

REGULAR MEETING
WARREN CITY COUNCIL

May 27, 2015

CALL TO ORDER The regular meeting of Warren City Council was called to order by President of Council James Graham in Warren City Council Chambers at 7:00 PM, 141 South St. SE, Warren, Ohio.

PLEDGE/ INVOCATION **Helen Rucker, Councilwoman at Large** opened the meeting with prayer followed by the Pledge of Allegiance.

ROLL CALL MEMBERS PRESENT: Rucker, Larson, Novak, Brown, Bartholomew, Flask, Saffold, Colbert, Valesky, Sferra, Graham.

MOTION-ACCEPT PREVIOUS MINUTES Motion Valesky, second Novak to accept previous minutes as recorded by our Council Clerk and to dispense with the reading of the same.

Viva voice 10 YES, 0 NO. Motion passed.

OFFICIALS PRESENT: Mayor Franklin, Director Cantalamessa, Law Director Hicks, Auditor Griffing, Treasurer Homlitas

DEPARTMENT HEADS PRESENT: Chief Merkel, Chief Nussle, Brian Massucci, Bob Pinti, Mike Keys, Paul Makosky, Ed Haller

ABSENT: James Black, Tom Gaffney, LeeAnn O'Brien

REPORTS

MAYOR MAYOR FRANKLIN: Thank you Mr. President. I'd just like to update the status for the Eastland storm sewer Phase Two, Three, Four project. This project is on time and on budget. The completion of the pipe installation should occur – will occur this week. Miller Yount Paving who is the contractor along with MS Consultants Engineers have had a successful project despite the many challenges presented by utility (inaudible) conflicts and Dominion East Ohio Gas completing a major line relocation project at the same time as this project.

The employees of Miller Yount has received many compliments from the residents of that area for their pleasant attitude and attention to the needs of the residents. And I thank them for that.

In the coming weeks the replacement of the drive approaches, the paving of road cuts and the grating and seeding of all of the disturbed areas will bring this project to a successful conclusion. The project will not only bring a much needed storm sewer capacity for the area, but the addition of catch basins, yard drains and property grading for drainage will improve the whole neighborhood.

Having said that I'd like to thank Ed Haller and his staff for their work on shepherding this project to conclusion. Thank you Ed. Thank you Mr. President.

LAW DIRECTOR MR. HICKS: Thank you Mr. President. If any of you have been paying attention to the media you can see the Law Department has been pretty busy the last week. Those of you who may have missed it you see that the Atlantic Beverage has in

fact been closed with a preliminary injunction that will last until our next hearing which is scheduled for the middle of next month. At that time we will be seeking a permanent injunction on that particular establishment as a nuisance in the neighborhood. This is just the beginning of a part of the Mayor's initiative in going through the neighborhoods and basically cleaning up some areas through the summer and with the help of the Street Crimes Unit and the Warren Police Department this is just the beginning of many more successes. Thank you Mr. President.

AUDITOR

MR. GRIFFING: Thank you Mr. President. I would request Council's support on Draft number 3516. Thank you.

TREASURER

MR. HOMLITAS: No report Mr. President.

DIRECTOR

MR. CANTALAMESSA: Thank you Mr. President. No report this evening.

DEPARTMENT HEAD REPORTS

HEALTH

MR. PINTI: Thank you Mr. President. Just a quick reminder to all Council people. The inmate crews are out cutting grass. Please funnel all of your grass complaints through the Environmental Health Division. That's the 841-2612 number. I'd appreciate that very much. Thank you.

MRS. RUCKER: Mr. Pinti? In doing that are we also reporting assessments to these home owners?

MR. PINTI: Mr. President? Yes. At the end of the season.

MRS. RUCKER: We still are accessing them?

MR. PINTI: Yes. At the end of the season those are placed with the Trumbull County Auditor.

MRS. RUCKER: Thank you. Thank you Mr. President.

MR. NOVAK: Thank you Mr. President. I just wanted to add to the additional report from Law Director Hicks. I signed today for legislation which will be at the next Council meeting for denial or renewal of the Atlantic Beverage facility's liquor license. So that will be coming at the next meeting.

MR. HICKS: Thank you Al.

MR. NOVAK: So there's a period of time we have to get that in to the State. Thank you Mr. President. Thank you Law Director.

MR. HICKS: Thank you Al.

SUMMARY OF CORRESPONDENCE

No correspondence tonight.

5-27-2015

PUBLIC SPEAKING

PIERSON BUTCHER, 1194 Adelaide Ave SE Unit A, Warren 44484. He spoke regarding Council in general and the internet.

PLEASE NOTE THAT THE COMPLETE CONTEXT OF THE ABOVE SPEAKERS AND ANY COMMENTS THAT WERE MADE ARE ON TAPE ON FILE IN THE CLERK OF COUNCIL'S OFFICE

STANDING COMMITTEE REPORTS

TRAFFIC & SAFETY

MR. LARSON: Thank you Mr. President. No report this evening.

OPERATIONS

MR. NOVAK: Thank you Mr. President. No report this evening.

**STRATEGIC
PLANNING/**

MR. BROWN: Thank you Mr. President. I would like to announce a co-meeting of the Strategic Planning, Economic Development Committee and the Legislative Committee on June 2nd Tuesday at 5:30 in reference to Draft number 3511 and I would like the Mayor, the Director, the Law Director and all other members of Council and all other interested parties to attend. Thank you.

MR. LARSON: Could I get the date of that again?

MR. BROWN: June 2nd; which is a Tuesday at 5:30 PM in the Council Caucus Chambers. Next Tuesday.

ENGINEERING

MR. BARTHOLOMEW: Thank you Mr. President. Bids were opened for the West Market Street resurfacing project on April 30th. Shelly and Sands was the low bidder at one million eighty-three thousand dollars. Construction will begin on West Market Street in the month of July. The project will resurface 2.4 miles of West Market between the western corporation limits near Lovers Lane over to Main Street. Concrete repairs will be as needed. Man holes, water valves and inlets will also be adjusted. Federal funds are covering eighty percent of this project and twenty percent of the local share will be covered by the OPWC and we are hopefully looking for completion around the end of December.

Also, for those of you that have noticed the Parkman Road repaving Phase Three Coit Avenue between Parkman and Oakdale will be closed to thru traffic beginning Monday June 1st. The closure is needed for roadway construction work that will be taking place on Parkman Road and it is expected to last through the middle of July. And lastly concerning the street sweeping; a notice of receipt has been issued to Everbrite from North Jackson. The contract in the amount of a hundred and twenty-five thousand dollars has been authorized to sweep the improved streets and the city is presently making provisions to authorize another twenty thousand dollars to sweep the unimproved streets. Streets in the Central Business District will be swept four times a year. Arterial and residential streets with curbs will be swept twice a year and curb attached sidewalk areas will be swept once a year along with the unimproved streets. The sweeping began this week and should be completed by the fourth of July. Thank you Mr. President.

5-27-2015

LEGISLATIVE

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

**COMMUNITY
DEVELOPMENT**

MISS SAFFOLD: Thank you. No official report. However, I would like to make the announcement that any non-profit entities who are interested in applying for C.D. monies must meet in person with Erica Davis who is employed with the Community Development Department. Thank you.

FINANCE

MR. COLBERT: Thank you Mr. President. Finance Committee met last night in reference to the legislation we have in front of us. Lengthy discussion on all of the drafts that are in front of us. The biggest thing that probably came out of it was the Resolution that we will pass in reference to the 2016 budget. It shows a 1.2 million dollar reduction in perceived revenues for the 2016 fiscal year. The other thing that was pointed out at tonight's Caucus Meeting is that H.B. 5 and the ramifications there of H. B. 5; which our Treasurer has eluded to us could cost the city anywhere between two hundred thousand and five hundred thousand additional dollars to our general fund has not been figured in to these numbers. Thank you Mr. President.

POLICE AND FIRE

No report.

**PUBLIC
UTILITIES**

MR. VALESKY: Thank you Mr. President. No report this evening.

WATER/WPC

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

MR. FLASK: If I may in regards to Water Pollution; you know the Mayor had mentioned the Eastland Project that's going on. That's a twelve year program that's been twelve years in the making that was along with eight or seven other problems to be addressed. I believe four of them now have been addressed. I just want to make sure that with the leaving of Mr. Angelo those other three projects that was Council's wish list are still going to be – are in the works and going to be completed. Is that correct Mr. Haller?

MR. HALLER: I don't know. I'd have to look that up.

MR. FLASK: Could you please. Because Council passed a rate increase specifically to address those issues. And if those issues are not going to be addressed I'd like to find a way for this Council to address that and the finances thereof. Thank you.

**HEALTH &
WELFARE**

MRS. RUCKER: Thank you Mr. President. Health and Welfare will hold a meeting concerning the cut through and the parking deck issue of signage and visibility and would like to have Mr. Iannucci, the Director, someone from the Law Department and anyone who is interested to attend. That will be June 2nd at 4:30 PM.

SUB-COMMITTEES

**NEIGHBORHOOD
LIASON**

MR. NOVAK: Thank you Mr. President. I have no report. But as our Deputy Health Commissioner mentioned they are out and the program is out with Deputy Manofsky an we're going to have to be patient. With all of that rain we had in one period (inaudible) especially some of our (inaudible) are very dangerous. So hopefully we can get to those too. Because there are spots where it's difficult for people to (inaudible) the grass has gotten that high real quick. Thank you Mr. President.

FAIR HOUSING

MISS SAFFOLD: No report. Thank you Mr. President.

EDUCATION

MR. VALESKY: Thank you Mr. President. No report this evening.

**MAIN STREET/
AMPITHEATRE/
PACKARD MUSIC HALL**

MRS. RUCKER: Thank you Mr. President. No report. But I would like to add someone to the request for the June 2nd meeting; Mr. Keys from Community Development.

LEGISLATION FOR SUSPENSION AND PASSAGE

**DRAFT 3515
OBJECTION OF A
LIQUOR PERMIT FOR
FAM US II**

A resolution for the purpose of notifying the Department of Liquor Control State of Ohio, of Warren City Council's objection to the issuance of a new D-3 Liquor permit for the premises located at 2382 West Market Street, dba FAM US II, and requesting a local hearing thereon, and declaring an emergency.

Mr. Colbert requests the Clerk to read the title on Draft 3515.

READ

Clerk reads same.

MOTION-SUSPEND

Motion Colbert, second Flask to suspend the rule requiring three readings on Draft 3515.

ROLL CALL

YES: Rucker, Larson, Novak, Brown, Bartholomew, Flask, Colbert, Valesky, Sferra

NO: Saffold

MOTION PASSED

9 YES, 1 No. motion passed.

MOTION-PASSAGE

Motion Colbert, second Flask to pass Draft 3515 as an emergency.

REMARKS

RUCKER: We didn't have time in the back to talk about it because the Chief was not there. But I'd like to know what his opinion is of this draft. Also, Miss Saffold. Yes, I'd like to know why she (inaudible). But first the Chief is my concern because we didn't talk about it yesterday in the meeting and we didn't know whether he had any concerns about it or not.

CHIEF MERKEL: I don't think the concerns are built up over time. I think this was a liquor control as well as an investigation there with some comparable sales they made and they were serving apparently food without a permit. So there were some issues there. We have a meeting I believe next week. (inaudible) Correct.

MRS. RUCKER: Thank you.

ROLL CALL

YES: Rucker, Larson, Novak, Brown, Bartholomew, Flask, Colbert, Valesky, Sferra

NO: Saffold

**MOTION PASSED
RES. 4586/15**

9 Yes, 1 No. Motion passed. Draft 3515 is now Resolution No. 4586/15.

**DRAFT 3516
2016 TAX BUDGET**

A resolution for the purpose of approving and adopting the tax budget for the city of Warren for the Year 2016, and declaring an emergency.

Mr. Colbert requests the Clerk to read the title on Draft 3516.

READ

Clerk reads same.

MOTION-SUSPEND

Motion Colbert, second Bartholomew to suspend the rule requiring three readings On Draft 3516.

ROLL CALL

YES: Rucker, Larson, Novak, Brown, Bartholomew, Flask, Saffold, Colbert, Valesky, Sferra

NO: None

MOTION PASSED

10 YES, 0 No. motion passed.

MOTION-PASSAGE

Motion Colbert, second Bartholomew to pass Draft 3516 as an emergency.

REMARKS

None.

ROLL CALL

YES: Rucker, Larson, Novak, Brown, Bartholomew, Flask, Saffold, Colbert, Valesky, Sferra

NO: None

**MOTION PASSED
RES. 4587/15**

10 Yes, 0 No. Motion passed. Draft 3516 is now Resolution No. 4587/15.

**DRAFT 3511
REDISTRIBUTE CITY
INTO FOUR WARDS**

A resolution for the purpose of reducing the number of wards in the City of Warren and subsequently redistricting the City into four wards pursuant to ORC 731.01(B) and new boundaries established as authorized in ORC 731.06.

Mr. Brown requests the Clerk to read the title on Draft 3511 and place it into second reading.

READ

Clerk reads same. Draft 3511 has been placed into second reading.

5-27-2015

**DRAFT 3505
CONSOLIDATING THE
CITY OF WARREN 911
PROGRAM WITH THE
COUNTY**

An ordinance for the purpose of authorizing the Mayo and the Director of Public Service and Safety to negotiate and enter into a written agreement with the Board of Commissioners of Trumbull County, Ohio, for the purpose of consolidating the Emergency Response Program (hereinafter 911), and declaring an emergency.

Mr. Colbert requests the Clerk to read the title on Draft 3505 in title only.

READ

Clerk reads same.

MOTION-TABLE

Motion Sferra, second Novak to table Draft 3505.

MR. BROWN: Point of order Mr. President.? Under Rule 7.15 of our Council Rules could we first go into informal consideration?

LAW DIRECTOR HICKS: I believe a motion to table takes precedence. You already have a motion.

MR. BROWN: Ok.

ROLL CALL

YES: Rucker, Novak, Brown, Bartholomew, Flask, Saffold, Colbert, Valesky, Sferra

NO: Larson

MOTION PASSED

9 Yes, 1 No. Motion passed. Draft 3505 has been tabled.

ADJOURNMENT – 7:22 PM

Motion Colbert, second Sferra to adjourn the meeting at 7:22 PM.

James Graham, President of Council

Brenda Smith, Clerk of Council