mental duress by receiving these letters. Thank you Mr. President.

PRESIDENT MARCHESE: Thank you Mr. Novak. Our State Rep. will certainly listen to that. I know there's a lot of fast motor vehicles and many people are getting stopped in the Cleveland area and being forced to take Brown's tickets.

MR. BARKLEY

Thank you Mr. President. Just Happy Thanksgiving to everyone and I hope you have a wonderful and blessed time with your family and it's a good time to reflect and spend time with the people that are important to you. I guess that reminds us why we all come here and do what we do. So Happy Thanksgiving to all of you.

PRESIDENT MARCHESE: Thank you Mr. Barkley and a good reminder to that is that all of Council can participate on Saturday, December 5th at 5 PM at the tree lighting ceremony downtown helping the Salvation Army ring the bell and yes, I'll be there to help you.

MRS. MORN

Thank you Mr. President and I have rung bells for years through the labor movement for the Salvation Army not that I'm thrilled, I'm hoping that it's not the coldest day of the year, but that's usually what they scheduled us for. But I wanted to wish everybody a Happy Thanksgiving also.

MR. FLASK

Thank you Mr. President. Happy Thanksgiving and no remarks.

MR. PUGH

Thank you Mr. President. Echo what Mr. Flask says.

MRS. RUCKER

Thank you Mr. President. In the last few days when we are getting our Thanksgiving meals together and you are all in your kitchen cabinets and that and moving around can goods that you know you don't want to find those that you do want. Now is a good time to throw those things in a box or bag and give it to the needy between now and Christmas time. This is when they most need it. It's a good time to get your families involved in that kind of gift giving and with our economy there's no dire time than now to do something like that.

I want to wish everybody a happy and safe Thanksgiving and now the Mayor isn't here, but Director, it's a national emergency that was announced today with these drop-side cribs. Over twenty thousand children have been injured; fifteen deaths. There's one city in particular that has already taken action to ban the sale of drop-side cribs in the second hand stores. Garage sales, I think that we should take that action that on the way home from the doctor I stopped by the flea market and I saw an elderly couple buying a drop-side crib at the flea market and I thought they're probably buying that for their grandbaby and they don't know what kind of danger that they're putting that infant in. And so I was wondering, if it was possible, (inaudible) that the Mayor could order an executive order to ban garage sales or second-hand stores from selling drop-side cribs until we take some councilmatic action on that because this is really, really important because (inaudible) that they're recalling millions, all the ones that are made because of this potential to death and injuries. And so to discuss that with the Mayor and see if there's some action that he can take now and I'll be going to the Law Department to see if we can put a ban on selling those in garage sales and second-hand stores. Thank you Mr. President.

DIRECTOR FRANKLIN: Thank you Mr. President. Councilwoman Rucker, thank you for bringing that to my attention. I would imagine the first most immediate place we could precede would be with a public service announcement of some kind and try to get information out to the public about not buying this. It's probably another legal matter on banning the sale of them. I'm not sure how we would go about that but we would confer with the Law Department regarding that, but the best place to start is with public education on the issue and you just informed me tonight of something I didn't know. So we can precede in that light and ask our local radio to start doing some public service announcements and even put out some text mail.

11-24-09

MRS. RUCKER: Thank you.

DIRECTOR FRANKLIN: Thank you.

ADJOURNMENT 8:43 PM

**MOTION FOR
ADJOURNMENT**

Motion Dean, second Novak to adjourn the meeting at 8:43 PM.
VIVA VOCE: ALL YES. Meeting is adjourned.

dkn

Robert A. Marchese, President of Council

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