

## Warren, Ohio

### MINUTES

#### REGULAR MEETING WARREN CITY COUNCIL

SEPTEMBER 23, 2009

- CALL TO ORDER** The regular meeting of Warren City Council was called to order by President of Council Robert A. Marchese in Warren City Council Chambers at 7:30 PM, 141 South St. SE, Warren, Ohio.
- INVOCATION/PLEDGE** The meeting opened with prayer lead by Rev. Steve Tharp of Niles Baptist Church and was followed by the Pledge of Allegiance.
- ROLL CALL** MEMBERS PRESENT: Dippolito, Novak, Barkley, Morn, Flask, Pugh, Hartman, Crouse, Rucker, Dean
- OFFICIALS PRESENT** Mayor O'Brien, Law Director Hicks, Tom Gaffney for Treasurer Homlitas, Director Franklin
- DEPARTMENT HEADS** Interim Chief Tim Bowers, Chief Nussle, Gary Cicero, Bob Pinti, Sal DiLiello, Tom Angelo, Bill Totten, Renee Cicero, Lisa Mazzochi, Mike Keys  
ABSENT: Bob Davis Chris Stephenson
- MOTION-ACCEPT PREVIOUS MINUTES** Motion Dean, second Rucker 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 want to give this out to Mr. Novak. I got an e-mail from one of the school board members, Ed Bellino. Apparently about a dangerous building across from Warren Harding that is in your ward and apparently there's glass and things in the parking lot and the buildings open. I didn't know if you were—
- MR. NOVAK: Thank you Mr. President. Yes, the neighbor across the street called me also, Mr. Corsatea very concerned that I guess this last weekend they really smashed all the windows out that's actually the boundaries down the middle there of Atlantic Street. That's in Marti's ward but I think we've gotta really move on this. I know we're short on staff but we need to deal with this building and also too over the last couple weeks they are smashing all the windows out of the former Packard/Delphi plant on Dana, Griswold, the Powerhouse, the windows were all smashed out of that along the railroad tracks. Also they're breaking in to the was Golden Bar Excel facility down on Brighton and I hope we can get something-whether it be our building official or whoever, because I'm very, very concerned what happened with the cops at the craft building that was set on fire up there on Dietz Road and the same thing's going to happen here if we don't get these things secured.
- PRESIDENT MARCHESE: I appreciate that Mr. Novak. My only concern is that it is a dangerous situation because we we're within a hundred feet of kids. Anybody could get sliced to death if the glass is (inaudible). Mr. Barkley.
- MR. BARKLEY: Yeah, you know I'm glad you (inaudible) to him Mr. President because you know this blighted building has been a growing concern of mine for a number of years. I've complained about it on a number of occasions and it seems to be now a dangerous situation, but you know it's been vacant and blighted for several years. I suggest that we do nothing because that way if a kid gets hurt or killed in there then the blood on the hands of the owner might actually get some action on it. So maybe we ought to do that instead, how's that?
- PRESIDENT MARCHESE: Well, yeah now that's not good work-

MR. BARKLEY: Oh, oh so we want to prevent that, okay then maybe we ought to take action now after you know instead of waiting another couple years when the structure is actually falling down. I think maybe, maybe now is actually the time for us to do something about this piece of garbage.

PRESIDENT MARCHESE: Is there, Mr. Totten, is there a law on the books or Mr. Pinti, I'm sorry I'm playing department chess here, but can't we go after the owner? We're broke, why can't the owner seal this building up?

MR. BARKLEY: Tear it down!

PRESIDENT MARCHESE: Well tear it down would be much better physically for the city, but this is about the eighth time, it's embarrassing just passing –

MR. BARKLEY: (inaudible)

PRESIDENT MARCHESE: e-mailed about property I tell you. What are our options?

MR. PINTI: Mr. President, truly that building would fall under the Building Department because it is a commercial structure. We would be more than happy to assist the Building Department in any way we can, but that would truly fall under the building codes. Mr. Totten.

MR. TOTTEN: I know that we had had that building boarded up. We've gone and boarded it up ourselves. The owner has been notified what the status of that is at this moment, I don't know.

MR. BARKLEY: Perhaps Mr. President now is the time to tear it down at the owner's expense and possibly Mr. Hicks could take him to court then and sue him for the funds that we've expended to tear it down. If in fact we're going to be serious about it this is better than (inaudible) for so many years, let's just do it. Let's just rip the thing down and bill the owner. This is not a nuisance, this is not an ongoing nuisance? I don't know what stands to make a case here. I don't know how many times you have to keep listening to this thing. It, it until a kid actually gets hurt in here I'm afraid that that's what it's going to take to get this thing down.

LAW DIRECTOR HICKS: This is somewhat an unusual order of business today. I realize it's an important thing, but we're kind of way out of order here.

The just, you can't just go tear down a person's piece of property and I don't want to get in to ah, there are property rights, there are ownership rights, there are legal rights and due process rights that one must go through. One of the first things obviously is is a condemnation order based upon structurally unsound, those types of things as far as if we're just going to raze the structure. Okay? If it's a matter of the safeties and so forth there are certain things we can do and then we can lien the structure. That, that's the procedures that are available to us under the law. Obviously I understand the concern, both from members of council and everyone else and what I can tell you is I will assure you that Mr. Daughtery will meet with Mr. Totten's people and we will basically task force this issue to where we will get the appropriate building inspectors. They're both appropriate legal individuals to give them an assist and go forward with doing whatever's necessary to at a minimum try to make the structure safe and at a maximum removed if that's at all possible. Okay?

PRESIDENT MARCHESE: Thank you Mr. Hicks and I went out of order simply because we shouldn't have this and it's certainly not your problem but Council Members shouldn't go through this where we gotta explain why we're not enforcing our laws. So here's what we gonna do. Andy, would you get ahold of the Director and coincide with Mr. Hick's office and me and you and Mr. Novak and anybody else that wants to jump in this can we meet within a week and decide the destiny of this property so we're not any more further ah—

MR. BARKLEY: I certainly see this as a priority –

(Several talking at once/not audible)

MR. NOVAK: Mr. President. One ironic thing too is that every Friday and Saturday night when there's a football game down there, there's an individual stands in that parking lot and collects money for people to park in the parking lot. So they have that involvement there of collecting and making money using it for parking, but they don't want to get rid of it, so-

PRESIDENT MARCHESE: I don't want to be, you know, I (inaudible) sliced in half.

MRS. RUCKER: Can we go on?

PRESIDENT MARCHESE: All right, we'll put that in Mr. Barkley's hands and we'll meet Director within a week and have an answer? Okay.

Our first order of business now is a report by the Mayor. I'd like to call upon the honorable Michael O'Brien.

### **REPORTS**

#### **MAYOR**

MAYOR O'BRIEN: Thank you very much Mr. President, Members of Council; The only report I have is to the (inaudible) October 14<sup>th</sup> at 11 o'clock we'll be opening bids for another round of fifty homes to be demolished with neighborhood stabilization funds. Basically these homes are in the southwest, northwest and southeast portion of town and as we know the last time the bid was probably the lowest we've received ever. So again, just wanted to inform Council and you can contact my secretary to look and see what the homes are. But fifty more homes are being bid out October 14<sup>th</sup> at 11 o'clock. If you're interested come and be down at the Director's office. Thank you Mr. President.

#### **LAW**

ATTORNEY HICKS: Thank you Mr. President. This seems to be the night to talk about demolition and blight, but ah, I would like to announce that the Appeals Court, 11<sup>th</sup> District Court of Appeals has upheld our ordinance regarding inspection and inspection fees. I got the decision today. They affirm the lower courts granting of some of the judgment on behalf of the city, so that should, should being an operative word in this business, that should put this to rest so we can move on forward and continue on with our inspection program and the collection of those fees, and of course going after any delinquent fees. So again, our office will be working very closely with the Health Department and in that not only keeping it at the speed it's going, but maybe ramp it up here now that we know where we're headed on it. So I'm happy to report that. Thank you Mr. President.

#### **AUDITOR**

(Mr. Griffing is not in attendance this evening).

#### **TREASURER**

MR. GAFFNEY FOR MR. HOMLITAS: Thank you Mr. President. No report this evening.

#### **DIRECTOR**

MR. FRANKLIN: Thank you Mr. President. I'd like to formally invite council, department heads and members of the public for our swearing in ceremonies for the new Chief of Police Tim Bowers. That's Wednesday, September 30<sup>th</sup>, 10 o'clock at City Hall. Thank you Mr. President.

### **DEPARTMENT HEAD REPORTS**

No reports.

**September 23, 2009**

## **SUMMARY OF CORRESPONDENCE**

C-018-09

9-11-09

Received from the Ohio Division of Liquor Control:

A new C1 permit request:

TO: Walgreen Co.  
DBA Walgreens 09077  
3390 Elm Rd NE  
Warren, Ohio 44483

REF: Andy Barkley, 3rd Ward Councilman  
Legislative Chairman  
Police, Fire, Health, Building, Zoning, and Law  
Depts.

C-19-09  
9-11-09

Received from the Ohio Division of Liquor Control:

A new C1 permit request:

TO: Walgreen Co.  
DBA Walgreens 05549  
804 W. Market St.  
Warren, Ohio 44481

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

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

**STANDING COMMITTEE REPORTS**

**POLICE & FIRE**

MRS. HARTMAN: Thank you. Police & Fire Committee met on Sept. 17<sup>th</sup>. We discussed the vicious dog ordinance and we all agreed that our ordinance is good. We have one of the better ones in the state, however we have had a breakdown in communications which has resulted in poor enforcement of this ordinance. The Director has agreed that he will speak with Mr. Pinti and Mr. Onatz to clarify the decisions that have been made in the ordinance. Mr. Pinti is going to let Council know when the placards and the collars that the ordinance requires are many. Mr. Onatz is going to follow up. Right now there are no bit bulls registered therefore, no pit bulls belong in the City of Warren. He is to start following the ordinance and the pit bulls are to be registered. They will have the proper insurance on them or they will be out of the City of Warren. Thank you.

**FINANCE**

MR. NOVAK: Thank you Mr. President. The Finance Committee met yesterday and reviewed the original agenda for this evening's meeting. There were no recommendations made upon reviewing that agenda.

I just wanted to refer quickly to the Mayor, do we know where we're at, being that David's not here this evening, know where we're at on our 2010 budget?

MAYOR O'BRIEN: Yes sir. Thank you Mr. President. Mr. Novak, we're still making and working on a variety of different angles with the Auditor, Director, Human Resources Department, some other city personnel. So we're moving along and we'll have the deadline that we laid out for you. Thank you.

**COMMUNITY  
DEVELOPMENT**

MRS. RUCKER: Thank you Mr. President. Community Development Committee met yesterday. We reviewed and discussed rules for a skate park. The report is on file with the Clerk's office if you wish to see it. The committee would like to thank the Chief and Mr. Keys and the public for their input yesterday. Thank you Mr. President.

**SPECIAL COMMITTEE REPORTS**

No reports.

PRESIDENT MARCHESE: At this time we have some speakers before Council. A reminder to our speakers, please give your name and address and speak directly in to the microphone.

**PUBLIC SPEAKING 7:45 PM TO 7:56 PM**

**LYNN PARKER, 1816 Irene NE, Warren, Ohio:** Good evening Councilmen, Mayor, and all the distinguished members sitting at the table up there. My name's Lynn Parker. I live at 1816 Irene Avenue here in Warren. First of all I'd like to thank all those officers involved in the recent disruption of the illegal drug sale within the city limits of Warren, and I hope that we see a lot more drug confiscations and arrests and the convictions of these people selling drugs in this city if they're convicted. They all have their legal right to counsel.

I'm also glad to see that they confiscated the guns that these people were using to commit crimes and injury inside the city limits of Warren. There's a problem with, in my opinion, and others what is illegal and what's legal? The alcohol, tobacco and fire arms and the federal government set standards as to what's legal and illegal as far as a firearm. They also require that when a person buys a firearm brand new through a gun dealer that these guns have to be recorded and sold to that person. They have to fill out an application. Illegal guns, illegal gun purchases don't make the gun illegal unless the gun's altered or defaced by the serial number and other things that the government states these are illegal to possess unless you get a special license. Today in the paper and I had a letter in the mail a few weeks ago and I called the Mayor's office about it to find out and they explained it to me what his position was. In today's paper there was another article about the Mayor seemingly he joined a group of mayor's lead by the mayor of New York City which is a long ways away from Warren and has a different set of problems. But they want to eliminate all illegal firearms, I do too. I agree with that. I also want to eliminate the firearms from people who use the firearms to commit crimes; to kill children, to kill other people. Other people, yeah, that makes sense. We need to get rid of the guns out of these people's hands. If they get caught with a gun; they go to prison. But we have to get our judges and our state legislators to enforce the laws that are on the books. We need to get that done. Less people buy some firearms, the better life's going to be. Realistically speaking if none of us had firearms and only criminals had firearms, we'd all be in trouble. Guns are good up to a point. I'm an NRA instructor and a trainer. I train people how to use a firearm in a safe manner; how to store it; how to carry it; what they can and can't do. I-(timer goes off/three-minutes if up). Thank you.

**CLYDE WILSON, 2941 Regal Dr. NW, Warren, Ohio:** Thank you very much President. I got three things I want to talk about. One, I live at 2941 Regal Drive NW. My first item is I want to commend Miss Rucker, Miss Morn and Al Novak for their stance on that seventy-five dollar high jacking, I call it. The citizens ought to be outraged. They didn't say outraged, they said bewildered. I'm saying outraged when our Law Director gives them a license without the city where they can go out and pick your car up or find something wrong with it and they can easily do that. And then these policemen's with rank who fraudulent took money; you know what should have happened to 'em? They should have been (inaudible). They are a disgrace to the uniform they wear and to add insult to injury I, I don't get it where the new Chief of Police backed it up and you know what that means? He set a precedent, the next guys that do it, hey, they got away with it thirteen, fourteen times, what's the problem. When I come up, we had respect for policemen in my time. But right now, we have a problem. There's some good policemen's in this city and I know some of them. How come they didn't take their rank; they gave them a vacation. That's what they did, not suspension. You know what they did? They gave them; they had comp time, accumulated time and vacation time. So they went on vacation. They don't fire them. You call it a slap on the hand, but there are some good policemen should have been Mando with what they did. So it's a bad situation.

The seven Councilmen's; I'll call their name-Andy Barkley, Vince Flask, Doc Pugh, Susan Hartman, Dan Crouse, Bob Dean and Dippolito. You all should be put out of office. You know why because

you represent the people and the other three here that represented them Miss Morn, Miss Rucker and Mr. Novak, you work for the city, you don't work for yourself.

And here's another thing I came down here before about, were the traffic lights you were pushing. Miss Hartman, Mr. Dean you know what I say it was, it was nothing but entrapment (timer goes off)

**LARRY DUEBER, 1747 Estabrook NW, Warren, Ohio:** Larry Dueber, 1747 Estabrook northwest side. I want to speak on the same topic that Mr. Park was speaking on earlier. Thirty-five years ago in my government class I brought in a representative from the National Rifle Association and the 70's was a wild period and a lot of things going on; civil rights, Vietnam War and I exposed my kids to a lot of things and our, this was one of the topics. We dissected the Constitution; the first ten amendments. We had a lively discussion certainly as you can imagine. But one thing that stuck in my mind that the representative said was that guns do not kill people, people kill people. And I've always remembered that. I have nothing against the second amendment. I believe in it. People have the right to keep and bear arms. But I also believe in the first amendment, freedom of speech. And there is no such thing as unlimited freedom of speech. I can't, for example, threaten the president. I can't incite a riot and claim I have freedom of speech. There are limitations and we've accepted that even though some people don't like it. There have been court cases. There have been laws that have been upheld and the mayor's, what they're doing, I think is something that needs to be done. We need to be looking at that kinds of things.

There's three things I wonder about: if we brought our founding father's here, Jefferson and Franklin and others and they had a look at our society and how we operate. The guns that they had in their days were single shot pistols and rifles, in many cases were very inaccurate. I wonder what they'd thing about the guns that we have today, people walking around with them, with the AK 47's. I wonder how they would react to that and say, should we be doing these kinds of things? Should we allow these kinds of things? Should we do something to stop it? I also wonder the Mayor's, the 400 and some, part of the organization how many own their own weapons? I'm going to guess probably a majority do. So they're not saying we should not have weapons.

Lastly I'd like an NRA representative if they would, would they be willing to go sit down with the McCoy family, gather them around, look them in the eye and say that AK-47 didn't kill your child. Thank you.

## **RECOGNITION RESOLUTION**

### **DRAFT 2945 RAIDER TRACK & CROSS COUNTRY TEAM**

A resolution for the purpose of honoring and commending the Warren Harding High School Raider Track & Cross Country Team and declaring September 23<sup>rd</sup> as "Warren Harding Raider Track & Cross Country Team Day".

Mr. Barkley requests the clerk to read in its entirety Draft 2945.

READ

Clerk reads same.

MOTION FOR PASSAGE

Motion Barkley, second Morn to pass Draft 2945.

ROLL CALL

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

NO: None.

PASSED  
RES. 4434/09

10 YES: 0 NO. Motion passed. Draft 2945 is now RES. 4434/09.

Resolution No. 4434/09 was presented to members of the Raider Cross Country & Track Team along with their coaches in attendance.

The parents of the student athletes in attendance were recognized also.

## **FIRST READING**

### **DRAFT 2942 PAYMENT OF INCOME TAXES**

An ordinance for the purpose of repealing and reenacting division (a) of Section 171.06 (Collection at Source) of the codified ordinances of the City of Warren for the purpose of more fully providing for the payment to the city treasurer, by employers, of Warren City income taxes withheld from employees and declaring an emergency.

9-23-09

Mr. Crouse requests the clerk to read the title on Draft 2942 and place it in first reading.

READ

Clerk reads same.

REF: Finance

**DRAFT 2946  
PASSENGER RAIL  
PLAN**

A resolution to call for support by the U.S. Department of Transportation and the Federal Rail Administration for the State of Ohio's Stimulus funding request for Ohio's 3 C "Quick Start" passenger rail Plan.

Mr. Novak requests the clerk to read the title on Draft 2946 and place it in first reading.

READ

Clerk reads same.

REF: Finance

**DRAFT 2947  
MOSQUITO CREEK  
WATERSHED GROWTH  
PLAN**

A resolution for the purpose of supporting the Trumbull County Planning Commission's application for the Mosquito Creek Watershed Balanced Growth Plan.

Mr. Novak requests the clerk to read the title on Draft 2947 and place it in first reading.

READ

Clerk reads same.

REF: Legislative

**LEGISLATION FOR PASSAGE**

**DRAFT 2940  
MANDATORY PENSION  
PICK-UP FOR FIRE  
EMPLOYEES**

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.

Mr. Novak requests the clerk to read the title on Draft 2940.

READ

Clerk reads same.

MOTION-SUSPEND

Motion Novak, second Barkley to suspend the rule of three readings on Draft 2940.

ROLL CALL

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

NO: None.

MOTION PASSED

10 YES; 0 NO. Motion passed.

MOTION FOR PASSAGE

Motion Novak, second Hartman to pass Draft 2940.

**REMARKS**

None.

ROLL CALL

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

PASSED  
RES. 4435/09

10 YES: 0 No. Motion passed. Draft 2940 is now RES. 4435/09.

**DRAFT 2941  
REPEALING &  
REENACTING**

An ordinance for the purpose of repealing and reenacting particular provisions of the Policies and Procedures for non-bargaining personnel approved and ordained by Ordinance No. 12046/07 for the purpose of

9-23-09

**PROVISIONS OF  
POLICIES &  
PROCEDURES**

Repealing Article II (Exemplary Attendance Award Day) and adjusting and reestablishing Article 16 (Health Care Benefits) 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 2941.

READ

Clerk reads same.

MOTION-SUSPEND  
THREE READINGS

Motion Novak, second Barkley to suspend the rule requiring three readings on Draft 2941.

ROLL CALL

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

NO: None.

MOTION PASSED

10 YES; 0 NO. Motion passed.

MOTION FOR PASSAGE

Motion Novak, second Dippolito to pass Draft 2941.

REMARKS

None.

ROLL CALL

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

NO: None.

PASSED  
ORD. 12218/09

10 YES; 0 NO. Motion passed. Draft 2941 is now ORD. 12218/09.

**DRAFT 2943  
CDBG/2010**

An ordinance for the purpose of authorizing the filing of the thirty-sixth year application for a Community Development Block Grant and the nineteenth year application for the home program under the Housing and Community Development Act of 1974 and National Affordable Housing Act of 1990 and setting forth the projects and priorities thereunder for the year 2010, authorizing plans and specifications and contracts to accomplish said purposes upon approval of the funding therefore and establishing the budget for the FY 2010 Action Plan for Housing and Community Development.

Mrs. Rucker requests the clerk to read the title on Draft 2943.

READ

Clerk reads same.

MOTION-SUSPEND  
THREE READINGS

Motion Rucker, second Crouse to suspend the rule requiring three readings on Draft 2943.

ROLL CALL

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

NO: None.

MOTION PASSED

10 YES; 0 NO. Motion passed.

MOTION FOR PASSAGE

Motion Rucker, second Novak to pass Draft 2943.

REMARKS

MRS. RUCKER: Thank you. If anybody's ever been involved with the CD meetings, block grant meetings you know it's long and tedious and somehow we kind of get through it. But it's mostly because of our chairman Mr. Klingeman. He tells us at the very beginning that we will

not leave that room unless we're friends and he has this big stick to make sure that happens and even though the hours are long and it's very painful sometime and upsetting to us to cut different organizations he moves us through that. I'm going to refer now to Mr. Keys, Director of CD to speak about the people who were involved with those block grants.

MR. KEYS: Mr. President, Members of Council; I was going to say that it was a good time, she said it was tedious. We had a good time, didn't we. You weren't drinking the cool aid that we were drinking.

Thank you and we want to first of all recognize some of the citizens committee in addition to the CD Council Committee which is our Chairwoman Councilman Rucker, Marti Morn and Doc Pugh. We have some citizens who sit in there and also give up their time. There's no pay. We give them lunch, but that's about it. Not only do they do the two full days in September locked in to a room and battle over who's going to get funded, but they always give up their time when we have a meeting in August and there's also a lot of reading that they have to do. We have some of those committee members here: our chairman who actually was his first term was 1846 and he's been serving ever since, Tom Klingeman and we thank him for his service. Everybody knows Tom. Shirley Brady, Shirley's here. Shirley would you stand please. How many years now Shirley? Six. That's interesting because I was across from Shirley and I always look at her face and she makes me laugh because I know what she's thinking half the time. Karen Radovic, Karen this is what your second year serving on the committee. Thank you very much. Lea Dotson, Leah, this is her first year and we are very happy to have you. Rod Hathhorn's over there too. Rod, this is his first year. What's nice to see is younger people like Leah and Rod taking a, they really participated. I mean they asked the good questions. They got involved with the discussion. And of course another old hand Ralph DiPietro who's always been around for awhile too, always a pleasure having you.

This is a process as Councilwoman Rucker mentioned, we start in March of every year by advertising and letting people know that we accept proposals. And we start meeting with people who want to put proposals in to CD back in April. We meet with the. We explain how the application process works. We give them time and meet with them periodically one on one to help develop the application that's going to come from the committee. So this is a year long process. We bring it to Council at this time because HUD has to have our budget in by November along with our action plan for the year, so we appreciate Council's vote tonight. Thank you Mr. President.

PRESIDENT MARCHESE: I just wanted to add, one of the tougher assignments to give anybody on Council is the CD Committee and you do it the best, I'll tell you the truth, because it is a tremendous amount of work and it's all the citizens that are a member of that. I don't know if people realize it's not every city functions the way we do. The City of Youngstown, all the ward Councilman decide where the monies going to go and if you think we fight you should see when they get together. So you know it's, it's a tremendous amount of work and you've always handled it very well and to the citizens committee and especially to Mr. Klingeman who wears his age well in that process. We appreciate that.

MRS. RUCKER: Call the vote.

ROLL CALL

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

NO: None.

9-23-09

PASSED  
ORD. 12219/09

10 YES; 0 NO. Motion passed. Draft 2943 is now ORD. 12219/09.

**DRAFT 2944  
EMPLOYEES  
VACATIONS**

An ordinance for the purpose of repealing and reenacting particular provisions of Warren City Ordinance No. 12155/08 relative to vacations for the positions and employees covered by and under the current collective bargaining agreement by and between the City of Warren, Ohio, AFSCME Local 2501 and AFSCME Ohio Council 8, AFL-CIO and declaring an emergency.

Mr. Novak requests the clerk to read the title on Draft 2944.

READ

Clerk reads same.

MOTION-SUSPEND  
THREE READINGS

Motion Novak, second Dippolito to suspend the rule requiring three readings on Draft 2944.

ROLL CALL

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

NO: None.

MOTION PASSED

10 YES; 0 NO. Motion passed.

MOTION FOR PASSAGE

Motion Novak, second Rucker to pass Draft 2944.

REMARKS

None.

PASSED  
ORD. 12220/09

10 YES; 0 NO. Motion passed. Draft 2944 is now ORD. 12220/09.

PRESIDENT MARCHESE: That concludes our legislation for this evening. We're now ready for miscellaneous. Before miscellaneous I want to thank Mr. Bellino. Ed it's good to see you from the school board and I meant to mention that earlier.

Also I find back a good friend Tom Conley from the Youngstown-Warren Urban League, Tom good to see you.

**MISCELLANEOUS 8:17 PM**

MR. DIPPOLITO

Thank you Mr. President. Early, at the beginning of this meeting this evening we talked about some dilapidated buildings and the need of doing something and I want to make sure we include these, what's known as the Pamela Apartments on the corner of Tod Avenue. I did have a conversation oh a month or better or so with the Health Department and Engineering regarding this building, but it is almost. The windows in the building are broken out and it's getting worse day by day and in light of that too, we are very lucky over in the 1<sup>st</sup> Ward in that area we have a section not too far away from the Pamela that I would like some, maybe some report next meeting regarding what's happening at the Summit Street location. How soon that's going to be taken care of. I know there's money in place. We apparently have a pile of, is it soil on the corner of Summit and Tod of the Water Department's property where they're putting landfill in there and it's going to be used I assume over there. But in any event, I think a report this coming meeting would be one in hand. And let's see I think that's all for now. Thank you Mr. President.

MR. NOVAK

Thank you Mr. President. I first would like to thank all of the work that was done by Sheriff Altieri and the TAG group for what they've done and what our officers and staff here from our department did.

I think it's, it's been along time coming. It gives some positive light on what's going to happen here in the City of Warren and people have been asking for this for a long time and I'm glad to see it come and when you noticed, you saw what took place that this is not a City of Warren problem. We have young people coming from all of our surrounding townships and other cities in the area that are coming and winding up at these facilities. So when people at times kind of think there's a horse field or barrier wall there and it's not going to be in their community, that's a false notion.

So, too real quickly I would hope again that we get something done with these, the bad buildings especially the industrial buildings. Unfortunately it is an attraction to our young people. I was guilty of it myself. The then Mullins Manufacturing closed and sat empty for many years down on Brighton Street. Going in to that building and climbing around my one neighbor whose father was the former 2<sup>nd</sup> Ward Councilman, Ed Dick wound up had one of the large overhead windows break loose and fall over his head and he got over a thousand stitches and luckily his brothers were scouts and put tourniquets on him and carried him out of the building. So we've got to keep them secure and we've got to make sure that they are not going to become a victim of the arson that's taking place especially what happened with that Cox Lithograph Building down there on Dietz Road because I don't know how in God's world we would ever handle a large fire like this with the reduced fire staff that we have. Thank you Mr. President.

MR. BARKLEY

Thank you Mr. President. No remarks just want to recognize that my friend and protégé Cisty Green is here. Last year of law school now and she is here on official law school assignment to observe government in action. I don't know why she showed up she could have done it from memory from all the goggling she's been through. But Just wanted to say 'hi'. Thank you.

MRS. MORN

Thank you Mr. President. I'd like to report on the grass cutting again. A couple years ago when we started working on this program we never realized how big this program was going to get. Last year they had over about a thousand properties in Trumbull County. This year as of Sunday, they've cut 2, 239 properties in Trumbull County. Eighteen hundred in the City of Warren alone. I think that's great. I know the 4<sup>th</sup> Ward's had 72 that's been cut. A lot of people are taking notice of the change in the city because of this program. They've had groups that have sent nice thank-you notes. Judges that have sent thank-you notes for all the work that's being done. There's a gentleman from Niles knowing that fall is coming has donated leaf blowers and rakes to help with the program there. And they're setting up a program for the winter to help the seniors with the snow. A gentleman from the southwest side, a Mr. Dennis Circo who's already donated a snowblower. So this program's going to, I hope it's going to build as much as this grass cutting has. Thank you Mr. President.

PRESIDENT MARCHESE: Thank you Miss Morn and thank you for the work you've put in to that. That's been a very affective program and it's all because of you and a couple council members that were pursuing that work, so we appreciate it.

MR. FLASK

Thank you Mr. President. I'd like to commend Miss Morn on the program as well and like to ask if I can get on that list for the snow blowing? I absolutely hate it.

You know this meeting affected theme of demolition, blight and we all have buildings in our ward that need to be addressed and that continues to need to be a priority, but you know a few years ago Councilman Dean brought in some members from Habitat and did a recognition resolution and introduced us to them and I learned a little bit about them, but not very much. And a couple months ago a house two houses down from me was scheduled to be demolished and everybody in my neighborhood was quite happy about that and nobody in my

neighborhood was very happy when we found out that that house was gotten in to the hands of Habitat and it was going to be rehabbed. We have since seen that house be totally wiped out. The walls are gone; everything in the house is completely gone. The bricks and mortar for repairs have shown up. The new wood has shown up to rebuild this home. I know that there are neighbors in my neighborhood now looking at that piece of property going yeah, this just might be a good thing. The conversation that I've had with Mr. Santone and the rest of the members of Habitat have spent a lot of time in including me in their process and what they do and it is certainly a good thing in our neighborhood. It has certainly been a good thing in other neighborhoods and anybody that gets an opportunity to spend a couple hours, please volunteer with Habitat. They could use it and it is a positive in our community. Thank you.

PRESIDENT MARCHESE: Thank you Mr. Flask. Just to add to what you were saying, what's evolving tonight is something that's been going on for quiet a while and that is we're really looking at two spheres; one is residential and now we're seeing the dawn of a dangerous commercial side of Warren. The eleven of us are responsible, nobody else sits here. We're the ones that appropriate the money. Nothing gets done without us and I have said this for a number of years because I believe it, until we tackle the other side of that sphere, commercial side, we're in dangerous trouble. And I encourage people, some of you roll your eyes, but I think you'd better listen to this. If you haven't been to Youngstown and seen what they've done with commercial properties you better get in the car and drive a little bit. Because they've run circles around the whole commercial and because of the focus this Council's put on going after commercial property, it's amazing. But you're right, Habitat does a wonderful job in the housing side. I think we really as future groups have to look at where we're the commit, we're going to make to commercial because as Mr. Novak has said over the years there's so many commercial properties that are in ruins and part of that is the city structure as an aging city that we have sometimes no control over.

MR. PUGH

Thank you Mr. President. I hope we join the task force too. Many times you've heard me talk about the high crime in my area. The need for more police visibility; with your coming, the visibility has come and I think you for that. I know that I had a problem with the past leadership of the police department, I think the whole world knew it and I'm sure things are going to get better with you there and the couple busts that came down that was sending a message that needs to be sent there. I am in the high crime area. I live there every day. I have business there every day. We know the problem very well and things have to change because things that used to work in the past can't happen anymore. I'm looking forward to you and this administration to make those changes that are necessary because we can't go on like it was before with comments being made like we don't want to chase them out of here because they'll go somewhere else. That's not a joke to me and I put my money where my heart is and I fear, don't fear anybody that question my commitment to my community. The decisions that I make come from here and here as everyone on council knows. This is, this is not, this is not a situation where you deal with your own personal agendas. You deal with what's best and what has to be to make it better for everybody involved. When we begin to realize that and you do the things that you are meant to do, that you're put here to do they'll be a lot better for all of us.

However, there are things that are going on in this community that people have their own hidden agendas to get things done. I'm proud to say that I've never sold out, bought out, been threatened out of what I believe in and I will always believe that way. I came up, my dad raised me to be a man. I'm going to die a man as long as I've got my faith my my Lord, Jesus Christ and a firm commitment for what's right and what's best for all concerned. I don't have a problem. I'm not ashamed of anything that I've done. Folks need to take heed and learn some things more about what's going on than to go with this, off the

cuff, stuff just for they want to do it. I don't want to be; I didn't want to be a politician. I'm not a politician. I'll never accept that. I've always been an activist when I became a part of this civil rights struggle and civil rights means woman's right and minority rights and all those other things that go with it. And I dare anybody to question my commitment. I'll die for what I believe in. You need to understand and most of you that know me know that. I don't have a hidden agenda. I do the right things for the right reasons and I try to do them the right way. I'll go to the street if I need to, but I will be proud of what I do because I'll do it His way. Thank you Mr. President.

MRS. HARTMAN

Thank you. I'd like to commend the athletes here tonight. Running is probably the most unglamorous sport in school; in every school. When you go to a cross-country meet; you go to a track meet people that are there are your coaches and your family. There's not five hundred fans there rooting for you. But for you to get where you have gotten, you had a lot of dedication; a lot of discipline and a lot of commitment, and you deserve all the praise that you got tonight and much more. It's great sport and a wonderful athlete for being in it.

As far as the orchestrated dialogue that took place in the beginning of the meeting, I wasn't recognized in that so I want to comment now. I want to caution council about what happened here tonight. All of us have buildings in our ward that we'd like to see done a lot quicker than they have been done. Often or at least on occasion they have been near school districts and right across from buildings. Dickey Avenue had that situation happen. To get that torn down I had to go through the proper proceedings. The fire chief had to write-I would hate to think that people who have been waiting to do the proper (inaudible) bothering them about an eyesore that has been a treat to them as they get pushed down the list because someone brought one up on council before those people. That's not fair. It's a bad precedent to set. That's just my caution and also then to the residents who were here tonight when we read things in the paper we know they're not always correct. When we have speakers there we allow them to speak. Sometime the information they give is correct; sometime it is not. I just to caution citizens that were here tonight because the information that was given out about from our police department. The information was not correct. I'm sure they did not mean to make it incorrect information but it was given out incorrectly. Thank you.

PRESIDENT MARCHESE: Mrs. Hartman could I count on your help with this group since you've had practice with schools near your ward. Can I count on your help with this group now that you have experience with that?

MRS. HARTMAN: Sure, but there is a process in place Mr. Marchese. All we have to do is follow the process.

PRESIDENT MARCHESE: No will you help. I'm asking you would will you help?

MRS. HARTMAN: Yes and will you help get the 7<sup>th</sup> Ward taken care of also.

PRESIDENT MARCHESE: (inaudible reply)

MRS. HARTMAN: We have money and we have resources and we are trying the best we can. I'm just asking if you're going to call out specific ones remember those in all wards. Thank you.

PRESIDENT MARCHESE: Then I can look forward to your help with our issue?

MR. CROUSE

Thank you Mr. President. Just one point that was as I was racing wildly back from Columbus today to be here on time. We all became

aware in the paper this week of the power of one person and Meegan Demagall who came to this council, rallied the northeast side about something she felt was extremely important and she prevailed. And I, I think that in the end you're going to find out that the State of Ohio residents and everybody who was affected by this urban drilling is going to look at what happened this week as a watershed and I look forward to the meeting here on October 1<sup>st</sup> to bring more things out that I think will change a lot of people's minds. So if we don't believe in the power of one person that is clearly one person who has made a huge difference to all of us. Thank you Mr. President.

MRS. RUCKER

Thank you Mr. President. Some of the block grant citizen committee members are not here to day and just for the record I would like to mention their names. Reynolds Blackburn and Mary Ann Franklin who's also served on that committee for a long time but they couldn't be here tonight.

I'd also like to thank the athletes for being here today and unlike Mrs. Hartman, I think it's beautiful to see these young men run and the stamina that they have and think back in the day when some of you men here that went to school with me, Doug, that kind of stamina and look that good in your stretch shorts. But it's a beautiful thing, it's a beautiful thing to watch you run. Running to me means freedom. You know what I mean just running, you're out there with the wind and you just do it all my yourself. One thing that was said by the principal was they were also good academic students and to me that's the number one thing. And another thing is that they're good citizens and good people in our community and to that we applaud you again. Thank you Mr. President.

MR. DEAN

Thank you Mr. President. I think ah, last week I didn't have the opportunity to speak and I didn't mind because I knew how Mr. Flask was feeling and if I had one of the things I was going to say was how good it was to see you upright. I've seen you in two positions over the summer; one being prone and one being upright. So I'm glad to see you're feeling much better. You're looking better too believe it or not.

The second thing my good friend Andy Barkley has a way of saying things to me that only friends can say to each other and he often tells me that he knows when I feel strongly about something and I know what he's saying when he say that. I felt very, very strongly and maybe became a little more emotional than I should have about the eleven year old who was shot on April 13<sup>th</sup>. I've spent the entire week at the trail. I watched six police officers provide testimony and that testimony ranged from the time that they were called to the time that they arrived on the crime scene to collecting the evidence to making sure that that evidence was properly protected and the evidence chain was proper to making sure that they were prepared when they came to court for testimony. Many people up in that area thought that this would be another OJ trail where they would put the police department on trail. That the police department would be the ones who'd make all these mistakes and this guy would probably walk. So there were no mistakes and the testimony as I think the chief will tell you, was as brief and concise as any testimony that you ever want to see. My opinion is that you could use this testimony for any training session in any police academy in the country.

And we hear a lot about police officers and very often people don't really charge up front to talk about or even mention the names of some people who deserve it. Chief, I'm going to mention their names. If you'll be kind enough to tell them as I mention their names their were people around this room that were shaking their heads yes: Detective Mackey, Detective Stabile, Sgt. Gargas, Sgt. Hoso, Sgt. Yuricek, and Lt. Vingle. And in one case Sgt. Yuricek was a key to probably what likely will be a prosecution, maybe. And that was taking care of evidence that nobody else thought of. And that's a professional individual who thought to do that. If you'll pass on how proud we

9-23-09

were in that courtroom today of watching them our Warren police  
detectives and lieutenant. Thank you

**ADJOURNMENT 8:37 PM**

**MOTION FOR  
ADJOURNMENT**

Motion Dean, second Novak to adjourn the meeting at 8:37 PM.  
VIVA VOCE: ALL YES. Meeting is adjourned.

dkn

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Robert A. Marchese, President of Council

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

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