

Warren, Ohio

MINUTES

REGULAR MEETING WARREN CITY COUNCIL

DECEMBER 9, 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 25 students from the Warren G. Harding High School symphonic band performing songs of the holiday season and was followed by the Pledge of Allegiance. The band is under the direction of Ms. Lynn Marlin.
- PRESIDENT MARCHESE:** At this time, I'd like to honor a man who passed on to a better place but leaves a very significant hole in the City of Warren. When you talk about schools, we've lost a leader. A personal friend of mine, a renowned leader in the history of this city who's no longer with us but he's been transferred to the church of triumphant which I believe is a better place. Cliff Johnson is a man we will miss. I had the opportunity to have him visit me this year when I was hospitalized and he told me something I'll never forget. I said in a moment of down-ness, I really don't know if this is worth it. I don't know if life itself is even worth it. And I'll never forget what he said, he said Bob it is and I'll tell you the truth and I read the last page of the book of Revelations. So he's a good man who's no longer with us. If you would, would you stand and join us in a moment of silence for Cliff Johnson.
- ROLL CALL** **MEMBERS PRESENT:** Hartman, Crouse, Rucker, Dean, Dippolito, Novak, Barkley, Morn, Flask
ABSENT: Pugh
- 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, Tom Angelo, Lisa Mazzochi, Bill Totten, Renee Cicero, Mike Keys
ABSENT: Sal DiLiello, Chris Stephenson, Tom Gaffney
- MOTION-EXCUSE COUNCIL MEMBER** Motion Dean, second Novak to excuse Councilman Pugh for good and sufficient reason.
- ROLL CALL** **YES:** Crouse, Rucker, Dippolito, Novak, Barkley, Morn, Flask
NO: Hartman, Dean
- MOTION PASSED** 7 YES; 2 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:** We have some reminders for Council as we go along. First of all, a very special thank you to several members of Council for helping out Saturday night with the Salvation Army bell ringing drive. Miss Morn, Mr. Crouse, Councilman-elect Colbert were all helping with the Salvation Army bell ringing. I will tell you that really, really hurt at the end of the night, you hand and that was last Saturday. You know a word to the residents, I didn't realize this but, the Salvation Army today is getting less money than ever and I never knew that. So you know if you're jobs here and you got a free lunch time and you want to go grab one of those things and stand in front of Chase Bank or

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somewhere, feel free to call the Salvation Army at 392-1573. A great cause and they're really in need of support.

Please be reminded that Tuesday, December 15th at 6 will be the second organizational meeting of the new term of Warren City Council. That will be held in the Caucus Room and that meeting will immediately follow the Finance meeting which is scheduled at 4 PM.

Chairs of committees are reminded that at each meeting you very simply must obtain the sign-in from everybody in the room. This is obtained by passing around the sign-in sheet and returning it to the Clerk's office. Yours truly is guilty of the same thing. We have to work on doing that and good record keeping that follows it. So please remember to get all the signatures in the room each time there is a committee meeting.

REPORTS

MAYOR

MAYOR O'BRIEN: Thank you very much Mr. President. Just one little quick comment and I'll have a comment later in the committee reports by a Council person. Wanted to ducktail on President Marcheses comments regarding Christmas in the City sponsored by Main Street Warren. I know Councilman Dean is a board member of Main Street and I'll tell you it was very, very successful Saturday night with the thousands of people that were downtown and the merchants that were very please with the success. To give you an example, Saratoga Restaurant from 5 o'clock to 8 o'clock had a line of people waiting to sit down for dinner in the entire restaurant. Businesses, some of the businesses that are vocal against different festivals in downtown Warren over the past years were very appreciative of Christmas in the City in downtown Warren Saturday night. I talked to him yesterday and this gentleman was very appreciative and wholeheartedly supports the next event by Main Street. I want to again thank Main Street, all the volunteers, all the board members. I see Patti Limperos is here who is a member of Main Street under the leadership of Jim Delesandro and also Jennifer Campbell who took this project on. Then they were talking today and they have bigger and better plans throughout the entire year. So Main Street Warren is alive and well and it's going to be a force in downtown. 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 we will have the legislation for the 2010 Budget at the next Council meeting. This is the last scheduled Council meeting of the year. This legislation has to pass before December 31st. to make sure we have a budget so that we can pay our employees and pay the expenses of the city for next year. Thank you Mr. President.

MR. CROUSE: Thank you Mr. President. Mr. Griffing, I'd like to remind you that I'd asked specifically that when you put out of the new budget that even with the draft that we're going to have I'd like to see the green bar to compare it to what we have and if money's an issue, I'll pay for the paper.

MR. GRIFFING: I worked on that, the green bar today hopefully I'll have that completed tomorrow and could have it done by Friday and copies available for Council and as soon as they're available, I'll call all of Council and let them know they're available. I want to try to have that ahead of time so that you have time to review it before the Tuesday Finance Committee meeting. Thank you Mr. President.

TREASURER

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

DIRECTOR

MR. FRANKLIN: Thank you Mr. President. First I'd like to Councilwoman-elect Cheryl Saffold stopped by today and I'd like to confirm our meeting tomorrow at noon. And also as a matter of public record, I would like to acknowledge to Councilman Dippolito regarding our three conversations or three meetings regarding authorized strength in the Water Department that mistakes were made on the one sheet and there was one pay period where we were over authorized strength due to some pending grievances. So I'd like to officially for the record, for Mr. Dippolito, state that he was right in that matter. Thank you Mr. President.

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DEPARTMENT HEAD REPORTS

POLICE CHIEF

CHIEF BOWERS: Thank you Mr. President. I just want to share some good news that I got today. Last week, week before we got information that we received the Weed & Feed Grant which is a federal grant that will help us solve some crime and social problems on a targeted area. Today we received ever further good news. We got a fifty thousand dollar grant to establish a Police Athletic League. Years ago the Warren Police Department had a Police Athletic League and it kind of went by the side, but I'm happy to say that we've got some funding. I know we've got to work to put together the infrastructure so that's another 50 grant, that the Police Department can share and do things with the city both young and old. Thank you.

WATER

MR. DAVIS: Thank you Mr. President. Citizens, City Council, the Administration: I want to take this opportunity to clear up a little bit of incorrect information that the Tribune printed a couple of days ago. The first incorrect statement that was made is that the Water Department gave Packard Music Hall 172,000 dollars. That is an incorrect statement and that is not true. We did not give Packard Music Hall 172,000 dollars; we did not give them a thousand dollars and we did not give them 1 dollars. So there was no monies given to Packard Music Hall by the Water Department. Secondly the other incorrect statement that was made is that the proposed 2010 Budget had a 11% wage increase which is also incorrect. In fact the proposed 2010 Budget has a 4% reduction in wages. So I wanted to make sure that everybody understand that so we're on the same page. I have given the corrected information to Marly with the hopes that they will correct the misinformation and get the facts out so that there so that we're all on the same page and working together for the betterment of the community. So with that Mr. Chairman, I thank you.

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SUMMARY OF CORRESPONDENCE

THERE IS NO NEW CORRESPONDENCE FOR TONIGHT.

STANDING COMMITTEE REPORTS

COMMUNITY DEVELOPMENT

MRS. RUCKER: Thank you Mr. President. I'd like to start by thanking our Congressman Mr. Ryan for getting involved with the Community College. It's been beneficial to all of us. Miss Morn and I worked on the efforts and I want to also thank all the citizens who signed the petitions, took surveys, and all of that, came to the meetings, but the good news of the evening is that the community college will be located in downtown Warren and we have a commitment from our Governor Ted Strickland and Chancellor Fingerhut. I'd like to now refer to the Mayor for more details.

MAYOR O'BRIEN: Thank you Mr. President and Councilwoman Rucker; yes, received a call this afternoon from Congressman Ryan and also from Governor Strickland's office regarding the location. The main campus of the eastern gateway community college is going to be in downtown Warren. As Councilwoman Rucker mentioned some time ago we had, there were meetings in the very same Council Chambers regarding the interest of the community college and regarding the interest of wide range; I was in meetings with President Sweet at YSU years ago, of the interest in the community regarding a community college. Then after those meetings it was more specific regarding the City of Warren. Councilwoman Rucker was involved in those aspects. Congressman Ryan and Governor Strickland in their communication were very responsible and of course everyone knows that Chancellor Fingerhut is the chancellor at the education process in the entire state was instrumental in the location of the Gateway Community Campus main campus in Warren and those decisions were made not long ago.

But as important, I was present at the announcement of the Eastern Gateway Community College presence in the Mahoning Valley and at those announcement Chancellor Fingerhut and Congressman Ryan were discussing a broader presence in the Mahoning Valley specifically in urban areas and further discussion with the congressman and myself and Congressman Ryan said he'll do what it takes to make sure that that helps the City of Warren. Well it not only helps the City of Warren but it helps specifically downtown Warren. And it's great for the downtown businesses. It's great for downtown housing. It's something that's been the vision for some time and it's great for, I know that some people have some of the business owners and building owners have tenants, houses downtown and we look for the vision of more students living downtown. It also will be great for the future utilization, just had a discussion in Caucus a moment ago, great for future utilization of our parking deck now that we'll have students in the Courthouse Square attending a community college main campus and those employees; great for utilization of the parking deck. You couple this with the fact that the Board of Education's recent announcement of the relocation of offices in to the bank building so what hired employees will be working in the downtown square and the new businesses we have in the downtown and the community college downtown and the work that's underway, I'm involved, I'm in the steering committee, for the green incubator in the downtown. Yes, revitalization in the downtown is taking place and taking shape. I was just talking to Patti Limperos before this meeting tonight and you know Andy one of the beauty, beautiful aspects of this is it's consistent with the comprehensive plan. It's consistent with the comprehensive plan as far as community college downtown, as far as the green incubator downtown, as far as the skateboard park on the Turner site. So when we speak of different developments that we're enjoying and that we're recipients of in the City of Warren always remember and look back at the comprehensive plan because these are written in the comprehensive plan and it's important, so talk about implementation. The plan is yet to be in committee and you see different aspects of the comprehensive plan being implemented. Again, it's great news for the City of Warren. It's great news for the merchants in the City of Warren; great news for downtown Warren.

MRS. RUCKER: In closing of my report, I also like to mention the ribbon cutting and ground digging of a new business on West Market Street in Sue Hartman's ward. We went, we were all there. There was even some labor people there that came, the commissioner's and it was just a win-win for our city that one of our own is coming back to this area and bringing his business, not only, he says he has a business in New Mexico. This is going to be his main business area and he says there's room for expansion and he's looking forward to even doing that. He's going to hire about forty-five people and he wanted to come back and do something for the city that he was reared in and just give back to the citizens of Warren. So Mark Marvin we want to all give him a round of applause. He was here visiting us in Council last year and he's just a great guy and he's doing a wonderful thing for our city so please join me in applauding Mark Marvin. Thank you Mr. President.

MAYOR O'BRIEN: Thank you Mr. President. In addition to Miss Rucker's comments the investment, it's the single largest investment in Trumbull County in the year 2009 is the Marvin Groups project. The single largest investment in Trumbull County as far as manufacturing is this particular project and the theme again is he invested in his home town and his comment was why not, why not my home town. So it was a lot of collaborative work being several department heads primarily Community Development Department, Engineering Department and of course Water Pollution Control. We've had meetings with contractors, meetings with engineers and architects and we'll continue to have them and as Helen said, this is going to be the Marvin Groups headquarters in Warren, Ohio. Thank you.

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FINANCE

MR. NOVAK: Thank you Mr. President. The Finance Committee met yesterday at 4 PM, reviewed the agenda for today's meeting. There were not recommendations made on any of the drafts on the agenda. I would at this time like to set the next Finance Committee meeting at 4 PM for next Tuesday the 15th and the agenda will be to review the amendments made to the 2010 budget and review that new budget and we will have two hours to dedicate specifically to that budget. And a few Council Members please, unless you're getting calls, get that document, review it and have your questions ready because the clock is ticking and we must be prepared to vote on this shortly. Thank you Mr. President.

**WATER/WATER
POLLUTION CONTROL**

MR. CROUSE: Thank you Mr. President. The committee met last week and we went over two things, Draft 2970. The committee had voted to recommend passage but due to some information we all received today we're going to put it in to second reading today and we also discussed the issues which I think the Director cleared up about the authorized strength and employment in those departments.

DIRECTOR FRANKLIN: Thank you Councilman Crouse. I just wanted to get with you on that new information cause I think I got it a little bit later, so I just wanted to compare notes with you on that. Thank you Mr. President.

MR. CROUSE: Okay.

PUBLIC UTILITIES

MR. FLASK: Thank you Mr. President. No committee report. I would like to announce that I met with Lee Harrington, I believe it was, from NOPEC last week and he informed me and of course sent out a press release. That NOPEC has reached an electric agreement with First Energy to extend from 2011 through 2019 which will generate residential savings at 6% through that entire time frame and a 4% savings for small businesses which is up from 1% through that time frame. In touching on all of the economic development and the green incubator there is also going to be a 19 million dollar investment in providing grants to communities to do research to invest in green energy so hopefully we can tap in to that as well. That is the end. Thank you.

SPECIAL COMMITTEE REPORTS

EDUCATION

MR. BARKLEY: Thank you Mr. President. Education Committee met on December 2nd at 5 PM and we had a very well attended meeting by the youth in Warren and we had some very good discussion about ways that we could collaborate in the future and some ideas that they've had. That meeting was followed at your pleasure if you don't mind to announce, followed by a Council of a Whole meeting at 6 PM where the same youth and other concerned residents stayed to discuss recreational needs in the city and that also was a very fruitful discussion, and I think that going forward would be to roll these two topics in to one committee now and I will follow up. I'm still searching for a date, but I would like to follow up with them at least one more meeting where I can chair it and take part in what I think is a fabulous situation where these kids have come forward and see if we can't put them on the right track for the next Council and the next Education Committee chairperson. So with that, I'll be announcing very soon a date and time for that meeting. Thank you Mr. President.

PUBLIC SPEAKING 8:02 PM

LARRY DUEBER, 1747 ESTABROOK NW, WARREN, OHIO: Thank you Mr. President. Larry Dueber, 1747 Estabrook, northwest side of Warren. I did write a couple letters to the Tribune, one on Mr. Marvin's new business and then echoing what Mr. Davis has said and the Tribune has not responded to my letters, so who knows? Have a couple items I wanted to cover tonight. First one many of us on the northwest side would like to have regular reports on the Mahoningside Project.

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We haven't heard for a while. No contract or there was bids going out and I know Mr. Keys that we talked but I'd like to have every month given to us publicly. Not just to me on the phone but to let other citizens know and it's not just the northwest side people. A lot of people are interested in what's happening to that property, so we would like to have regular reports from the administration at Council meetings if possible.

Second item deals with the skate park. Any criticism I'm handing out is constructive because I know a lot of people put a lot of time in on this, but I have some questions and comments. First of all I'm wondering where the dedication of the skate park went? What happened? It opened up. I never saw an article in the newspaper. I never saw any pictures of the kids skate boarding at all. I'm wondering where this dedication is. I think there should be a dedication of it. Second questions why was the skate park opened before the rules and regulations sign was put up? There's a sign there stating how it was funded. There's a sign there stating the safety factor; you're skating on your own, the liability issue. At the meeting we assured the citizens that live in that neighborhood that this was going to be done before the park was opened and it's not. Why was it opened before the public meeting was held? There was to be a public meeting that we called for again the citizens attended the meeting in the back and we assured them that there would be a public meeting where all of the young people and others could attend and discuss the rules and regulations, the do's and don'ts. That has not taken place. I have been there several times. There are young people riding bicycles on that equipment without helmets on and they're mixing in with the skateboarders. That's a disaster waiting to happen. I went there Sunday morning just to see if the sign was up. It wasn't. Roger who handles the, the caretaker, who came to open it up. He asked the same thing about the bike riders and the bike riders they told me and they told him, Mr. Mayor they said that you told them that they're allowed to ride bikes. And I know that's not true. We told them that. There are some problems that need to be corrected (timer goes off) Please let me finish.

The fence is too low. For my size at my age, I can climb over that fence. So I don't care what kind of lock, you could have fifty locks on it. Kids can climb over it, it's a six foot fence, it needs to be higher than that. Also it was not to be open, I understood, during the school day. He was not instructed. He said I was told to open up in the morning and close it at night. It should be closed during the school day and opened up afterwards. We also don't have a date for when it's going to be closed for the year. It needs, a date needs to be set. We don't want kids in there skateboarding in ice and snow. There's a disaster waiting to happen too. So and I don't know if the cameras been mounted yet, I'm going to guess it hasn't been. These things need to be taken care of. We told these people in town and Mr. President, just one last item, you have a parks assessment plan that you're going to introduce for in the next two years. I think we need to have an overall plan of how the rest of that property is going to be used and not set things up piecemeal. An overall plan of what's going to be on that entire property and allow the citizens who live in that neighborhood to participate in helping to decide what's going to be on that property. I think it's in the best interest of this city to have that. So take care of the skate park, it's great, we want everybody to enjoy it and be safe there, but we need to get things set up so these young people know what they're allowed to do and what they're not allowed to do.

PRESIDENT MARCHESE: Thank you Mr. Dueber. I know we can work on the reports on a monthly basis and I'll refer those other issues to the Director.

DIRECTOR FRANKLIN: Thank you Mr. President. I'll take all he said in to advisement and I'd like to talk to him about some of those issues and I can't address them at the point. I'd like to refer to Director Keys.

MR. KEYS: Depending on the president's pleasure, I would have no problem giving a full report on the status of Mahoningside to show the residents we are moving forward. All we're waiting on now before we can start any of the demo is an okay from Ohio EPA as to what fill they're going to allow us to put in the hole and some of the stuff we want to use is still being tested. I would appreciate the opportunity to give council a full report, bring them up to date, maybe ten, fifteen minutes for a report. Although it does open the door with the president's okay, there was an editorial in yesterday's Tribune. I just want to mention this now and highlight a few things. The Tribune had asked why nobody had accessed these funds in Trumbull County. I want you to know that the City of Warren, did. We received a 1.4 million dollar grant from this same Clean Ohio Fund and I outlined what it says here. It says the Planning Commission says they didn't do it because the rules and laws are complicated and different than other

grants that the commission applies for and there are a lot of technicalities. I want to say right now that my staff put this grant together in spite of the and it is, it's a difficult thing to write but I want to give them and let you know that the staff of the CD Department which is not only working on the normal stuff also wrote this grant and did a hell of a job and even though the Planning Commission said this is a hard grant to write, they did it and they were very successful. So I want to thank my staff and for giving me the opportunity to do so. Thank you.

PRESIDENT MARCHESE: Thank you Mr. Keys and perhaps Miss Rucker would call a committee meeting some time and we could have that report.

MISS RUCKER: Yes, I was going to say that.

DIRECTOR FRANKLIN: Thank you Mr. President. And also I'd like to piggyback on what Director Keys said in addition to all of those things, his staff is dedicated too they also were very instrumental in making sure that, I think Helen knows this as well, regarding the skate park and we're going to correct those things that we can that Mr. Dueber pointed out. Two of them are here and I'd like to acknowledge them Mrs. Angelo and Miss O'Brien. Thanks for coming out tonight.

DIRECTOR KEYS: Mr. President, I'm sorry, I did have and I want to thank also Tom Angelo and Bill Totten because their departments also did some assist with some technical aspects of the grant, mapping and Tom with assistance with the numbers that we needed for sewer work and getting the water out and everything. So those two departments also with out staff overseeing what they did of course.

PRESIDENT MARCHESE: Before we precede with legislation a couple (inaudible) Patti Limperos is here from the school board. Patti as always thank you for helping with the band tonight and thank you for monitoring Council; we're glad that you're here.

We have three new members of the four in the audience I spy, new council members. I'd like to have them stand. Mr. Colbert is here, Mr. Brown is here and Miss Saffold is here. Please feel free to stand. And they and another member who is not here elect and the remaining members of council will be sworn in, if you are interested and certainly welcome on December 29th at 5:30 PM. It should be a very, very nice ceremony that we already have planned.

LEGISLATION FOR FIRST READING

**DRAFT 2973
HOURLY EMPLOYEES
NON-BARGAINING
PERSONNEL**

An ordinance for the purpose of repealing and reenacting Article 2 (Hourly Employees) and Article 16 (Health Care Benefits) of the Policies and Procedures for Non-Bargaining Personnel for those employees and officials of the City of Warren who are covered thereunder and declaring an emergency.

Mr. Novak requests the clerk to read the title on Draft 2973 and place it in first reading.

READ

Clerk reads same.

REF: Finance

**DRAFT 2974
SECRETARY IN
HUMAN RESOURCES
DEPARTMENT**

An ordinance for the purpose of repealing and reenacting Section 2.08 (Human Resources Department Department No. 19) of Ordinance No. 9819/87 (The Authorized Strength Ordinance) as amended, for the purpose of authorizing a secretary position in the city's Human Resources Department and declaring an emergency.

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Mr. Novak requests the clerk to read the title on Draft 2974 and place it in first reading.

READ

Clerk reads same.

REF: Finance

**DRAFT 2975
MOTOR VEHICLE
LICENSE TAX**

An ordinance for the purpose of repealing and reenacting division (b) of Section 175.026 (Additional Motor Vehicle License Tax) of the codified ordinances of the City of Warren for the purpose of levying the tax provided for by said Section 175.026 only for the registration year commencing January 1, 2010.

Mr. Novak requests the clerk to read the title on Draft 2975 and place it in first reading.

READ

Clerk reads same.

REF: Finance

**DRAFT 2976
PART-TIME
COMMUNICATIONS
COORDINATOR**

An ordinance for the purpose of repealing and reenacting Section 2.22 (Police Department Department No. 01) of Ordinance No. 9819/87 (The Authorized Strength Ordinance) as amended, for the purpose of establishing the authorized strength for the position of part-time communications coordinator within the City of Warren's Police Department and declaring an emergency.

Mr. Novak requests the clerk to read the title on Draft 2976 and place it in first reading.

READ

Clerk reads same.

REF: Finance

LEGISLATION FOR PASSAGE

**DRAFT 2971
CERTIFICATION OF
FISCAL OFFICER**

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. Novak requests the clerk to read the title on Draft 2971.

READ

Clerk reads same.

**MOTION-SUSPEND
THREE READINGS**

Motion Novak, second Flask to suspend the rule requiring three readings on Draft 2971.

ROLL CALL

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

NO: None.

MOTION PASSED

9 YES; 0 NO. Motion passed.

MOTION FOR PASSAGE

Motion Novak, second Hartman to pass Draft 2971.

REMARKS

None.

ROLL CALL

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

NO: None.

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PASSED 9 YES; 0 NO. Motion passed. Draft 2971 is now ORD. 12239/09.
ORD. 12239/09

DRAFT 2972
FULL MEASURE
DEVELOPMENT GROUP An ordinance for the purpose of authorizing the Mayor and the Director of Public Service and Safety to enter into contract(s) with Full Measure Development Group for the purpose of administering the City of Warren's strengthening communities fund (SCF) State, Local and Tribal Government Capacity Building Program and declaring an emergency.

Mr. Novak requests the clerk to read the title on Draft 2972.

READ Clerk reads same.

MOTION-SUSPEND Motion Novak, second Rucker to suspend the rule of three readings
THREE READINGS on Draft 2972.

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

NO: None.

MOTION PASSED 9 YES; 0 NO. Motion passed.

MOTION FOR PASSAGE Motion Hartman second Novak to pass Draft 2972.

REMARKS

None.

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

PASSED 9 YES: 0 No. Motion passed. Draft 2972 is now ORD. 12240 /09.
ORD. 12240/09

SECOND READING

DRAFT 2970
MONTHLY WET
WEATHER SUR-
CHARGE 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 second reading.

READ Clerk reads same.

MR. BARKLEY: I apologize to my colleagues for any confusion regarding our post-caucus discussions on Draft 2902 and 2903. It is my intention to lift those from table. So with your pleasure, I'd like to proceed with that.

PRESIDENT MARCHESE: Well if you do, make a motion to lift 2902 from table.

MOTION-LIFT FROM Motion Barkley, second Dean to lift Draft 2902 from table.
TABLE

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

NO: None.

MOTION PASSED 9 YES; 0 NO. Motion passed. Draft 2902 is lift from table.

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**DRAFT 2902
MANAGEMENT OF
FRANKLIN ST.
PARKING DECK**

An ordinance for the purpose of authorizing the Mayor and the Director of Public Service and Safety to advertise for bids and enter into contract(s) for the management of the City of Warren's downtown Franklin Street Parking Deck and declaring an emergency.

Mr. Barkley requests the clerk to read the title on Draft 2902.

READ

Clerk reads same.

MOTION FOR PASSAGE

Motion Barkley, second Dean to pass Draft 2902.

REMARKS

None.

ROLL CALL

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

NO: Morn

PASSED
ORD. 12241/09

8 YES; 1 NO. Motion passed. Draft 2902 is now ORD. 12241/09.

LIFT FROM TABLE

Motion Barkley, second Novak to lift Draft 2903 from table.

ROLL CALL

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

NO: None.

MOTION PASSED

9 YES; 0 NO. Motion passed. Draft 2903 is lift from table.

**DRAFT 2903
MANAGEMENT &
OPERATION OF
PARKING OPERATIONS
& ENFORCEMENT IN
CENTRAL BUSINESS DISTRICT**

An ordinance for the purpose of authorizing the Mayor and the Director of Public Service and Safety to advertise for bids and enter into contract(s) for the management and operation of the city's various parking operations and parking enforcement operations within the central business district and declaring an emergency.

Mr. Barkley requests the clerk to read the title on Draft 2903.

READ

Clerk reads same.

MOTION FOR PASSAGE

Motion Barkley, second Dean to pass Draft 2903.

REMARKS

None.

ROLL CALL

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

NO: Morn.

PASSED
ORD. 12242/09

8 YES; 1 NO. Motion passed. Draft 2903 is now ORD. 12242/09.

MISCELLANEOUS 8:21 PM

PRESIDENT MARCHESE: It is now time for miscellaneous. I'll go first. It is my profound hope in the future that council will give time to legislation that comes in under 24 hours and study even though we've had meetings and discussions, I would hope that we would have more time to do that.

MR. DIPPOLITO

Thank you Mr. President. First I wish to thank the Director for his remarks at the beginning of the meeting and also I'd like to add regarding Draft No. 2970 that went in to second reading today, it seems to be an adversarial attitude seems to exist between this city and some county officials. I would certainly encourage the administration to do whatever we can to bring them up to a better understanding etc. It seem like, as I can remember, they extended some courtesy's to us in a given manner and we did not return the same courtesy in a similar example. Thank you Mr. President.

MR. NOVAK

Thank you Mr. President. I would just like to make a quick comment on Mr. Marvin's investment here in the city. I think this is a move in the right direction. We've seen some other individuals too that are making investments in downtown. It's nice to see that people are realizing where their roots are and coming back and if you remember in the Wizard of Oz, Dorothy clicked her heels together three times and said, there's no place like home. Thank you Mr. President.

MR. BARKLEY

Thank you Mr. President. I just want to remark on the course of events with Draft 2902 and 03. I came in tonight with an assumption. Assumptions are a bad thing at least when I have them because they lead to trouble. I came in with the assumption that we had some type of miscommunication with the Law Department. As only Mrs. Hartman can do she reminded me eloquently that as in this case the responsibility lied with me and she is correct in that. This was my draft. This was my committee and I tabled this piece and it was incompetent upon me to understand where this piece was as of today, the fact that the contract had run out and that action should have been taken by me and I need to accept my responsibility in letting this thing go in to the last minute and for that I extend my apologies quickly to the Law Department for misplacing the blame when I should really say that it's my responsibility and in the end it's all Council Members responsibility to know where your pieces are. So with that I hope that Marly will treat those remarks a little more gently tomorrow because they were somewhat displaced and I agree that I think better communication could have solved it. Ultimately the buck stops with each one of us, so with that said, my apologizes for all the confusion this evening and I apologize that we didn't have an opportunity to have further discussion on it if it was warranted. Thank you Mr. President.

MRS. MORN

Thank you Mr. President and thank you for bringing the band here. I had an opportunity to be a band booster parent for three years and I looked every minute. I love Harding's band. I follow them all over. They're great and I also am so excited about the community college coming to Warren. I was a little disappointed when Miss Rucker worked so hard that we hadn't heard anything. I was really angered every time I saw Congressman Ryan talking the one in Youngstown, but now that it is coming to Warren I'm forgiving him. Thank you Mr. President.

MR. FLASK

Thank you Mr. President. I would just like to make an announcement while we're all talking about new jobs and businesses and everything else and one of probably no more important than the other. There is a grand opening for a new printing business on Youngstown Road in the 3100 block on Friday. Its going to be I believe a shirt and clothing design of some sort. In, I don't know maybe Mr. Keys, do you know? We had met some time ago, do we know if this is the same individual?

MR. KEYS: I'm sorry but he's not given me any of the details so I have no idea of that.

MR. FLASK: All I know is I got an invitation to it on Friday and

MR. KEYS: You were the only one then.

MR. FLASK: Unfortunately I can't be there but hopefully someone from the city will show up. Thank you. Thank you very much Mr. President.

PRESIDENT MARCHESE: Thank you for hard work you're doing on Youngstown Road. I now people appreciate it. Councilman Smith isn't here so we'll go to Councilwoman Hartman.

MRS. HARTMAN

Thank you Mr. President. First I want to assure you, I have never allowed myself to be rushed. My questions were answered on Draft 2902 and 2903 before it was ever tabled. I was ready to vote at that point in time. That's why I had no problem with voting for it tonight. I also wanted to let everyone know that I'm please to announce there's another vacant building commercial building in the 7th Ward that is going to be utilized soon. The old Masters Dry Cleaning on McMyler Street. Gustavas Hardwoods have purchased it. I spoke with them today and directed them where to get all their permits. It will be called, it's going to be a segment of that, it's going to be called Yoder's Grilling Wood. They, you burn a load and you grill out the cherry wood and use it for chips and stuff and they're going to be doing that there and using that for storage. It's a building that is commercial and will be utilized in the 7th Ward. Thank you very much.

MR. CROUSE

Thank you Mr. President. Two things, first of all Mr. Dippolito in all fairness courtesies were extended to the county. I had a long discussion today with the county and what came to us in the form of that e-mail I think was rash, it was a little unjust and this will be resolved in the next two weeks and we'll be voting on it at the next meeting.

Secondly, Chief I would ask you to extend to every police department as far as you can see, they're welcome to walk their dogs in our city absolutely any time they want. Thank you Mr. President.

MRS. RUCKER

Thank you Mr. President. Just had quite a week in Warren with the new businesses open up. One thing that happened though was quite fun for Marti and I was that Mr. Marvin was there for his ground breaking and he's opening his multi-million dollar business and commissioners and chamber folks and I teased him about the fact that he was a Browns fan. And he's standing out there coming from New Mexico with just a sweatshirt on and it was freezing cold out there. So Miss Morn and I felt we ought to go and bring him a flu shot and a brand new coat you know because he was taking the ridicule about being a Brown's fan with all these Pittsburgh Steeler fans including Mr. Keys behind me. Well we went out and with the help of the folks we got Mr. Marvin a coat to keep him warm and (inaudible) our city and we had a lot of fun doing that.

The lighting of the Christmas tree was just an outstanding event and if you missed it, I hope you can make it next year because the business owners were open. They had great sales. My daughter did quite a bit of shopping and I tried to get a two-carat diamond out of Tom Duma for thirty-five dollars, but he didn't go for it, but we still offered. And, but all the businesses were open and we had the cookie crawl and my granddaughter who sings with the Harding Choir was just ecstatic that she got a picture with a yak. She was showing that around and texting the other people. So I'm grateful for everything. But there was just something for everybody down there and I hope you guys don't miss that.

And then of course the community college and one thing I think that the Mayor and I both missed saying is that in all of this, this is for our citizens. So that you don't have to go outside of this area to get a two-year degree, you can do it right here in your own hometown. Now we still have a problem and we're going to be talking with some neighborhood groups and one particular is doing some research about transportation cause we're still going to have to have some transportation needs. But this is a great moment for me in particular

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that our congressman has come on board because I really felt that it was a one woman show and I didn't want it to be like that. The citizens were stepping up and I just didn't feel that the leadership of the city was the best, but unbeknownst to me there they were behind the scenes working and talking with the chancellor. And Mr. Keys and I, we even grabbed two people was working with community college high-jacked them, took them to our downtown area and showed some of our beautiful buildings and where we have room and space for this facility. So it sunk in and we've become a winner of it all, so kudos to us for that. Thank you Mr. President.

MR. DEAN

Thank you Mr. President. When we reflect on the life of Cliff Johnson, what a remarkable life. On Tuesday the Mayor and the Safety Service Director and I sat in the living room, probably about ten or eleven people and you could look at all of them with just the emotion of wanting to join in on the discussion on their experiences with Cliff. Just talking about him and wanting to get it out. Each person who had to call another person as I had to call the Mayor and I had to call Doug, you'll never guess what and you could hear the momentary pain in everyone's voice and the shock of the death of Cliff Johnson and the humor of Cliff. There wasn't a week that went by that I didn't get a chance to talk to Cliff Johnson. You could always bet your conversation would be divided in to three parts; the first one would be humor, the second would be really serious stuff that he thought and experienced, never nasty always with some idea that he put in your head whether you wanted it there or not and lastly that he'd be talking to you soon, and he meant just that. We were laughing because he was the one who made the recommendation for the Delta's for me and I called him and I said man, I really want to thank you. He said well I spent two hours on it and didn't want to waste my time so you had them there and that was Cliff Johnson always thinking about someone else, always finding humor but always letting you know where he was and where he thought you were. For anyone who doesn't know, his services are Saturday morning, brief calling hours from 9 until 10, and the services will begin at 10 at Second Baptist Church. There's a viewing on Friday afternoon between 2 and 4 at the Sterling Williams Funeral Home and then there is a second viewing at Second Baptist Church between 6 and 8.

One of the things that we talked about during our last conversations Chief Bowers, was he was part of community police committee that I think John Robinson formed and John Temple and he met every meeting. We had a woman from Cleveland who came to every meeting in January and February and she didn't know very much about Warren so she came in one day and she said it took me two and a half hours to get here all the way from Cleveland and Cliff said it took me about that long to get from Butler and she said, well next time take the turnpike and he said, I'll take that way home. And that was Cliff Johnson and that was how he was and all of us who knew him are going to really miss him. Thank you Mr. President.

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ADJOURNMENT 8:33 PM

**MOTION FOR
ADJOURNMENT**

Motion Dean, second Flask to adjourn the meeting at 8:33 PM.
VIVA VOCE: ALL YES. Meeting is adjourned.

dkn

Robert A. Marchese, President of Council

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