

## Warren, Ohio

### MINUTES

#### REGULAR MEETING WARREN CITY COUNCIL

**JUNE 10, 2009**

- CALL TO ORDER** The regular meeting of Warren City Council was called to order by Pro-Tem President of Council Robert L. Dean Jr. in Warren City Council Chambers at 7:30 PM, 141 South St. SE, Warren, Ohio.
- INVOCATION/PLEDGE** The meeting opened with prayer lead by 6<sup>th</sup> Ward Councilman James 'Doc' Pugh and was followed by the Pledge of Allegiance.
- ROLL CALL** MEMBERS PRESENT: Pugh, Hartman, Crouse, Rucker, Dean, Dippolito, Novak, Barkley, Morn, Flask
- OFFICIALS PRESENT** Mayor O'Brien, Law Director Hicks, Treasurer Homlitas, Director Franklin
- DEPARTMENT HEADS** Captain Bowers for Chief Mandopoulos, Chief Nussle, Gary Cicero, Bob Davis, Bob Pinti, Frank Tempesta, Bill Totten, Mike Keys, Chris Stephenson, Renee Cicero, Lisa Mazzochi, Tom Gaffney  
ABSENT: Sal DiLiello, Tom Angelo
- MOTION-ACCEPT PREVIOUS MINUTES** Motion Novak, second Barkley to accept the minutes of the last meeting but dispense with reading of the same. VIVA VOCE: Yes; 0 No. Motion passed.

#### REPORTS

- MAYOR** MAYOR O'BRIEN: Thank you Mr. President. No report.
- LAW** MR. HICKS: Thank you Mr. President. No report this evening.
- AUDITOR** MR. GRIFFING: Thank you Mr. President. No report this evening.
- TREASURER** MR. HOMLITAS: Thank you. No report.
- DIRECTOR** MR. FRANKLIN: Thank you Mr. President. No report this evening.

#### DEPARTMENT HEAD REPORTS

- ADMINISTRATIVE COORDINATOR** MRS. MAZZOCHI: Thank you Mr. President, Members of Council; Briefly, remarkably enough I have a report this evening. I know the last meeting I know Councilman Novak had asked about a purchasing consortium and I wanted you to know that we are looking into that. An agreement is with the Law Department or will be shortly again. We had visited this prior too and we always look at purchasing consortiums, we just have to ensure that they are within the state's revised code. We do participate in the state purchasing program. The price of salt has come down this year to twelve dollars a ton which is a good savings. Also we are in the city's, the natural gas program offered by the State of Ohio that has combined all twenty-eight accounts of a natural gas program and has realized a savings of a hundred thousand dollars a year. So we look at cost saving measures all the time. Currently we're going to review one for the electricity of all city-owned buildings. The county has gone with Buckeye Energy and they are getting a discount. I know that they're negotiating it now so I don't want to say too much about it. So we're looking at ways to keep cost-saving measures implemented and monitored. And I just wanted to bring that to your attention because I know there were some questions about aggregation, but you can contact me in the office and

6-10-09

I'd share other information with you that has been implemented under Mayor O'Brien and Director Franklin. Thank you Mr. President.

**POLICE**

**CAPTAIN BOWERS:** Thank you Mr. President. I just wanted to let council and the citizens know some of the stats for the month of May. The Police Department responded to 3,847 calls for service which is 1,100 more than last month; which is a trend; it's going to keep going up due to summer months when we get busy. It's something to park away. Thank you very much.

**June 10, 2009**

## **SUMMARY OF CORRESPONDENCE**

THERE IS NO NEW CORRESPONDENCE FOR THIS EVENING.

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

**PRESIDENT PRO-TEM DEAN:** At this time we will begin our public speaking session. I would ask that those speaking, please state your name, address and to speak in to the microphone with your name, your address and I would ask that you refrain from any public attacks and govern yourself accordingly. There are only four and the first is Mr. Strock, I believe.

### **PUBLIC SPEAKING 7:35 PM**

**GWEN STROCK, 548 ADELAIDE SE, WARREN, OHIO:** Gwen Strock, 548 Adelaide SE, Warren, Ohio. Hearing Officer Hipple's final transmission was heartwrenching. It's obvious none of you in this room listened to it otherwise you wouldn't have made the decision to layoff more police and firefighters. Anyone who has to call 911 or any police officers or firefighters who try to call for help know the sweet sound of sirens means that help is on the way. And Warren's, help is on the way, it just might take a while. Seconds can mean life or death. What happened to the federal stimulus money to hire fifteen Warren officers back? Has anyone questioned Officer Hipple's actions courage and brave action that night at the Bonnie Brae fire? Many of you in this room deserve to be serving the people of Warren, but you certainly do not deserve the fine safety services that the city and it's people. You are all pathetic. Police officers protect and serve and firefighters rescue. That night, Doug had to do all three—

**PRESIDENT PRO-TEM DEAN:** Ma'am?

**MISS STROCK:** Yes.

**PRESIDENT PRO-TEM DEAN:** I want to remind you of what I said at the onset.

**MISS STOCK:** Yes sir. He (inaudible) for his own safety or life because that's what they always do. They go toward danger where others run away. Doug was doing his job. It's too bad none of you are doing yours. Thank you.

**PORFIRIO C. TORRES III, 870 PACKARD ST., WARREN, OHIO:** Porfiro Torres III, 870 Packard St., Ward 2. Wanted to thank a few people. We had a boxing event Friday at the African-American Festival that went really, really well thanks to Bob Davis, Mr. Franklin for presenting a plaque to Mrs. Ricks. She really enjoyed it. And especially Helen Rucker. We didn't plan on making any money for the event, but she won a 50/50 and donated the money back to the club, so and we appreciate that so I. I really enjoyed it. It was a lot of work but it was worth it and to honor Mr. Ricks and once again I say, I hope you'll never forget him. Thank you.

**LYNN PARKER, 1816 IRENE NE, WARREN, OHIO:** Lynn Parker, 1816 Irene Avenue NE in Warren. I see we have a room full of heroes tonight. I'm glad to see Officer Hipple and our firemen here. I'm hoping that I get to see all of our police officers and all of our firemen back soon. I implore our city, our administration and our council and the residents of Warren to all get together as well as the unions. Settle this. Keep our police and fire working. I looked across the street and I saw firemen in front of the fire station today. What a good sight that was and I see more of them here.

They're still alive, why?, because they had help. We lose anymore firemen or we lose any more policemen, we're done. We don't have anybody to protect us anymore. We have to protect ourselves. No. I want my policemen. I want my firemen. I got friends that are police officers. I got friends that are firemen. Please negotiate. Do what it takes to keep our people working. That's all we're after, the people of Warren, all they want is a police officer and a firemen when they need it. They like to see it. Drive down the street. We don't have them now. We lost twenty. We can't afford five more. We can't afford ten more firemen. I can't afford it. I don't want to worry about who's in my yard. Do I have to defend my property? Do I have to defend my neighbors? It shouldn't be my concern. That's our police department. They're there to protect us. Our fire department, they're to keep us safe in our homes if they catch fire. Insurance doesn't do it; only people do it and it's going to take people in this city to get up, open their mouth, say what's on their mind, do something about it. Nobody wants to pay more taxes. Without taxes we have nothing. We don't have a fire department. I supported every tax that has come across, the police and fire tax. I supported the license plate tax. I'll support any tax. I'll go out in neighborhoods and neighborhoods. If you don't, I'll do it cause I've done it before. I'll go out and support what you need to keep people working. Please, work together. Get it done. I implore the policemen and firemen's unions, cooperate, don't capitulate, but cooperate. Everybody needs to survive here. Everybody got big raises when the tax went through, not everybody, excuse me, some people did. I didn't see all that money coming back to keep police officers working or to keep firemen working. We gotta do it. My time's almost up. Thank you. Have a good night.

**LARRY DUEBER, 1747 ESTABROOK NW, WARREN, OHIO:** Larry Dueber, 1747 Estabrook on the northwest side of Warren. 2001 we approved a safety-service levy, ½% for three years, renewed in 2004 for three more years in 2007. This council asked the voters to make it permanent which we did do. I cannot recall the language, any language in there on the ballot that stated that the amount of money that was going to be brought in by this ½% would forever fund the safety-service departments forever. I never heard the administrations state that. I never heard a council person state that. But yet we have people who think that. I've heard it stated here. I've heard it stated in the newspaper. I've heard it stated by the Tribune editorial staff. I never took it that way as a citizen and then almost immediately after the 2007 vote we saw the arbitrator give the patrolman's union almost between eight and nine hundred thousand dollars of this levy and I knew right then, we were sunk.

I'm not, do they deserve this money, certainly they do. But there's one thing that you deserve and one thing can it afford to be paid and continue to be paid. That's where we're stuck. That's the issue that we're facing. That's the problem that we have. The solutions, options, let's say, none of them are good. Layoff people, cuts in salary and benefits. Mr. Park mentioned tax increases. If you look at it realistically people, the only way you're ever going to fund our departments at the level we were, about 80 policemen and 70 some firemen would be to increase the income tax. Am I recommending that? God, no. It would never pass. There would be more people leave town and more businesses leave town. So we're between a rock and a hard place here.

Long term, we gotta work together as Mr. Parker also said. We got sacrifices, there got to be sacrifices made. Every single person in this room and every single person in this community is going to have to sacrifice. Some of it's going to come out of your pockets, some of it's real hard work. Many of you showed up at the Poggemeyer meeting the other night at Harding, 100 to 150 people. The plan, the comprehensive plan that we've been working on for almost two years to put in place. It's going to take a lot of work to put that in place. 44,000 people in this town are going to have to step forward and work together. Yes, we're going to need help from outside the community but most of it's going to have to be done right here in Warren. We can't depend on Columbus. We can't depend on Washington DC. As far as the stimulus money, we know that could eventually come, but we haven't been given it yet. (Timer went off) Thank you Mr. President.

## **STANDING COMMITTEE REPORTS**

### **FINANCE**

MR. NOVAK: Thank you Mr. President. The Finance Committee met yesterday in the Caucus Room and we reviewed the agenda for today's meeting. We did not make any recommendations on any of those drafts that are up for passage this evening. There was also a lively discussion about the proposal for legislation that was brought forward by Mr. Cicero from Human Resources about the City of Warren eliminating its Income Tax Department and contracting with RITA for the collection of income tax. Also we had some very good discussion about some of these additional fees that we are enacting on the various services that are operated and administrated by our police department. And I thank those Council Members that recognize that there's still a lot of discussion on that and that they are going to be into first reading and continue discussing them.

I think it's important and I think that we need to make sure that we can collect whatever revenue we can, but do it reasonably. Thank you Mr. President.

**LEGISLATIVE**

MR. BARKLEY: Thank you Mr. President. Just a reminder to Council Members this Tuesday the 16<sup>th</sup> at 4 PM Legislative Committee will want to discuss parking deck Drafts 2802 and 03 that will go into second tonight. And going to have some discussion on those ordinances follow up on the last committee meeting we had on it and then very briefly we're going to talk about new ordinances for Warren on sexually oriented businesses. I'm just going to hand out some information and we'll have probably an entire separate meeting on that. So we'll just be very brief on that. Thank you.

**SPECIAL COMMITTEE REPORTS**

None.

**RECOGNITION RESOLUTION**

**DRAFT 2907  
#3 TURN-CITY  
FIRE DEPART-  
MENT**

A resolution for the purpose of recognizing members of #3 Turn of the Warren City Fire Department for their heroic efforts in locating and removing four occupants from a structure fire at 368 Bonnie Brae Avenue NE on April 28,2009.

Mrs. Hartman requests the clerk to read in its entirety Draft 2907.

**READ**

Clerk reads same.

**MOTION FOR  
PASSAGE**

Motion Hartman, second Novak to pass Draft 2907.

**ROLL CALL**

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

NO: None.

**PASSED  
RES. 4426/09**

10 YES; 0 NO. Motion passed. Draft 2907 is now RES. 4426/09.

Mrs. Hartman and Safety-Service Director Franklin presented the resolution and made remarks to the fourteen members of #3 Turn of the Warren City Fire Department.

**LEGISLATION FOR FIRST READING**

**DRAFT 2908  
MOTOR VEHICLE  
ACCIDENT FEE**

An ordinance for the purpose of enacting a Section 131.11 (Motor Vehicle Accident Fee) to and within Chapter 131 (Police Department) of the codified ordinances of the City of Warren for the purpose of establishing a motor vehicle motor accident fee on behalf of the City of Warren.

Mr. Flask requests the clerk to read the title on Draft 2908 and place it in first reading.

**READ**

Clerk reads same.

REF: Police & Fire

**DRAFT 2909  
2009 TAX BUDGET**

An ordinance for the purpose of approving and adopting the tax budget for the City of Warren for the year 2010 and declaring an emergency.

Mr. Novak requests the clerk to read the title on Draft 2909 and place it in first reading.

**READ**

Clerk reads same.

REF: Finance

**DRAFT 2910  
MOTOR VEHICLE  
IMPOUNDMENT &  
TOWING FEE**

An ordinance for the purpose of enacting a Section 131.12 (Motor Vehicle Impoundment and Towing Fee) to and within Chapter 131 (Police Department) of the codified ordinances of the City of Warren for the purpose of establishing a fee on behalf of the City of Warren for those situations where a motor vehicle is impounded or towed at the behest of a Warren City Police Officer.

Mrs. Hartman requests the clerk to read the title on Draft 2910 and place it in first reading.

READ

Clerk reads same.

REF: Police & Fire

**LEGISLATION FOR PASSAGE**

**DRAFT 2911  
POLICE (JAG) GRANT**

An ordinance for the purpose of authorizing the Mayor of the City of Warren to apply to the State of Ohio, and to enter into an inter-local agreement(s) for the purpose of acquiring grant monies from the 2009 Byrne Justice Assistance Grant (JAG) Program for the city's police department, and for the further purpose of obligating the City of Warren to implement the activities encompassed within said grant and to make proper expenditures and receive funds incidental to said grant and declaring an emergency.

Mrs. Hartman requests the clerk to read the title on Draft 2911.

READ

Clerk reads same.

MOTION-SUSPEND  
THREE READINGS

Motion Hartman, second Flask to suspend the rule of three readings on Draft 2911.

ROLL CALL

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

NO: None.

MOTION PASSED

10 YES; 0 NO. Motion passed.

MOTION FOR PASSAGE

Motion Hartman, second Flask to pass Draft 2911.

**REMARKS**

None.

ROLL CALL

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

NO: None.

PASSED  
ORD. 12195/09

10 YES; 0 NO. Motion passed. Draft 2911 is now ORD. 12195/09.

**DRAFT 2912  
COLLECTION OF  
DELINQUENT DEBTS**

An ordinance for the purpose of authorizing the Mayor and the Director of Public Service and Safety to solicit, request and obtain proposals from debt collection agencies for the purpose of collecting delinquent debts owed to the City of Warren, and to thereafter enter into contract for such purpose and declaring an emergency.

Mr. Barkley requests the clerk to read the title on Draft 2912.

READ

Clerk reads same.

MOTION-SUSPEND  
THREE READINGS

Motion Barkley, second Novak to suspend the rule requiring three readings on Draft 2912.

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

NO: Dean

MOTION PASSED 10 YES; 0 NO. Motion passed.

MOTION FOR PASSAGE Motion Barkley, second Novak to pass Draft 2912.

REMARKS

None..

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

NO: None.

PASSED 10 YES; 0 NO. Motion passed. Draft 2912 is now ORD. 12196/09.  
ORD. 12196/09

**DRAFT 2913  
APPROPRIATIONS**

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

Mr. Novak requests the clerk to read the title on Draft 2913.

READ Clerk reads same.

MOTION-SUSPEND Motion Novak, second Dippolito to suspend the rule requiring three  
THREE READINGS readings on Draft 2913.

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

NO: None.

MOTION PASSED 10 YES; 0 NO. Motion passed.

MOTION FOR PASSAGE Motion Novak, second Dippolito to pass Draft 2913.

REMARKS

None.

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

NO: None.

PASSED 10 YEAS; 0 NO. Motion passed. Draft 2913 is now ORD. 12197/09.  
ORD. 12197/09

**SECOND READING**

**DRAFT 2902  
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 and place it in second reading.

READ Clerk reads same.

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**DRAFT 2903  
BUSINESS DISTRICT  
PARKING ENFORCE-  
MENT**

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 and place it in second reading.

READ

Clerk reads same.

**MISCELLANEOUS 8:09 PM**

No Comments.

**ADJOURNMENT 8:10 PM**

**MOTION FOR  
ADJOURNMENT**

Motion Dipppolito, second Hartman to adjourn the meeting at 8:10 PM.  
VIVA VOCE: Yes; 0 No.

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Robert L. Dean Jr., President Pro-Tem of Council

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

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