

Warren, Ohio

MINUTES

REGULAR MEETING WARREN CITY COUNCIL

NOVEMBER 10, 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 a proclamation to a fallen soldier read by Staff Sergeant Fertal from the U.S. Marine Corp and was followed by the Pledge of Allegiance.
- ROLL CALL** MEMBERS PRESENT: Morn, Flask, Pugh, Hartman, Dean, Dippolito, Novak, Barkley
ABSENT: Crouse, Rucker
- OFFICIALS PRESENT** Mayor O'Brien, Director Franklin, Law Director Hicks, Auditor Griffing
Treasurer Homlitas
- DEPARTMENT HEADS** Chief Bowers, Gary McBride for Chief Nussle, Gary Cicero, Bob Pinti, Tom Angelo, Bill Totten, Renee Cicero, Tom Gaffney
ABSENT: Bob Davis, Sal DiLiello, Lisa Mazzochi, Chris Stephenson, Mike Keys
- MOTION-EXCUSE COUNCIL MEMBER** Motion Dean, second Morn to excuse Councilman Crouse for good and sufficient reason. Motion passed. VIVA VOCE: Majority Yes; 1 No.
- MOTION-EXCUSE COUNCIL MEMBER** Motion Dean, second Barkley to excuse Councilwoman Rucker for good and sufficient reason. Motion passed. VIVA VOCE: Majority Yes; 1 No.
- MOTION-ACCEPT PREVIOUS MINUTES** Motion Dean, second Morn to accept the minutes of the last meeting but dispense with reading of the same. VIVA VOCE: Yes; 0 No. Motion passed.

PRESIDENT MARCHESE: We are very happy to honor Veteran's Day by moving our meeting to today and we are happy and put it on the record that we welcomed Staff Sergeant Fertal for coming here this evening.

Some reminders to Council quickly; please submit in writing to Councilman Barkley as to what one of the ward residents you would like to nominate to the Strategic Planning Advisory Committee. These are due by no later than Monday, November 23rd. I would caution all of you and I mean this with no disrespect, this is serious work, but let's find people that want to serve on this advisory committee and shouldn't involve any politics.

Council Members-elect and returning Council, I be calling two meetings; one in November, one in January for reorganization. Please watch your meeting schedule postings for that.

REPORTS

- MAYOR** MAYOR O'BRIEN: Thank you very much Mr. President. No report.
- LAW** ATTORNEY HICKS: Thank you Mr. President. No report.
- AUDITOR** MR. GRIFFING: Thank you Mr. President. No report this evening.
- TREASURER** MR. HOMLITAS: Thank you Mr. President. No report.
- DIRECTOR** (Not called on for a report)

DEPARTMENT HEAD REPORTS

No reports.

November 10, 2009

SUMMARY OF CORRESPONDENCE

C-024-09 Received from the Warren Fire Department:
10-29-09 The 2008 Annual Report.

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

STANDING COMMITTEE REPORTS

ENGINEERING MRS. MORN: Thank you Mr. President. Engineering Committee met on the 5th. We had an informal meeting to discuss Mr. Flask's zoning overlay. We are scheduling another meeting for Monday the 16th at 4 PM.

FINANCE MR. NOVAK: Thank you Mr. President. The Finance Committee met yesterday at 4 PM in the Caucus Room and reviewed the agenda for today's meeting. There were no recommendations made for passage of these drafts that are on the agenda today.

I did just want to raise a question to our Clerk if she has received notification yet on the Water/Wastewater meeting for next week from Councilman Crouse.

CLERK: No.

MR. NOVAK: Okay, all right, thank you Mr. President.

PRESIDENT MARCHESE: Regarding those meetings, I believe if I'm not mistaken we agreed yesterday there's going to be a Water and Water Pollution Control meeting and there was another committee that was going to meet, joint, I don't remember the other committee.

MRS. HARTMAN: Police and Fire (inaudible)

PRESIDENT MARCHESE: Were we going to have those together? Or what is the decision?

MRS. HARTMAN: Water/Water Pollution Control was going to be together themselves and the Police Chief and the Fire Chief I believe are ready to discuss their budget now.

PRESIDENT MARCHESE: Okay, good. Shall we set that meeting then in the absence of Mr. Crouse, who's prepared? Mrs. Hartman, did you want to set that meeting or wait till Mr. Crouse gets back or did we pick a time.

MRS. HARTMAN: I'm not even sure when he's coming back.

MRS. MORN: Mr. President, I have on my schedule that he called it for the 18th at 4 PM.

PRESIDENT MARCHESE: Okay. Yeah, it would be Water Pollution Control and Finance, correct? I'm sorry, Water and Water Pollution Control. Is that a joint meeting with Finance Mr. Novak?

MR. NOVAK: Ah, thank you Mr. President. I, yesterday to me it was eluded that it was going to be those two committees, it was not going to be those two committee joint, it was not going to be joint with Finance. That's why I was asking the Clerk if she had received a-

PRESIDENT MARCHESE: Well the sponsors, the Clerk, we can set that for Wednesday at 4.

MRS. HARTMAN: It is a separate meeting though.

PRESIDENT MARCHESE: Separate meeting. Mrs. Hartman that meeting was regarding the budget of Water and Wastewater?

MRS. HARTMAN: Some concerns in the department staffing and the budget issues.

PRESIDENT MARCHESE: I'm confused, I'm sorry. Were you having one right after or, Police and Fire?

MRS. HARTMAN: We'll follow, one right after, yes.

PRESIDENT MARCHESE: Okay, so the Water/Water Pollution Control Budget meeting will be at 4 and the Police and Fire Committee meeting regarding the budget will be at 5 and that will be Wednesday of next week the 18th.

SPECIAL COMMITTEE REPORTS

STRATEGIC PLANNING

MR. BARKLEY: Thank you Mr. President. Strategic Planning Committee met yesterday, the 9th. and we distributed the file copies to Council Members for the Strategic Plan. We discussed the formation of the nominating committee. Just referred to; just to remind Council to submit to me a name for the nominating committee as soon as you can and once I receive those submissions from Council Members, we'll call together another meeting and make a determination on that. We also made the decision to extend a 5th committee nomination to the Board of Education and I will; I didn't have an opportunity to call them today, but I will reach out to the board chairman there and get a response by our next meeting.

And then finally, we had an update from representatives of the NBOC to give us kind of a synopsis of what they've been doing in Warren or Trumbull County towards revitalization and how it kind of fits in to our efforts and with that we adjourned at 6:55. Thank you.

PRESIDENT MARCHESE: I spoke with Miss, school board, -

MRS. HARTMAN: Miss Limperos?

PRESIDENT MARCHESE: Limperos today who called, but she's in Columbus for the school board for today's meeting and for just for your benefit, she had said that they would welcome that one spot. So I told them what entails.

PUBLIC SPEAKING 7:45 PM

LISA MILLER, 1944 PARKWOOD DR., WARREN, OHIO: Hi, my name is Lisa Miller. I live at 1944 Parkwood Dr. and what I am hoping to do is prevent a problem before it becomes a problem and I would like some advice for that. We have a situation in our area Parkwood Drive, Stewart Drive and Stewart Circle where we have an area with an individual that I would say is less than mentally stable at times and has become confrontational. I called the Police twice in the last two weeks; they responded wonderfully, very efficiently, very affectively. What I would like to know is

what we can do or what you can do to help us with this before it escalates in to something else. We're seeing a problem in our area of individuals moving in to these particular set of apartments that are less than neighborly. What can we do to keep-we take good care of our neighborhood and take excellent care of the yards. We are very fortunate that we've had few situations with houses going to people that don't want to take care of them and I know Bob Pinti has been wonderful working with us in the past when we did have a couple of situations. I don't want this situation to escalate. What can we do to get these people to keep their tenants under control so that no one including children (inaudible)

PRESIDENT MARCHESE: Let's do two things Miss Miller, one, the committee process can help you with that and if you can stay around after the meeting, myself and the person and the Director can meet for a few minutes. And the second thing is you want to continue your communication with the Chief which appears ongoing and we're happy for that. If you would stay around after the meeting we'll do that. We'll get you some tools for that.

MISS MILLER: I think it will help the whole community and it could be a tool that may be used in other areas. That's what I'm hoping for. Thank you.

CLYDE WILSON, 2941 REGAL DR, WARREN, OHIO: Thank you Mr. Chairman, respect to the Council and ladies and gentlemen; I came here tonight to speak concerning this issue that came out in the Youngstown Vindicator about the promotion of a Lieutenant Marhulik. Who was off duty; who was drinking and taking his medicine according to the paper; who is up for a promotion. I'm not going to use the work that he used, but I would like to so I will reference it as the 'n' word. Where on several different occasions he sought bikers, people on bikes, and went to lower income property off-duty (inaudible) using the 'n' word. I'm going to have to use what my brother Bill said to me just a few minutes ago when I was sitting back there, lead by example. You lead by example. When Police Officers talk about crime in the southwest section as I heard Councilman from the southwest section say, the problem we have over there. We got crime right here in the Police Department. When Police Officers can break the law; they're not above the law. We all subject to the law. When the law happens to get him arrest and not to all of us, we believe in what we do. You sworn to take an oath to serve and protect; am I right? When you don't do that, when Police Officers in our city can commit crimes and go unpunished (inaudible) They're good Police Officers and I know some; I've met with some of them. I went to internal affairs yesterday concerning this issue. We, we cannot continue to dip our heads like it's not happening, that it's not going on, people are not saying these things. If I was a Police Officer and I reported it, told Mr. Cole, if I stepped over the line, he would fire me. I went to the ministerial alliance (inaudible) and I said well you know I understand you all was called to go down to (inaudible)

PRESIDENT MARCHESE: Your time is up. But I do want to do this and I respect the and I was going to this, I was going to get residents. Lets continue this dialogue. I'm a little bit uncomfortable about a situation that might be ongoing. If you would Mr. Wilson keep in contact with the Director, I know that-

MR. WILSON: I will do that.

PRESIDENT MARCHESE: I do appreciate that.

TERRILL HARVEY, 1964 WICK SE, WARREN, OHIO: Thank you Mr. President. My name is Terrill Harvey. I live at 1964 Wick Street. I'm here on behalf of the group that was with us last week called (inaudible) We had a conversation last week and we want to start a project in the community (inaudible) youth to get involved in the community so we had an agreement that I would speak tonight asking about can we assist the Council (inaudible) in the community in different wards. So if you feel (inaudible) or anything that is unusual in the community that you can like (inaudible) Councilmen or women. So like that's a project I'd like to start and the next Council meeting I would like to speak again on the (inaudible) and what they're decision is and if it will (inaudible) Thank you.

PRESIDENT MARCHESE: Thank you Mr. Harvey. Why don't after the meeting what I would like to do is pull your Councilman Mr. Flask and the Education Chairman and I applaud you and teens in general in Warren that want to get active in our city. There's a gentleman behind you that is very active with his group in the 1st Ward area and they, they strive in that (inaudible) and I think that you and your friends can also. In a city where by age 25, 10 out of people your age leave, I think that you two should be commended for what you want to do. It's a great accomplishment. So we will work with you and if you stay here after the meeting for a couple minutes, we'll pull these two fine gentlemen and (inaudible). Okay, thank you.

LARRY DUEBER, 1757 ESTABROOK NW, WARREN, OHIO: Larry Dueber, 1747 Estabrook NW, side of Warren. Another letter the Tribune did not publish. I commend the Mayor of Warren and Police Chief Tim Bowers for the leadership you have provided the city. We all know the financial difficulties that this city has been facing. Our safety forces have been hit hard with layoffs and in such times creative decision making is a must and Chief Bowers has thus far satisfied this need. Restructuring his force so that more officers are on the streets at peak times and focusing the departments efforts in areas where crime is more common has created a safer environment for Warren’s residents. Chief Bowers also recognizes the advantage of working with the residents to help prevent crimes. We have several neighborhood associations who are working to make their areas as safe as possible. We now have a Police Chief who is willing to listen to suggestions and work as partners in these efforts. We thank him for his open-minded viewpoint. The Chief is also working with the Trumbull County Sheriff’s Office to coordinate as many services as possible. The Drug Task Force is a good example. He has correctly pointed out that crime knows no boundaries. Working together is a requirement not just an option. Everyone would love to see more Police Officers on the streets of Warren short of an increase in the tax base to a study supply of grant money we will have to rely on a smaller staff. Chief Bowers is dedicated to making his department as efficient as possible and making Warren a safe place to live. Wise residents appreciate his leadership and his willingness to work with all of us. Keep up the good work, Chief.

I have to say if I wrote the letter criticizing him, it would have been in the next day.

PRESIDENT MARCHESE: Thank you Mr. Dueber. I don’t have much to do with the Tribune. I kind of got my own Bay of Pigs here, but I will tell you you should direct that to this young lady over here who would be more than happy to bring that to her superiors, all of whom live in Cortland.

LEGISLATION FOR PASSAGE

**DRAFT 2959
APPROPRIATIONS**

An ordinance for the purpose of 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 2959.

READ

Clerk reads same.

**MOTION-SUSPEND
THREE READINGS**

Motion Novak, second Barkley to suspend the rule of three readings on Draft 2959.

ROLL CALL

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

NO: None.

MOTION PASSED

8 YES; 0 NO. Motion passed.

MOTION FOR PASSAGE

Motion Novak, second Morn to pass Draft 2959.

REMARKS

None.

ROLL CALL

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

**PASSED
ORD. 12231/09**

8 YES: 0 No. Motion passed. Draft 2959 is now ORD. 12231 /09.

**DRAFT 2960
RECONSTRUCTION OF
SR 169/NILES RD**

An ordinance for the purpose of authorizing the Director of Public Service and Safety to enter into agreement (s) with the Director of the Ohio Department of Transportation, and any other agreement(s) and/or contract(s) which may be necessary or useful for the rehabilitation and

11-10-09

resurfacing of TRU-SR 169 (Niles Road SE) from South Street SE to southern corporation limits and declaring an emergency.

Mrs. Morn requests the clerk to read the title on Draft 2960.

READ

Clerk reads same.

MOTION-SUSPEND
THREE READINGS

Motion Morn, second Novak to suspend the rule requiring three readings on Draft 2960.

ROLL CALL

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

NO: None.

MOTION PASSED

8 YES; 0 NO. Motion passed.

MOTION FOR PASSAGE

Motion Morn, second Novak to pass Draft 2960.

REMARKS

MAYOR O'BRIEN: Thank you Mr. President. Just a brief comment, again I want to thank Engineer Bill Totten for packaging this and these types of programs. The resurfacing that we received this year on Market Street; the resurfacing last year and reconstruction of Parkman Road. The reconstruction of Parkman Road is going to be going on for the next two years, Phase II and Phase III. Mahoning Avenue resurfacing will be on next year; Tod Avenue resurfacing going on next year; improvements and High Street resurfacing is going to be going on next year. The different enhancements on North Park and on High Street, the packaging takes place in say for instance 2010 and the projects are utilized in 2015, 2016. The work that's done now by the engineering department makes all these things possible. Thank you.

ROLL CALL

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

NO: None.

PASSED
ORD. 12232/09

8 YES; 0 NO. Motion passed. Draft 2960 is now ORD. 12232/09.

**DRAFT 2961
2010 CENSUS**

A resolution for the purpose of affirming support of the 2010 Census.

Mr. Flask requests the clerk to read the title on Draft 2961.

READ

Clerk reads same.

MOTION-SUSPEND
THREE READINGS

Motion Flask, second Morn to suspend the rule requiring three readings on Draft 2961.

ROLL CALL

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

NO: None.

MOTION PASSED

8 YES; 0 NO. Motion passed.

MOTION FOR PASSAGE

Motion Flask, second Hartman to pass Draft 2961.

REMARKS

None.

ROLL CALL

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

11-10-09

NO: None.

PASSED
RES. 4440/09

8 YES; 0 NO. Motion passed. Draft 2961 is now RES. 4440/09.

**DRAFT 2962
COMMUNICATION
COORDINATORS
CONTRACT**

An ordinance for the purpose of approving and implementing the collective bargaining agreement between the City of Warren, Ohio and the Ohio Patrolmen's Benevolent Association for Communication Coordinators and declaring an emergency.

Mr. Novak requests the clerk to read the title on Draft 2962.

READ

Clerk reads same.

MOTION-SUSPEND
THREE READINGS

Motion Novak, second Hartman to suspend the rule requiring three readings on Draft 2962.

ROLL CALL

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

NO: None.

MOTION PASSED

8 YES; 0 NO. Motion passed.

MOTION FOR PASSAGE

Motion Novak, second Dean to pass Draft 2962.

REMARKS

MAYOR O'BRIEN: Thank you Mr. President. I just want to again I want to commend the, I call them the dispatchers, they're called the communication coordinators. I want to commend the dispatchers and the Human Resource Department for working for the quicker negotiations and some time, but important is the cure of the affect over the years and the dispatchers, excuse me coordination coordinators, communication coordinators have realized in these trying times in 2010 and they stepped up. So I want to commend the communication coordinators under the leadership of Teresa Scirocco. Thank you.

MR. NOVAK: Thank you Mr. President. And I, too would like to congratulate those workers. We know it's a difficult situation when you have to sacrifice and give up perks, benefits, income. I've been through it myself many times and its especially a difficult situation now, but again I, you need to be congratulated as to being the first from that bargaining unit stepping up and especially saving in the health care area which we know that's one of the areas where we're going to have to look in the future at going out and establishing a new health care plan to try to save money. But again, you should be congratulated and this is basically showing the taxpayers that you're willing to continue serving them and giving them the opportunity to have that service at less a cost. Thank you. Thank you Mr. President.

DIRECTOR FRANKLIN: Thank you Mr. President. I would like to commend and thank the communication coordinators for stepping up and bargaining in good faith. I've always said this and I've said this to them on many occasions, I don't think the public really understands and appreciates the intensity level and the work that's done and the stress that they're under quite often in the performance of their duties. But every response to a call starts right there. I've always referred to it as the belly of the beast because that's where the work gets done first to connect that Police Officer to the citizen starts right there in that communication coordinators room. So I'd like to thank you, congratulate you. Hopefully that spirit will continue throughout the rest of our negotiations. Thank you Mr. President.

11-10-09

ROLL CALL

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

PASSED
ORD. 12233/09

8 YES; 0 NO. Motion passed. Draft 2962 is now ORD. 12233/09.

MISCELLANEOUS 8:09 PM

MR. DIPPOLITO

Thank you Mr. President. First let me congratulate you for having that young Marine here on a special Veteran's Day and (inaudible) directly here or relatives, family, friends that have served in the service in the past and are there now.

Also would like to remind my colleagues to try and make this coming meeting Water/Wastewater, etc. I think there's some unique things seem to have arisen given the authorized strength and I think Mr. Cicero will be there to explain it and I hope (inaudible) the Law Dept. etc. and so after that have a good evening, and thank you again.

PRESIDENT MARCHESE: Thank you for mentioning our Staff Sergeant who was here today. By a way of reminder just for those Council Members that in public that might be interested, a Veteran's memorial service tomorrow at the amphitheater beginning at 11.

MR. NOVAK

Thank you Mr. President. Quickly I would like to refer to the Mayor and Director. If we can get some quick resolution the former Packard plants, there are no light on in there whatsoever. This has been going on since last Friday. I also called Mr. Taneyhill and left him a message. I've seen in the last couple days since these lights were off people have been in there. They're ripping some of the metal roofing over the docks in Plant 8 there on Griswold and also they've damaged even more windows at the powerhouse on the Dana Street plant. If you can contact somebody there.

Also a meeting I had yesterday with the owner of the powerhouse-concerns about some issues there. There's some lighting that's out along the riverwalk behind the powerhouse; if we could address that. Also, too lastly I hope everyone can make it tomorrow for the ceremony for Veteran's Day. I know my old soldier at home, I've got him finally talked in to finally going, he won't go, but he's agreed to go tomorrow. So again just sacrifice a couple hours, go down there and give the praise and thanks to those that have given time out of their lives and given their lives to keep us under freedom and democracy that we so porously are allowed to utilize here in this country and in these chambers. Thank you Mr. President.

MRS. HARTMAN

Thank you. Suddenly reminded of when you're looking at that budget and we're all seeing lower numbers that we would like to see, the one thing that you can't afford to short in that budget is the training. When we have people lead our safety forces in particular, although it would affect every department, a lot of money that is spent to train these people are gone. That needs to be done. We have certifications that need to be in place. Be careful of that in this budget to make sure it is in place. Thank you.

PRESIDENT MARCHESE: Thank you. And before the Pro-Tem I want to thank Darla for a yeoman's work today, sick as a dog, probably needing a doctor's visit or Oral Roberts or somebody, but she came to work, worked all day. We tried to send her home, she wouldn't hear it. So Darla even though you can't talk we appreciate you and this was the most confusing thing in the world tonight, everybody talking and calling Mr. Dean, ma'am Clerk. So Mr. Dean.

11-10-09

MR. DEAN

Thank you Mr. President. I just wanted to piggyback on what you said. I just think Darla proved that it took prior military people just to do a part of her job and we say it all the time privately, but we appreciate you Darla.

To the dispatchers, I put the Chief on the spot I think it was last Council meeting when I asked him if he even remembered how many calls we've had last year. Probably all of you knew because it was just short of the population of this city. And that's the number of people who call in on two phones and one radio and one person. I remember a few weeks ago there was a triple shooting and one person had to sit there and sort all of that out and get good information to every officer out there, and every officer out there had the confidence that they had good information from that dispatcher. I think what you do, as many of the police officers, is just unheralded and most of us don't know that some of us really appreciate. To Captain Bowers and to Larry Dueber the Tribune-

(Reply) Chief Bowers.

MR. DEAN: Chief Bowers. And I said I was the first one to call you Chief. To Chief Bowers and to Larry Dueber we continue to prove to the northwest side of town that this is our city. We said we were going to send out three message to the children; it's Halloween and you are going to have fun. To the parents; it was going to be safe. To the hoodlums; stay home, and that's exactly what happened on Halloween. Three years ago we had, I had an onion from the Tribune which said it was a waste of time. Well the last three years there hasn't been any broken windows, any children hurt, any arrests in that area. I just want to say to Captain Bowers, Chief Bowers, I want to thank you for allowing us to meet. We came to your office and you didn't know we were coming and there was some confusion in the scheduling, but you met with us and you talked with us and we put a plan in to operation. And Capt. Jan and Patrolman Greaver, Patrolman Brown who followed up, it was a good night and for the northwest people and to Eddie Colbert who learned what they do when they patrol and how they patrol it's just an absolute splendid approach to keeping a neighborhood safe. And we really appreciate all that you do. Thank you Mr. President.

PRESIDENT MARCHESE: Thank you Mr. Dean. Tailing on what you said I'll never want to hear the replay of a certain call from my house on April 29th when laughing in the background from about three cars, he fell how? And through what? So I salute them also. Mr. Dean.

ADJOURNMENT 8:16 PM

MOTION FOR ADJOURNMENT

Motion Dean, second Novak to adjourn the meeting at 8:16PM.
VIVA VOCE: ALL YES. Meeting is adjourned.

dkn

Robert A. Marchese, President of Council

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