

# Warren, Ohio

## MINUTES

### REGULAR MEETING WARREN CITY COUNCIL

**March 9, 2011**

- CALL TO ORDER** The regular meeting of Warren City Council was called to order by President Robert Marchese in Warren City Council Chambers at 7:30 PM, 141 South St. SE, Warren, Ohio.
- INVOCATION/PLEDGE** Eddie Colbert opened the meeting with prayer followed by the Pledge of Allegiance.
- ROLL CALL** MEMBERS PRESENT: Colbert, Sferra, Rucker, Dean, Novak, Brown, Morn, Flask, Marchese  
ABSENT: Dippolito, Saffold
- OFFICIALS PRESENT** Mayor O'Brien, Auditor Griffing, Law Director Hicks  
Treasurer Homlitas, Director Franklin
- DEPARTMENT HEADS** Captain Marhulik, Assist. Chief Suttles, Gary Cicero, Rick Griffing, Bob Pinti, Tom Angelo, Paul Makosky, Mike Keys, Lisa Mazzochi  
ABSENT: Renee Cicero, Chris Stephenson, Jim Black
- MOTION-EXCUSE ABSENT COUNCIL MEMBERS** Motion Rucker, second Novak to excuse Council Members Dippolito and Saffold for good and sufficient reasons. VIVA VOCE: 8 Yes, 0 No. Motion passed.

PRESIDENT MARCHESE: We welcome our guests this evening to this meeting of Warren City Council of March 9<sup>th</sup>.

### REPORTS

**MAYOR** MAYOR O'BRIEN: Thank you very much Mr. President and Members of Council. I just have just a few things to say. Number one, the Census has just been released. Like everything else, I get the information from the media and our population in the year 2000 was 46,832. And our population according to the Census is 41,557; for a decrease of 11.2 percent.

Now, no secret to anyone that we're facing the same declines as other urban communities in the State of Ohio. For instance the City of Youngstown; our population decreased 11 percent and the City of Youngstown population decreased 18.2 percent. So we in the Mahoning Valley are all suffering from the same population decline.

However, as members of Council realize and are in the process of implementing the Comprehensive Plan, it gives us an opportunity again to right size our community and reinvent ourselves. It also gives us an opportunity to change and adjust our focus; change our focus. Timing is proper in regards to the newest legislation on land banking throughout the State of Ohio; the Greening Yard Community in greening the City of Warren for obviously eliminating the blight and going through the land bank legislation in cooperation with the County Treasurers office to make our community the best community we can make it at a population of 41,557.

At the same time we are also going point by point and we will be going point by point in the implementation of the Comprehensive Plan. We now have a university in our borders to help us in this plan. It will take our community

Groups, our neighborhood groups and our volunteer organizations. But the point is we will be right sizing our community, we will be adjusting our community in consistent with the comprehensive plan that has been established. And it is more than the land use plan. It's the total comprehensive plan for all entities and all progress activities that will be awarded in the City of Warren.

Also, I was in attendance and I want to again thank Council for approving the budget which enabled Packard Music Hall to still be the enjoyable venue that it is. I was at a Warren Civic Music concert Monday; again, it was a packed house at Warren Civic Music. A matter of fact this year is all sold out; Warren Civic Music. And it was very entertaining and the changes in the Music Hall from the stage floor to the sound system to the lights are just pleasing to everyone that has the opportunity to attend.

Now for the other last point of the issue, we had a Department head meeting last Monday. This last week we had 728 man hours patching potholes. 80 tons of coal patch was used. So that's 728 man hours to patch using 80 tons of coal patch. The batch plants for the hot patch can't open soon enough. And hopefully with this weather breaking and the batch plants opening soon that we will be able to have some permanency towards those disastrous pot holes plaguing this entire valley. Thank you.

**LAW DIRECTOR**

MR. HICKS: Thank you Mr. President, no report.

**AUDITOR**

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

**TREASURER**

MR. HOMLITAS: Mr. President. No report.

DIRECTOR MR. FRANKLIN: Thank you Mr. President. No report, but I'm going to defer to the Fire Chief; Assistant Fire Chief Suttles to give us an update. We were having a busy day and we have a busy next two days in the Fire Department. I would like for him to give a full report to Council. Thank you Mr. President.

ASSIST. CHIEF SUTTLES: Thank you Mr. President. We started the interview process this morning for candidates in the Fire Department; our attempt to hire 15 people because of the Safer Grant. We started that process today and we're going to continue through the week and try to interview 30 people in the process.

Also, they are in the process now at the Fire Station, we're putting in our vehicle exhaust system. That was from the money secured from the AFG Grant and our 39 SCBA's we put in service in the last two weeks. The unique thing about this new SCBA system, they have a - it's a tracking device in these systems where we can find a downed fire fighter in a quick manner. So that was part of the plus that comes with this system. It's a new state of the art system. But those are in service.

The exhaust system probably will be in all three stations here in the next couple of weeks. Oh, SCBA - I'm sorry Self Contained Breathing Apparatus. Those are the air tanks that we wear into a fire. Thank you.

**DEPARTMENT HEAD REPORTS**

**WATER POLLUTION CONTROL**

MR. ANGELO: Thank you Mr. President, Council Members, Citizens. Just want to address some of the flooding and the water issues and it seems like between Waste Water and Water and the Street Department and Engineering Department we get to play tag team on things that are going on.

This has been a very roller coaster winter. If we even thought to console on both the Water Department lines and on the roads; which is one of the reasons the pot holes are as bad as they are, last Monday we had an unprecedented weather event. We went to bed with 8 inches of snow and woke up to green grass.

In the interim we got an inch and a half of rain. That translated to almost 3 ½ inches in a very short period of time. A lot of people are looking at it as a 500 year flood; which in 2003 we had a 100 year flood.

We actually survived pretty good compared to a lot of the other communities in northeast Ohio. The average flow to the Waste Water Treatment Plant is about 8 to 10 million gallons a day. And on that morning we went up to 67 million gallons coming into the Waste Water Treatment Plant.

Now that's nothing really. Cleveland has 3 waste water treatment plants that is serving them. Their largest one is their southerly plant. That one treats about a 128 to a 140 million gallons a day on a regular basis. It saw one billion gallons. And the water was so hard that the very first building that the waste water comes into got totally overrun and the water actually came out of the windows and doors – blew the windows out actually. They had to take the operators and repel them down from the roof to actually try to get the system back up and running. And it took 3 ½ days for them to de-water the tunnels.

So we did get a lot of flooding. And what I - the whole reason I'm trying to say this is we got rain coming again. And the grounds are already saturated from that; which is causing surface running. And when that happens two things you have to watch for. The first one is you can't see the potholes anymore; but they're still there. So be cautious as your driving down the road. You're not going to see that pot hole. It's going to look like water and it might be 8 inches deep or so. So be cautious as you're driving down the road.

And the other one; and this is the one I'm more concerned about. I know there was a lot of people that didn't call me or call the facility when they got either water on their road or water in their basement and I really can't help you if I don't know that you're having concerns.

So don't be afraid; call. We're manned 24 hours a day. The Police Department also calls us and makes us aware. So if you call the Police Department they usually – and actually the Fire Department also. We kind of all work as a team.

But if you do get a flooded basement; and I'm gonna be putting out a brochure here real quickly about this. It's a concern that the Fire Department and the Waste Water Department shares. If you get a flooded basement you have to be very cautious; especially if you have a pilot light in your furnace. That gas may not if you have a faulty valve it may not shut off. You may have gas. Call your Fire Department and call Waste Water.

Also, if you have outlets that are down along a foot and a half off of the floor so when you get water down there, be careful because if you don't have a GFI and if the breaker doesn't go there's a real possibility that that water could be live. So keep that in mind, please call. We want to be out there. We want to know you're having issues. The Fire Department wants to make sure that you're safe. We want to make sure that you're safe. So just a little heads up. And if you really want to help us out on the flooded roads, really kind of do me a favor. Rake your leaves. That's probably the largest problem we have is the catch basins are plugged with last years leaves. And it makes it tough. But that's it. Thank you.

MR. FLASK: Thank you Mr. President. Mr. Angelo, we – I had a situation where there was a fire in my ward due to the flooding in the furnace and so-forth. If they call the Fire Department do – does that go down as a report to you from that resident? Because I do encourage my residents to make that phone call. But I want to make sure that it's being recorded by your department.

MR. ANGELO: The Fire Department usually let's us know if the basements got water in it. A lot of times we'll work in cooperation; especially if the road is flooded. We'll – if there's cars that are blocking the road - oh that's the last thing I should have probably mentioned.

I think there's I want to say 25 square miles or something like that that the city encompasses. There is no way in a rain event like that that we can mobilize the forces of this city fast enough to put barricades up on all of the roads. Please, do me a favor, tell your neighbors, tell your cousins, aunts, uncles, relatives, nephews, nieces if there is water on the road your car will not go through it. Don't drive through it. It places more burden on the Fire Department, Police Department, Waste Water to go and get your extremely intelligent person out of there. So, but yeah, we get notified.

MR. FLASK: Mr. Angelo, I don't know if you answered that question. Do they notify you? Does that go down in record with your department? I know that you track every time a phone call comes from a resident, so it does. Alright, thank you Mr. President.

**MARCH 9, 2011**

**SUMMARY OF CORRESPONDENCE**

C-008-11 Received from the Warren Municipal Court:  
3-4-11 The 2010 Annual Report.

REF: All Council Members

(A copy of this report for Council's review is in the Clerk's office)

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

**MOTION-ACCEPT** Motion Rucker, second Novak to accept the minutes of the last meeting  
**PREVIOUS MINUTES** but dispense with reading of the same. VIVA VOCE: 10 Yes; 0 No. Motion passed.

**STANDING COMMITTEE REPORTS**

**FINANCE** MR. NOVAK: Thank you Mr. President. The Finance Committee met yesterday to review the agenda for today's meeting. And basically the majority of the discussion was on those drafts that have been brought in that are now 3112R, 3113R and 3114R. And I believe we've cleared that up that we know what was removed from that.

And what I would ask of Auditor Griffing when he has time if he would please for clarification on each one of those ordinances, would he please give me a list of the pertinent department heads and other appointees that are under each one of those elected officials and who all is affected underneath each one of those so that we can review that.

And then the reason why that I did put those into 1<sup>st</sup> reading is that I want to make sure that all Council Members are available to be able to vote on that ordinance. If anyone feels that they need to have an off week Finance meeting please contact me. Otherwise we will have those three ordinances will be on the agenda for the next meeting, second reading and we will review it at that pre-meeting Finance meeting. Thank you Mr. President.

3-9-11

**LEGISLATIVE**

MR. FLASK: Thank you Mr. President. The Legislative meeting – committee met last week in regards to the information on Draft 3117 –

CLERK: It's 19.

MR. FLASK: Thank you. 3119. We met to discuss the (inaudible) of the station – the Palmyra Road Station. And the committee agreed to recommend this for passage. However, with information received this evening from the Police Department we want to put this into first reading. Thank you Mr. President.

**POLICE & FIRE**

MR. COLBERT: Thank you Mr. President. On Monday March 7<sup>th</sup> Police and Fire Committee met in regards to Draft 3106. The Fire Department as well as the Safety Service Director was able to answer Council's questions to satisfaction to where the sponsor I believe is now pulling that piece of legislation off of the table. Thank you Mr. President.

**WATER/WATER  
POLLUTION CONTROL**

MR. SFERRA: Thank you Mr. President. I'll be calling a Water and Waste Water meeting for next Tuesday at 4:00 PM. Mr. Angelo will give us an update on the Storm Utility Projects and so-forth. The Administration is welcome. But it's not one of those where you have to be there. Thank you Mr. President.

**ARBOR COMMISSION**

MR. BROWN: Thank you Mr. President. I would like to call a meeting of the Arbor Commission on Wednesday the 16<sup>th</sup> at 6:00 PM and ask that anyone who's interested be in attendance. There will be several people from the State government in attendance also. Thank you.

**COMMUNITY  
DEVELOPMENT**

MRS. RUCKER: Thank you Mr. President. I can't remember the date that we had the – well anyway, the Community Development committee hosted the Ukrainians coming to our City to talk about economic development and do comparison of some of our departments.

We had a great presentation that was put on by the Community Development Department and a lot of feed back from the Ukrainians – they really wore some nice clothes too. We took a lot of pictures. We had a good time. So I really want to thank all of the Department Heads who took the time to come out and exchange with the group; as well as the Council people who were also in attendance. The Mayor was here, the Director was here. I just want to thank you guys for all being here. Our Law Director did come in. I think they followed you upstairs to the Court. So they really enjoyed being in our city and we did tell them that you know, the old saying when you drink the water you will be back. So they're looking forward to a trip back and we're hoping that we get to go their way you know. Thank you Mr. President.

**SPECIAL COMMITTEE REPORTS**

None.

**PUBLIC SPEAKING 7:48 PM**

**LYNN PARKER, 1816 IRENE AVE. NW, WARREN, OHIO 44483:** One of the problems that I'd like to address is our still short fall on Police Officers and we're finally seeing some firemen coming Back to work and I'm grateful for that.

3-9-11

Some of the residents in my area and other areas are getting somewhat older. I've been informed that I'm too old to be chasing people through my backyard now. And it's time to find someone younger than me to handle the streets.

But our Police Chief when we call he sends someone over as quick as he can. But there comes a problem with reporting and getting reports. A lot of times you have to go down to the Police Department to fill out a report on a simple theft or a breaking and entering.

Some of the other areas in cities now are starting to implement a plan where citizens are trained to do simple reports, investigate, take finger prints, simple small things that free up a police officer. That might be something that we might be able to look into in the City of Warren.

Because of our finance problem and not being able to get police as many as we'd like to have the citizens, but get someone to be able to do those calls for residents that are unable to get out of their house to do the simple investigations for breaking and entering and whatever we can do to make it easier on our Police Department. So they can handle calls and to get the reports done so the Police are able to deal with the breaking and entering and the thefts and minor car accidents where there's no injuries. But it's just to take pictures and fill out a report.

I do want to thank our Fire Department and our Police Department for their give backs over the past year and two years. Those are greatly appreciated by us as residents and tax payers. And I'm hoping that with the next round of negotiations that are I guess in the process, I've been out of –

DIRECTOR FRANKLIN: They're complete.

MR. PARKER: They're complete? Well I've been out of touch for a couple of months. Wasn't in jail or anything. But I was down and out for a little bit. Not sleeping in the streets, but I wasn't doing well medically. Wasn't in the nut house either, so.

But I do want to thank everybody for everything they've done to keep the city alive and keep the – keep as many police and firemen as we have and to get new firemen. I would have liked to have seen the Safer Grant come for the Police Department, but realistically we can't afford it. And I know that. Even though I still argue there's money somewhere. I've been looking under rocks in Warren and in the pot holes and I haven't found any. So, but thank you.

**PIERSON J. "BUTCH" BUTCHER JR, 1194 ADELAIDE AVE. SE, WARREN, OH 44484:** I want to agree with what exactly what he says. I don't want to have to say it over. Police, Fire, Bob Pinti, Health Department you're doing a great job on my side of town. My Council lady here, Marti is doing a great job.

But I had a trip to West Virginia. I found out when I went into New West Virginia to Weirton I never found one pothole. But they don't put salt on the roads. They put ash from the coal – I mean electric fired furnaces and stuff that create the heat and power for the electric and they put sand. We need to maybe investigate that.

Dredging the river and the government paying 700 million it's like you know it would have been a good thing if it happened 10 years ago wouldn't it. Look at the parks that we got now.

Ah, I'm gonna start cleanup on the southeast side. I'm gonna to start as soon as this snow goes away. I talked to (inaudible), I talked to the other young lady here today about getting a dumpster to put in there. So starting from Adelaide all the way to the Mahoning River on the 4<sup>th</sup> Ward we want to clean Youngstown Road up. We don't want the blight up to our knees. And I talked to the young lady back here too. We're going to get together on this southeast organization.

And the Weed and Feed, we'd like to get some money to pay these people and buy gasoline for the equipment we got. Some kind of grant or something. You can't have somebody operating your equipment without the knowledge of knowing how to do it. You just can't put kerosene in there and think it's going to run when it's gasoline run. You need the right people and you got to give them a little bit of money. \$7.50 an hour or whatever the minimum wage would be great. But four hours a day for two days – ah two days for maybe three times a month; that aint money, that ain't nothing. We throw that away you know.

But we need something to motivate these people. Especially our citizens that are helping us. Just like he said. I'm getting older myself. And this might be the last year I'll be here. But I will be here, but I'll be in West Virginia and North Carolina. But we won't pick the trash up and we don't want to interfere nothing with none of the unions. So sort of guide us in that way. And I appreciate everything ya'll doing. You're doing great. You answer all my calls. Thank you.

PRESIDENT MARCHESE: Thank you Mr. Butcher. We have a hundred dollars for you by the way. We have a hundred dollars for you by the way.

MR. BUTCHER: Ok.

PRESIDENT MARCHESE: Mr. Browns' cell phone went off twice. One hundred dollars in fines. Surely sir you can use that and buy a lot of kerosene.

### **RECOGNITION RESOLUTIONS**

**DRAFT 3117 HONORING INDUCTEES INTO WARREN HIGH SCHOOLS' HALL OF FAME** A resolution for the purpose of honoring and commenting this year's inductees into the Warren High Schools' Distinguished Alumni Hall of Fame and the recipients of the Distinguished Faculty Award.  
Mr. Dean requests the clerk to read Draft 3117 in its entirety.

READ Clerk reads same.

MOTION FOR PASSAGE Motion Dean, second Novak to pass Draft 3117.

ROLL CALL YES: Colbert, Sferra, Rucker, Dean, Novak, Brown, Morn, Flask  
NO: None.

PASSED 8 YES; 0 NO. Motion passed. Draft 3117 is now RES. 4488/11.  
RES. 4488/11

MR. DEAN: Thank you Mr. President. I don't know if there are any other relatives present of any of the honorees, but I do know that Dana Morgan is one of the honorees. And if she is not the youngest ever, she is certainly one of the youngest ever inducted into the Warren High Schools' Hall of Fame.

And her father is here; who is Sonny Morgan who is sitting in the back. And Dana of course would not be where she is today if it had not been for her parents. And she had the best two parents that anyone could ever hope to have. So Sonny if you would just wave at us so we can say thank you. Thank you Sonny. Thank you Mr. President.

PRESIDENT MARCHESE: Mayor, why is it that none of us Catholics ever get – Flask went to Kennedy, (inaudible) went to Kennedy. None of us are ever honored (inaudible) distinguished. (inaudible)

**DRAFT 3118 HONORING HELEN ALBERT** A resolution for the purpose of honoring Helen L. Albert and proclaiming March 30<sup>th</sup>, 2011, and each March 30<sup>th</sup> thereafter, The "Helen L. Albert Day of Prayer and Paying It Forward Day".

Mrs. Morn requests the clerk to read Draft 3118 in its entirety.

READ Clerk reads same.

MOTION FOR PASSAGE Motion Morn, second Novak to pass Draft 3118.

ROLL CALL YES: Colbert, Sferra, Rucker, Dean, Novak, Brown, Morn, Flask  
NO: None.

PASSED 8 YES; 0 NO. Motion passed. Draft 3118 is now RES. 4489/11.  
RES. 4489/11

**LEGISLATION FOR FIRST READING**

**DRAFT 3112R  
SALARY FOR LAW  
DIRECTOR, DEPUTY  
AND ASSISTANTS**

An ordinance for the purpose of: Establishing the salary of, and certain benefits for, the office of Director of Law of the City of Warren, Ohio for 2012, and thereafter; establishing the salaries of, and certain benefits for, the deputy and assistants to said Director of Law for 2012, and thereafter; and declaring an emergency.

Mr. Novak requests the clerk to read the title on Draft 3112R and place it in first reading.

READ

Clerk reads same.

REF: Finance

**DRAFT 3113R  
SALARY FOR AUDITOR  
AND DEPUTY AUDITOR**

An ordinance for the purpose of: Establishing the salary of, and certain benefits for, the office of Auditor of the City of Warren, Ohio for 2012, and thereafter; establishing the salary of, and certain benefits for, the Deputy City Auditor of the City of Warren, Ohio for 2012, and thereafter; and declaring an emergency.

Mr. Novak requests the clerk to read the title on Draft 3113R and place it in first reading.

READ

Clerk reads same.

REF: Finance

**DRAFT 3114R  
SALARY FOR MAYOR  
AND DIRECTOR OF  
PUBLIC SERVICE AND  
SAFETY**

An ordinance for the purpose of: Establishing the salary of, and certain benefits for, the office of the Mayor of the City of Warren, Ohio for 2012, and thereafter; establishing the salary of, and certain benefits for, The Director of Public Service and Safety of the City of Warren, Ohio for 2012, and thereafter; and declaring an emergency.

Mr. Novak requests the clerk to read the title on Draft 3114R and place it in first reading.

READ

Clerk reads same.

REF: Finance

**DRAFT 3115  
MAINTENANCE OF  
DAVE GROHL ALLEY**

An ordinance for the purpose of authorizing the Mayor and Director to enter into a written agreement easement agreement for the maintenance of an encroachment into the public alley now known as Dave Grohl Alley, F/K/A Market Alley, and declaring an emergency.

Mrs. Morn requests the clerk to read the title on Draft 3115 and place it in first reading.

READ

Clerk reads same.

REF: T & S

**DRAFT 3119  
COMPUTER CENTER AT  
FORMER PALMYRA RD  
FIRE STATION**

An ordinance for the purpose of authorizing the Mayor and Director to enter into a written user agreement with the 6<sup>th</sup> Ward Community Coalition for establishment of a Computer Center at the former Palmyra Road Fire Station, and declaring an emergency.

Mr. Flask requests the clerk to read the title on Draft 3119 and place it in first reading.

READ

Clerk reads same.

REF: P & F/Finance

**LEGISLATION FOR PASSAGE**

**DRAFT 3116  
STREET SWEEPING**

An ordinance for the purpose of authorizing the Director of Public Service and Safety to advertise for bids and enter into contract(s) for the street sweeping of various streets in the City of Warren, Ohio and declaring an emergency.

Mr. Novak requests the clerk to read the title on Draft 3116.

READ

Clerk reads same.

MOTION-SUSPEND  
THREE READINGS

Motion Novak, second Colbert to suspend the rule requiring three readings on Draft 3116.

ROLL CALL

YES: Colbert, Sferra, Rucker, Dean, Novak, Brown, Morn

NO: Flask

MOTION FAILED

7 YES; 1 NO. Motion failed.

Placed in 1<sup>st</sup> Reading. (This draft was not referred to committee.)

**DRAFT 3120  
OHIO SENATE BILL 5**

A resolution for the purpose of opposing Ohio Senate Bill 5.

Mrs. Rucker requests the clerk to read Draft 3120 in its entirety.

READ

Clerk reads same.

MOTION-SUSPEND  
THREE READINGS

Motion Rucker, second Dean to suspend the rule requiring three readings on Draft 3120.

ROLL CALL

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

NO: None

MOTION PASSED

10 YES; 0 NO. Motion passed.

MOTION FOR PASSAGE

Motion Rucker, second Novak to pass Draft 3120.

**REMARKS**

RUCKER: Thank you Mr. President. The resolution that was just read is a resolution to stand with all our over 400 employees of this city. It seems that the Governor should have come to Warren and to other cities like ours and ask how is collective bargaining working for you. And we would have told them our experience over the last five years when they made suggestions to cut costs in operating our city, when they volunteered with community projects, when they gave back their pay, when they gave up healthcare and other benefits. We would have told him that collective bargaining is working fine in Warren, Ohio and we want to keep it.

Some people view this draft as a move against tax payers. But I'm going to offer a more accurate view. And that is that the people of Trumbull County who are union members are also our neighbors, also residents of the City of Warren and also our tax payers themselves. Their children go to our schools and we stand with our over 400 city residents and employees, neighbors and friends and we stand with our Warren City School Teachers and the children in those classrooms. We stand with the senior citizens who will be directly affected by the lack of services that are going to be in this bill. And we stand with the Veterans and the working poor who go to work everyday and scuffle and try to make ends meet in our city; that's what this bill is about.

You know when you hear the news and the media reports they don't give you - they just give you a little draft - a little bit of the top surface of this bill. But this bill runs deep. And it's going to cut deep in our communities. It's going to affect everybody who lives here. It's not just about union workers. You know it's not just about union workers. It's about all of us. And so that's why the Council Members have joined with me; Ms. Morn, Mr. Novak, Mr. Sferra and myself have - Mr. Flask have joined together in supporting this bill. Because we know the lasting affects of it. And we want our Governor to know that on this issue we stand for our city and we stand against him. Thank you Mr. President.

MR. SFERRA: Thank you Mr. President. I have been serving my whole life; since 1972 in Municipal government. But what I don't understand we have a governor whose credentials so far as far as cutting the budget; he's worked in Congress. They've done a pretty good job. Then he went to work for Fox (inaudible). Then he went to Wall Street; God know (inaudible) job that they've done.

So this - the while the state government put themselves eight billion dollars in debt, while the federal government burying us because they are in debt; cities like Warren, Youngstown, Cleveland we don't have debt. We don't have a deficit because we had to do the right thing.

Now when I was Mayor we use to have in the 90's we had a hundred people in the Street Department. Now we're down to twenty. We had eighty policemen and now we're down to fifty. We did the tough things and we did the cuts.

Now for the Governor and the state officials all of those clowns in Columbus to come and tell us how we should run our city is pretty much like me and my wife getting Charlie Sheen for marriage counseling. Who are these guys? These are the same ones that decided that we shouldn't have residency. These are things that (inaudible).

And I'm this - and the whole thing with the collective bargaining, it's not like the cities were hollering and clamoring for this. He didn't campaign on it. Obviously after two weeks in office this was a big deal - the biggest thing ever in the history of the State of Ohio. He didn't say one damn word on the campaign trail. It shows that he's a sneak. And this is basically a national agenda.

Jay Leno said it best the other night when he said policemen, firemen, government workers with health benefits and retirement are now the elite in this country. The people at Wal-Mart and working at K-Mart they're the middle class. So if you're making fifty grand wearing a bullet proof vest or running into a fire and taking care of our water you shouldn't get these benefits.

If you look at the rational, if you look at our water bills; I think I paid my water bill today. It was \$24.00. With all of the sewer and garbage it was about \$61.00. They're all and all of those services are provided by union employees with benefits and with retirement. On the other hand, as I was breaking pencils writing out my cable bill; which is all staffed by contract people and there isn't a union man anywhere in sight, it's a \$186.00. So we must be doing something right as a city.

If you look at - if you asking the 400 city employees - if you go countywide, there's probably a thousand or fifteen hundred people that work for a government, your talking about taking four to five thousand dollars away from each employee. Your talking about millions of dollars in this area that they're not going to spend. I don't quite understand.

Usually it's the commentators on TV who are making like thirty-two million dollars are talking about a policeman or a fireman or a teacher making fifty grand; which is outrageous. And I think we all know that the station in life when you're making fifty thousand or sixty thousand or forty thousand, you're not putting that money in stock. You're buying things for your family, you're buying things in the community.

They did a study; well they didn't do a study; to bolster their side if they'd have taken – if all of the cities would have – if Columbus would have followed this, they would have saved more than twenty million dollars or whatever it is, well that doesn't take Einstein.

We could just say why don't all city employees, all government employees make seven bucks an hour, no benefits (inaudible) save. It just isn't right. This is (inaudible).

For the policemen to take a cut, the firemen to take a cut, the water – what the hell does that have to do with the eight billion dollar budget deficit of the state? If every teacher; and I remember all – it pisses me off about the (inaudible).

I remember how my teachers from first grade all through and I respected all of them and they want to bang that. But the State has eight billion dollars deficit that they ran up; the same guys that are jumping up clapping for this governor are the same ones that ran them in debt. But if every employee here takes a cut and the county it still billion dollars. What does that tell you. It has nothing to do with the state budget deficit. It has everything to do with busting up the unions. And it doesn't take a rocket scientist to figure that out.

If they just come up with one (inaudible) and every policeman and fireman they're all taking cuts, every teacher and the eight billions going to get down then I can understand it. It's not going down a dime. Not a dime. And I don't know how much chance we have of stopping this in the House, but I would hope and I'm sure that the unions and everyone's going to fight to put it on the ballot. Because this is something that we should all be alarmed about.

And I had a friend of mine; he brought it to me very (inaudible). He said so what they want to do is like when my father came from Italy in the 20's. And I said right. Work in the mills, get beat up, not get the benefits and just treat us all like second class citizens. And it just isn't right.

And I urge everyone to support this bill. And I wish the citizens would look at this. Because when we're talking about the policemen and firemen it's like Ms. Rucker said. We're talking about our neighbors. We're not talking about ghosts. We're talking about our neighbors, people that live in our city who grew up in our city. Thank you Mr. President.

MR. NOVAK: Thank you Mr. President. What I'd like to ask is what happened to bargaining in good faith? I have never seen in my life an individual except - I'm a history buff and I saw it happen in Germany. It was just the anniversary the other day of the burning of the Reichstag; which was the more or less state capital of Germany. And right after that Adolph Hitler got busy and got rid of all of the unions in Germany. And this reminds me of that.

When you legislatively with malice want to remove workers rights without showing anybody anything, making statements; which paper after paper have said it's wrong. You're not going to have that major amount of affect on those workers.

I would like to see first if he's a strong governor, if he's serious. What's he giving up? Is he giving up some pension? Is he giving up some wages? Is he giving up the – some pension and benefits? Is he going to start paying on those? And I'm sure he's got a nice fat little pension built up from all of the elected positions that he's had.

And a real laugh is when he was on TV and actually ran in front of Mayor Jackson in Cleveland and thought it was such a great thing because he brought a movie crew to Cleveland to film a movie there. Does he realize that all of those people are members of the Screen Actors Guild, the Carpenters Union, the Electrical Unions. So how can you be glad that you're bringing them there, but they're going to be next. It's not going to stop here. It's going to keep going. And I don't know why it has to be this way with our country the position that we're in.

Why does it have to be that you're going to shove this down people's throat. Because unfortunately a lot of these people; you have the Tea Party, you have these other groups out there. They are so misinformed. They don't realize what's happening. They're talking about removing the tenure for teachers, for professors. And it's going to be on a merit system. I have never heard of anything so ridiculous in my life as what is taking place by this Governor.

Also too, we must remember he still has not revealed his income tax filings when he left Lemman Brothers. And I'd like to know what kind of vehicles he has parked in his garage. The first thing that he proposed and got done after he was sworn-in was he refused to live in the Governors Mansion. But the tax payers are spending a quarter of a million dollars to put security systems at his home. And after he leaves office; which I hope is soon, that will all remain in there.

So yes, I'm a forty-two year union member. What I think he should have done as a man, as a governor, as a leader when he took office he should have said ok, I'm going to sit down with all of the main representatives of all of the unions in the State of Ohio and say have a problem here. Can we work together. Can we look at possibly cutting some (inaudible) . Can we look at possibly more being paid for your pensions, more for your benefits. But again, we're back to bargaining in good faith. Not with malice and not trying to shove it down people's throats. Because I don't care if it's in Ohio, if it's in Wisconsin.

If anybody gets a chance, get on line and see what a fiasco has happened in Indiana. And what took place there when that governor thought that he was going to cure this and they brought in private security in the prisons and they had the most escapes they have ever had with having private individual companies handling some of the worst most dangerous criminals in the state of Indiana. So we can see what could happen here.

But when you try to have a development group that goes privatized, what's the first thing that he does? He makes sure that he does it so he can violate the Sunshine Law. They have an internal Auditor so they don't have to meet publicly, they don't have to report what's being spent and you bring a man from California to run our State Community Development Division. Why? There's nobody in Ohio that has the abilities to do this?

So now's the time they think that they're going to try to fool the unions that we're not going to be able to be able to come up with the money to put this on the ballot as a referendum. Because we know what's next. Right to work law. That's right behind this. Because they all got together and formed their little plan before they all got sworn in. And you know what? I make a substantial donation every month to my CAP for my union. And if this passes I'm going to double it because I know we're going to have to fight the right to work law. Don't try to

knock the workers down. Act like a leader not a dictator. Thank you Mr. President.

MR. BROWN: Thank you Mr. President. I know this is just a Resolution and it's been a very, very hard vote for me thinking about this. Looks like Senate Bill 5 will ultimately be decided by the voters of Ohio this fall after an initiative petition drive by the various unions of Ohio; of which I'm a member of United Steel Workers of America Local 3523. But when thousands of Packard Delphi retirees were defrauded by the governments PPGC out of up to 70% of their pensions we passed no resolution.

MRS. RUCKER: Yeah we did.

MR. BROWN: When almost three hundred employees at Denman Tire lost their jobs because of our governments trade policies we passed no resolution.

Now I've agreed to suspend the rules to allow my fellow Council Members to vote, but I prefer to allow Senate Bill 5 to run it's course with the citizens. Thank you.

ROLL CALL

YES: Colbert, Sferra, Rucker, Dean, Novak, Morn, Flask

NO: Brown

PASSED  
RES. 4490/11

7 YES, 1 NO. Motion passed. Draft 3120 is now RES. 4490/11.

**REMOVE FROM COUNCIL FILES**

DRAFT 3106

A resolution for the purpose of expressing Warren City Council's opposition to the City of Warren accepting an FY2010 Safer Grant and urging the Administration of the City of Warren not to accept such a grant.

Mrs. Rucker requests the clerk to read in title only Draft 3106.

READ

Clerk reads same.

MOTION-REMOVE

Motion Rucker, second Novak to remove Draft 3106 from Council files.

ROLL CALL

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

NO: None

PASSED

8 YES; 0 NO. Motion passed. Draft 3106 has been removed from Council files.

PRESIDENT MARCHESE: That concludes our legislation. Before miscellaneous, Mr. Hicks if I may. We've talked; I'll be very, very brief. We've talked about Senate Bill 5. The forgotten issue I'd like to kick out. We talked about the workers. But I'd like to talk very quickly to you about the funding.

There are three sacred cows in the State of Ohio. The Ohio Department of Mental Health, the Ohio Department of Mental Retardation or MRDD and the Ohio Department of Addiction Services. Already in the month February we are seeing huge cuts; as my 50 employees are already telling me. We're seeing huge cuts in the funding for those who need it the most. So not only will our workers suffer; and I know I don't talk (inaudible). But not only will our workers suffer in Ohio, but those who need the services the most suffer also.

MR. FRANKLIN: Thank you Mr. Marchese. Can I ask Council to entertain a 2 minute recess before we proceed? And could I –

**TWO MINUTE RECESS 8:28 PM**

Motion Rucker, second Novak to recess for 2 minutes.

MOTION – RECESS 8 YES, 0 NO to recess for 2 minutes.

**BACK TO REGULAR SESSION 8:30 PM**

MOTION – BACK IN REGULAR SESSION Motion Rucker, second Novak to move back into regular session.

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

NO: None

MOTION PASSED Council went back into regular session at 8:30 PM.

**MISCELLANEOUS 8:31 PM**

MRS. RUCKER Thank you Mr. President. Now the task of Council is a bitter sweet one, because we are left with the sorrowful task of saying goodbye to one of the most wonderful women I have ever met in my entire life; and that is our Clerk.

So for now I would like to ask Darla to please join me at the podium and also you Mr. President.

Darla, on behalf of Warren City Council we would like to present this to you for our appreciation for all that you have done (inaudible) making us look good on days that we really should have look bad. You've done it all. And Darla I thank you personally from the bottom of my heart for the things you've done for me and (inaudible). Just a token of appreciation from Council Members and the Director and friends that are all on your card and (inaudible).

PRESIDENT MARCHESE Before Darla speaks, I'd like to fill in a few blanks for everybody. Back in May of 1992 myself, then Councilman At Large O'Brien; now Mayor and Director; at that time Councilman At Large Franklin were the screening committee to hire a new Clerk and that was well over 18 years ago if you remember – 19 ok. Alright, alright. I'll be 58 too. Darla was a delight then. She was at the top of our list our of at least I don't know 18 people Doug? And Darla, Helen said it best. You made us look good. And I don't think of anymore delight that any of us have had than the ability to work with you. You have been a gem, kind, warm hearted and compassionate. And we hope you have just the best. God bless you in the future and you know you always have friends here ok.

DARLA: Thank you everyone so much. I really – you know it overwhelms me. You know it's hard to say goodbye. But I am looking forward to my future life and to golfing and to having sunshine everyday and freedom eating breakfast when I want to. And – but being here in Council I have really tried to do – I tried to do the best job I knew how to do and I tried to do it fairly for everyone. I hope everyone thinks I did that. If I didn't, you know forgive me. I tried to treat everyone as equals. Because that's how I want to be treated so I tried to treat everyone else the same way.

And one of the best things that happened for me was being able to work with Brenda. She and I hit it off for 12 years. To be in an office for 8 hours with someone you don't like is really tough. But we shared so much. And I'm telling you you're all fortunate that she said yes she's come back. Because this job isn't an easy job. It's a very challenging job. That's why I liked it because it was something different everyday. You didn't know what was going to happen. You'd think you had a free day and then you know people would come in, people would call, you'd get voice mails, the computer wouldn't work. Where's Jim Black? You know something different would happen all the time.

Between Friday and today Brenda was wondering if she really should have come back. Because everything that could happen wrong was happening. But I told her it was a good thing. Because I was still here to back her up and help her along the way a little bit.

But I'm glad that she's back and she'll continue on in the best way she knows how to serve the City of Warren and the Council Members. So thank you very much.

MR. NOVAK

Thank you Mr. President. I too would like to ditto Councilwoman At Large Rucker's comments. And I don't think people realize; I mean after working 42 years in retail grocery when you work with the public it's a rough job. That's why even though it's called the graveyard shift I prefer midnights because you don't have to do with too many people. And the ones that get really bad you just have them hauled away and put in jail.

But I really think that Darla has handled herself well and we've been through being the last 20 years; we've been through a lot of controversy, a lot of tough times. A lot of times I know when people called when Darla was the sounding board for those people. They couldn't get a hold of their council person or all of the council members.

And plus too, I don't think a lot of people realize that the Council Clerk's office gets phone calls for people that want to know the dog catchers number, the Commissioners number. I mean it's unbelievable what people request when they call this office.

But Darla I think to me has become a friend; as has Brenda. And I'm very glad that Brenda is back. I think she will take the torch and follow ahead and do the good job that Darla did. Because she did a good job before we unfortunately had to lay her off.

But it's something that I don't think people realize when you work for our city what your job entails. And I know Darla through some issues she had at home. I know her mom was very ill towards the end of her life. It was very difficult for Darla to maintain her job here but she did it. And that's what's important. That's what people have to remember that somebody that gave their all.

She wasn't feeling well herself, but she made sure that she was here. She made sure that our work was done. And I don't think I would want to have a job where I have 11 bosses. When 11 people with a very diverse personalities, opinions, demeanor, you name it. But she's come through all of that and I wish her well.

And I'm glad she's getting ahead to the bikini state down there in Florida where it's nice and warm. And I think we were blessed. And I congratulate that committee when you picked Darla because you picked the right one. So Darla, good luck and God bless you and not goodbye; we'll see you. Because you better stop back in the summer and visit us. Thank you Mr. President.

MR. BROWN

Thank you Mr. President. Thank you for your kindness and your professionalism and also your friendship. And I look forward to working with you Brenda. Thank you.

MISS MORN

Thank you Mr. President. I also am going to miss you Darla. You've really – you stood up and helped me a whole bunch when I was so confused as to what was going on. And I also am glad to see Brenda back. It was so hard to go into the office and not see Brenda there for a while. Good luck on your retirement. Thank you Mr. President.

MR. FLASK

Thank you Mr. President. Before I address Darla and Brenda, an unfortunate situation happened here this evening. For my time on Council I've made it know that I'm not a big proponent of passing things in first reading. I've often swallowed pieces of legislation of importance to do that. However, I wasn't capable of doing that this evening.

There are issues in this piece of legislation that I see. We talk about prioritizing, we talk about the cleanliness of this city, we talk about many things here. And unfortunately we had two Council members absent this evening. And I didn't have what it took to change my vote because of how I truly felt.

I don't know what the outcome of this is going to be. I imagine there's going to be a special call and probably have to be re-voted on. And I apologize to my colleagues for that. But I don't apologize for the no vote. You know I hope we all take this to some heart. We are suppose to read things, put things through three readings and suspend rules when need be. Not suspend everything and let them go through three when need be. I know that we don't all share that same sentiment. But that's how I feel. That's how I read the law. That's how I read what we're suppose to do. (inaudible) Well that's you're opinion. Anyway it's unfortunate that it happened. But it did happen for a reason and we will see what will happen in the end.

Darla, Brenda you know I have quite a few employees that tell me that I seem to be able to walk into a room when nothings going on and they always feel like their under the gun. And they're right. It happens all of the time. I see the end result at the end of the day. I know that it happens. I don't know what you guys were doing all day today, but when I walked in there was nothing going on.

I appreciate everything you've done. I appreciate the work, the effort and the face that you put on this Council for every meeting. I know personally what it's like to go through something where you're preparing for somebody else all of the time. So I thank you for the face that you put on for my 8 years.

Brenda, don't expect me to come sit in the office everyday so that nothing will happen. I'm sure you're going to have your hands full. And I welcome you back and wish you the best Darla. Thank you Mr. President.

MR. COLBERT

Thank you Mr. President. Being new to Council I was lucky enough to have Darla as someone who I could embarrass myself in front of her before I came to the public and embarrassed myself by saying something that I had no idea what I was talking about. And Darla was very patient with me. You know she was always able to provide me with the information that I needed. But most importantly it was someone who you did feel comfortable and you do feel comfortable with going to and asking questions to. And like I said being able to kind of embarrass yourself in front of her in order not to necessarily do it in public. And for that I thank you Darla.

I know myself and a lot of my colleagues – there's a lot of ideas and a lot of things that we want to do and we want to do them right now. We think they should happen right now. And you get to this position and realize things go a lot slower.

But what helped me through these first 14 months or so that I've been here was a person like Darla that had the information and was willing to share it and not get so upset with the questions of the new Council Member. And so I do thank you for your guidance and I wish you the best going forward.

And Brenda, I have not had the opportunity to work with you. But I have heard great things about yourself. So you know look forward to me calling you and asking you some stupid questions so I don't have to do it publicly.

With that said I do wish you the best of luck and also Brenda I wish you luck also. Thank you Mr. President.

MR. SFERRA

Thank you Mr. President. Well I can't add to much to all that Darla other than good luck and we're certainly going to miss you. Brenda look forward to working with you.

But tonight's also one other guy is retiring. But Gary Cicero. This is his last council meeting. Gary I have absolutely no flowers for you. Certainly don't have a watch for you. But I hired Gary in the early 80's and he's been a credit to the city. He's done a good job all of the years. I'm sure everybody's gonna miss that goofy smile and the goofy laugh of yours.

But Gary you've done a good job and – yeah, these guys know about that laugh. Probably all wanted to get (inaudible) with that laugh. But Gary you've done a good job. I want to wish you the best of luck in your retirement also.

Well with that Mr. President, move to adjourn – oh I'm sorry.

RUCKER: I'm not the last one (inaudible)

PRESIDENT MARCHESE: I'll look the other way. Go ahead Miss Rucker.

MR. DEAN

Thank you Mr. President. Two very quick things. One, Robert Davis puts on an affair; the African American Achievers Award every year and he does it automatically we think and we forget when we have to do these things how much work it is.

And by the way Bob, I brought something to share with you. This was the first one in 1990 that was done. I want you to have this. It use to be on my wall in my office. And some of the people brought into the Hall of Fame were Ernie Shavers, Paul Warfield, Cliff Johnson. There were 16 people brought into the Hall of Fame. They thought they were only going to do it once. And you've done it every year for how long? Thank you very much for really good work.

And Chief? I said this to you in the hallway. I know your dispatchers get a lot of flack from people who don't understand what they do. My neighbor had a break-in two years ago. They took all of their equipment. Their lawnmower, their edger, everything. And there was a truck parked out in front of their house last Saturday. Good work on the part of the dispatcher, excellent work on the part of the police. And unless I had mentioned this to you you probably would never even know about it. Great job, great work and our neighbors thank you. Thank you Mr. President.

PRESIDENT MARCHESE: Thank you Mr. Dean. Before the Mayor and the Director who have some remarks for Darla, Gary I want to say Gods speed and best wishes to you. My heart goes out to you because your first boss; unfortunately, was my father and that was no box of chocolates (inaudible) for me. He once said to me though about you that you were a damn good kid. And I remember that. And so good luck in the future.

MAYOR O'BRIEN: Two things Mr. Marchese. Number one, Darla best of luck and enjoy your time down south and I know you will playing golf.

You know Darla had come on and after – Darla worked under Barb Busko and that had to be just a – but there - yeah I'm on the record; yeah. Darla – that's where Darla got her fondness for the Animal Welfare League.

But anyway, but to Brenda, you can't really learn from a better teacher than Darla.

And also, to Gary Cicero, you know Gary mentioned to me about you know we – I said to Gary, we got to get these contracts going. Oh I've got it under control. And I said well we can hire outside Counsel to do this Gary. We have to have these contracts under control. Gary and Brian said we've got it under control. Not that I doubted him. But you know what? Gary got the contracts under control. Without the cooperation – with the cooperation with all of the Unions and Policies and Procedures, Warren Management, Firefighters, with the Blue and Gold and the Police Department.

Yeah, I thought all of the firemen were here; not because of the resolution for Senate Bill 5, I thought they were all up here to make sure that the rumor was true that Gary Cicero was retiring. But best of luck to you Gary. And in the words of Brian Massucci you will just be a phone call away. And no consulting service by the way. Thank you.

DIRECTOR FRANKLIN: Thank you Mr. President. I'm going to be brief. But I'd also like to wish Gary the best. And I mentioned to Council back in executive session at the last meeting that that would be his last executive session and his last round of contracts. It slipped me that this was your last meeting. No wonder you've been smiling all day.

But really, what I said I really meant. That what we were able to achieve the last I'd say four years and that's why I believe Warren is a model why the whole system doesn't need to be thrown out. We were faced with a six million dollars deficit and with cooperation we were able to work with the unions and keep our city afloat and no interruption in services.

We didn't have to close parks. That is because we got it. The employees got it and they made sure we got it. Because they demanded that we give the same that they gave. So it was bargaining in good faith and it worked. And Gary, I think that was your best work those last four years. So I really appreciate it. And I think the citizens should appreciate that work of you and your staff.

To Darla, I'm really going to miss you; you know that. I spent fourteen to fifteen years in here as a Ward Councilman, Councilman At Large and Council President. You watched my kids grow up and we went through losses together. And more than your professionalism I value you your friendship. Stop and see us sometime and we'll stay in touch. And Gods speed and I know you're going to enjoy Florida. And if I'm ever – if I ever get a break from this job I hope to see you real soon.

And Brenda I know you'll do a great job. And as the Mayor said, you couldn't have had a better teacher. And you guys worked as a great team. And the whole Council and the citizens benefited from it. And we really appreciate that. Thank you Mr. President.

**MOTION FOR ADJOURNMENT 8:55 PM**

Motion Rucker, second Novak to adjourn the meeting at 8:55 PM.  
VIVA VOCE : ALL YES; 0 NO'S. Motion Passed.

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Robert A. Marchese, President of Council

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Brenda E. Smith, Deputy Clerk of Council