

Warren, Ohio

MINUTES

REGULAR MEETING WARREN CITY COUNCIL

May 25, 2011

- CALL TO ORDER** The regular meeting of Warren City Council was called to order by President Pro-Tem Helen Rucker in Warren City Council Chambers at 7:30 PM, 141 South St. SE, Warren, Ohio.
- INVOCATION/PLEDGE** Alford Novak opened the meeting with prayer followed by the Pledge of Allegiance.
- ROLL CALL** MEMBERS PRESENT: Novak, Brown, Morn, Flask, Saffold, Colbert, Sferra, Rucker, Dean, Dippolito, Marchese
- MOTION-ACCEPT PREVIOUS MINUTES** Motion Dean, second Novak to accept the minutes of the previous meeting but dispense with the reading of the same.
- VIVA VOICE: 10 YES; 0 NO. Motion passed.
- OFFICIALS PRESENT** Auditor Griffing, Deputy Law Director Ries, Director Franklin, Treasurer Homlitas
- DEPARTMENT HEADS PRESENT** Chief Bowers, Chief Nussle, Brian Massucci, Bob Davis, Tom Angelo, Paul Makosky, Renee Cicero, Lisa Mazzochi, Mike Keys, James Black, Robert Pinti
- ABSENT: Tom Gaffney, Chris Stephenson
- REPORTS**
- ACTING MAYOR** ROBERT MARCHESE: Thank you Madame President. I met with Mayor O'Brien before he left for China and heard about his pending trip and he will return to the city tomorrow.
- Also, Madame Clerk I'd ask you to honor a motion for officially hiring at this time Brenda Smith. As we are aware our last day for Miss Darla Neugebauer was – is within a day or two. And I think at this time it would be proper if you would entertain a motion to officially; now that Darla's vacation time is over to officially hire the Clerk.
- MR. DEAN: Can I do that as so moved Mr. –
- LAW DIRECTOR HICKS: Yeah, you need a motion to appoint Darla to fill the unexpired term for Clerk of Council. I move to –
- DEPUTY CLERK: Brenda
- LAW DIRECTOR HICKS: I'm sorry. I apologize. It's been so many years. She knows I love her. Yes, to appoint Brenda for the unexpired term.
- MOTION – APPOINT BRENDA SMITH AS CLERK** Motion Dean, second Saffold to appoint Brenda E. Smith to the unexpired term for Clerk of Council.
- ROLL CALL** YES: Novak, Brown, Morn, Flask, Saffold, Colbert, Sferra, Rucker, Dean, Dippolito
- NO: None

5-25-11

MOTION PASSED

10 YES; 0 NO. Motion passed. Brenda E. Smith is elected to the position of Clerk of Council for the remainder of the 2010-2011 term.

LAW DIRECTOR

MAYOR ELECT MARCHESE: That completes my report Madame President.

MR. HICKS: Thank you Madame President. No report.

AUDITOR

MR. GRIFFING: Thank you Madame President. No report this evening.

TREASURER

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

DIRECTOR

MR. FRANKLIN: Thank you Madame President. In honor of the late Lt. Hughes I'd like to defer my comments to Chief Bowers.

CHIEF BOWERS: Thank you Mr. Director. Good afternoon Council and the public. I just wanted to say a few words about my dear friend and your public server Lt. Tim Hughes who passed away last Friday.

Tim came on to the Warren Police Department in 1968. He served forty-one years for this city. He remained living in the city and died here in the city.

Lt. Hughes is not only a personal friend of mine but a mentor to many of the police officers that work here today. In fact his nickname was "Daddy Hughes". He was a go to guy. He was wisdom. He probably wasn't real well educated or real well spoken, but Tim Hughes was a solid, good public servant that we were all would like to emulate.

And thank you for your time. I just wanted to thank Al and the Director for giving me this moment to tell you all what we've lost. Thank you.

DEPARTMENT HEAD REPORTS

No reports.

MAY 25, 2011

SUMMARY OF CORRESPONDENCE

C-015-11
5-17-11

Received from Department of Commerce, Division of Liquor Control

Notice of hearing regarding a new Class C-1 Liquor permit application for:

Noor Petroleum Corporation
4256 Youngstown Road, SE
Warren, OH 44484

Hearing will be June 6, 2011 at 1:45 PM in the Caucus Room of Warren City Council.

REF: All Council Members, Police and Law Departments

5-25-11

C-016-11 Received from the Trumbull County Planning Commission
5-24-11

Notice of a meeting to be held June 15, 2011, at 10:00 AM in the Commissioners Hearing Room 5th Floor, Administration Building at 160 High Street regarding an Enterprise Zone Proposal requested by Main Lite Electric Company, Inc./Sferra Avenue Property, LLC located in Warren City.

REF: All Council Members

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

PUBLIC SPEAKING

None.

STANDING COMMITTEE REPORTS

HEALTH & WELFARE MR. FLASK: Thank you Madame President. No report.

**ENGINEERING,
PLANNING & BLDG.** MS. MORN: Thank you Madame President. No report.

OPERATIONS MR. DIPPOLITO: Thank you Madame President. No report this evening.

POLICE & FIRE MR. COLBERT: Thank you Madame President. No report.

SEWERS/WPC MR. SFERRA: Thank you Madame President. No report.

PUBLIC UTILITIES MR. BROWN: Thank you Madame President. No report.

WATER MR. SFERRA: Thank you Madame President. No report.

TRAFFIC AND SAFETY MS. MORN: Thank you Madame President. No report.

**COMMUNITY
DEVELOPMENT** MS. SAFFOLD: Thank you Madame President. No report.

FINANCE MR. NOVAK: Thank you Madame President. The Finance Committee met yesterday at 5:00 PM in the Council Caucus Room. We reviewed the Agenda for today's meeting. There was no recommendation made on any of the drafts.

And I know I'm out of order, but I'm sure we're probably not going to have Miscellaneous. But I'd just like to remind everybody Monday is Memorial Day and I hope that we can have a very good turnout of individuals at that ceremony Monday to honor those folks; the men and women who have served this country and are now serving this country. And when you see someone like my constituent Jim Mariana who is 92 years old and he's still out putting flags on his comrades graves. That's dedication. Thank you Madame President.

LEGISLATIVE

MS. SAFFOLD: Madame President? Thank you. I don't have a report for the Legislative Committee, however I would like to schedule a Legislative Committee meeting for May 26th at 3:00 PM regarding the pending Massage Parlor legislation.

Not May 26th. I'm sorry. That will be the following Thursday. And I don't have a calendar in front of me.

MR. NOVAK: June 2nd.

MS. SAFFOLD: Alright.

PRESIDENT RUCKER: Time?

MS. SAFFOLD: 3:00 PM.

SPECIAL COMMITTEE REPORTS

EDUCATION

MS. SAFFOLD: The Education Sub-Committee met on May 23rd and it was a very good meeting. It was attended by the President of the School Board, Mr. Kevin Stringer in addition to the other committee members. And we discussed several topics. I'm excited to announce that it looks like we're going to be partnering with a recreational activity to be announced later. Also we discussed a health and fitness initiative, street repairs and a McGraw Dog Safety Prevention Program with the Southeast Coalition Group.

So overall it was a very successful meeting and we are planning on having a meeting with the entire Board later in the next thirty days or so. Thank you.

MR. SFERRA: Thank you Madame President. I – since there won't be a Miscellaneous – it will be a quick Miscellaneous I think I'd like to talk to something on the – as to the Waste Water Control Department.

As we seen yesterday next week or this week they're starting the River Walk; which has been very successful over the years. I've had questions and I still have questions on the running of the River Walk.

The Sunrise Entertainment pays the City \$40 dollars to rent the Amphitheater; \$40. If you want to rent the Shelter House it's \$250 dollars, if you want to rent the Log Cabin it's a \$150 dollars.

At Waste Water we have City employees down there, two to three of them all summer long taking care of the Amphitheater. We're not being reimbursed for that and it's just not fair to us. We have a beautiful facility there. It was paid for by the tax payers.

If you look at Avalon Golf Course it's a beautiful facility that's owned by the City; we lease it out. The owner of the - Mr. Kuvás who runs the golf course has to maintain the golf course; we don't pay a dime and he has to pay us rent.

We just went - a little while back that we picked a person to run our softball leagues. We have softball players going down playing. They have to pay Mr. Fowler and Mr. Fowler will pay the City.

The Packard Music Hall; if you want to rent the Packard Music Hall you have to pay.

My problem is we see sponsorships; Sunrise Entertainment has a sponsor to name the stage after; I think it's First Federal Bank. We get nothing out of that. We get nothing from beer sales, we get nothing from food sales. We get the bills and it's just not fair.

It's also not fair in the sense that when someone asks me why the Sunrise Entertainment – why do they get it and why doesn't anybody else have a chance I can't answer that.

I've had a promoter approach me and said that he'd be more than willing as every other facility has. From the Covelli Centre to Blossom. Everybody has a facility fee. If you go anywhere; Blossom your going to pay an extra \$3.00 for the facility. If you go to the Covelli Centre you pay \$50.00 for a ticket and you're going to pay \$3.00 more for a facility fee. That's to offset the cost.

Now I don't believe the City should make money. I don't think that's our idea that we should make money. We should at least recover our costs that we have down there plus the fact we should have a fund down there. Because if something breaks down there, if something major happens we're going to be coming out of the general fund to fix

these things. We have employees down there all of the time working on the lights. Something breaks we're responsible.

To me; I think it's too late – I understand it's too late this year, but it's something we should look in; which I'm going to look into. I'm going to meet with the Law Director. But we have a facility that we should do just like we do at Avalon; in other words bid it out. See who would do the best job for the city and the citizens and who would do the best job for the city.

\$40.00 a month rent - \$40.00 a night rent is just incomprehensible to me. Now they'll say that they pay the city maybe \$500 or a \$1,000. But the extra money is for the work. If you rent the Packard Music Hall for a thousand dollars you still have to pay extra for the stage hands, the police, so on and so forth. And that's what they do. But the basic rent is \$40.00. And it shouldn't be monopolized by one person. I think that's fair.

I don't think if a guy comes here and paved streets and we say he does a good job that we're not going to bid it no more. He's done a good job so we'll just let him pave the streets. We always bid out because it's the fair thing to do. And I think that's something I want to look into. I have nothing – I hope the Sunrise Entertainment makes a million dollars. They do a good job.

But as my mother said; and I remember in 1963 when I was sitting there watching my – the Kennedy assassination I seen them taking the Kennedy's rocking chair. And I told my mother I said what are they doing? My mother always said anybody can be replaced, anybody can do the job.

And I say that I hope they do a good job and I'm sure they do a good job and I have nothing against it. But for us to get nothing but the bills is unfair. And all I would say is I'd just like to see us bid it out and who is going to help us cover out costs, who's going to maintain that. I mean it's getting old now and we're going to have to maintain it. So I'll just shut up for now. But I'll meet with the Law Director and we'll discuss that. Thank you.

5-25-11

MR. DEAN: Thank you Madame President. Council Member Sferra, if you would like I'd be more than happy to join with you during that meeting and any effort that you have towards addressing particularly the monopoly question. Thank you.

FIRST READING

DRAFT 3146
MAIN LIGHT ELECTRIC
TAX INCENTIVES

An ordinance consenting to the execution of an agreement between the Board of County Commissioners of Trumbull County and Main Light Electric Company, Inc. and Sferra Avenue Property, LLC., providing for tax incentives by a program of abatement of real property taxes over a period of ten (10) years for the adoption of a project which will establish a new manufacturing facility and create employment opportunities within an enterprise zone located within the City of Warren, and declaring an emergency.

READ

Ms. Saffold requests the clerk to read the title on Draft 3146 and place it into first reading.

Clerk reads same.

REF: C.D.

DRAFT 3147
MASSAGE
ESTABLISHMENTS

An ordinance for the purpose of repealing and reenacting Chapter 752 ("Massage Establishments") of the codified Ordinances of the City of Warren, and declaring an emergency.

READ

Ms. Saffold requests the clerk to read the title on Draft 3147 and place it into first reading.

Clerk reads same.

REF: Legislative

LEGISLATION FOR PASSAGE

DRAFT 3144
LANDSCAPING TREES
FOR PLANTING ALONG
WARREN BLVD.

An ordinance for the purpose of authorizing the Mayor and the Director of Public Service and Safety, on behalf of the City of Warren, to enter into agreement(s) with the State of Ohio for the purpose of the city of Warren acquiring landscaping trees from the State of Ohio for planting by the City of Warren along Warren Boulevard within the City of Warren, and declaring an emergency.

Ms. Morn requests the clerk to read the title on Draft 3144.

READ

Clerk reads same.

MOTION – SUSPEND
THREE READINGS

Motion Morn, second Saffold to suspend the rule requiring three readings on Draft 3144.

ROLL CALL

YES: Novak, Brown, Morn, Flask, Saffold, Colbert, Sferra, Rucker, Dean, Dippolito

NO: None

MOTION PASSED

10 YES; 0 NO. Motion passed.

5-25-11

MOTION FOR PASSAGE Motion Morn, second Novak to pass Draft 3144.

REMARKS

None.

ROLL CALL YES: Novak, Brown, Morn, Flask, Saffold, Colbert, Sferra, Rucker, Dean, Dippolito

NO: None

PASSED 10 YES; 0 NO. Motion passed. Draft 3144 is now ORD. 12346/11.
ORD. 12346/11

DRAFT 3145
PAYMENT OF ORDERS
OR CONTRACTS 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 3145.

READ Clerk reads same.

MOTION – SUSPEND Motion Novak, second Colbert to suspend the rule requiring three
THREE READINGS readings on Draft 3145.

ROLL CALL YES: Novak, Brown, Morn, Flask, Saffold, Colbert, Sferra, Rucker, Dean, Dippolito

NO: None

MOTION PASSED 10 YES; 0 NO. Motion passed.

MOTION FOR PASSAGE Motion Novak, second Dippolito to pass Draft 3145.

REMARKS

None.

ROLL CALL YES: Novak, Brown, Morn, Flask, Saffold, Colbert, Sferra, Rucker, Dean, Dippolito

NO: None

PASSED 10 YES; 0 NO. Motion passed. Draft 3145 is now ORD. 12347/11.
ORD. 12347/11

DRAFT 3148
IMPROVEMENTS ON
U.S. ROUTE 422 An ordinance for the purpose of: Committing funds to the improvement of 1.03 miles of U.S. Route 422 and 0.30 miles of State Route 45 within the City of Warren; requesting that the Director of the Ohio Department of Transportation proceed with said improvement; and declaring an emergency.

Ms. Morn requests the clerk to read the title on Draft 3148.

READ Clerk reads same.

MOTION – SUSPEND Motion Morn, second Novak to suspend the rule requiring three
THREE READINGS readings on Draft 3148.

5-25-11

ROLL CALL YES: Novak, Brown, Morn, Flask, Saffold, Colbert, Sferra, Rucker, Dean, Dippolito

NO: None

MOTION PASSED 10 YES; 0 NO. Motion passed.

MOTION FOR PASSAGE Motion Morn, second Novak to pass Draft 3148.

REMARKS

None.

ROLL CALL YES: Novak, Brown, Morn, Flask, Saffold, Colbert, Sferra, Rucker, Dean, Dippolito

NO: None

PASSED 10 YES; 0 NO. Motion passed. Draft 3148 is now ORD. 12348/11.
ORD. 12348/11

MISCELLANEOUS

No miscellaneous.

MOTION FOR ADJOURNMENT 7:54 PM

Motion Novak, second Dean to adjourn the meeting at 7:54 PM.

VIVA VOCE : ALL YES; 0 NO'S. Motion Passed.

Helen Rucker, President of Council, Pro-Tem

Brenda E. Smith, Deputy Clerk of Council
