

COUNCIL MINUTES

November 19, 2018

Council Chambers

7:00 P.M.

7:00 P.M. - President Ellington called the Monday November 19, 2018 Newark City Council Meeting to order

ROLL CALL- Blake, Bubb, Cost, Fennell, Fraizer, Hall, Labutis, Lang, Marmie, Rath

INVOCATION – Mr. Labutis

PLEDGE OF ALLEGIANCE- President Ellington

CAUCUS

MINUTES of November 5, 2018 Motion by Mr. Labutis to approve the November 5, 2018 Newark City Council Minutes as presented and the reading be dispensed with in view of the fact each member of Council has received written summary of same, second by Mr. Bubb. **Motion carried by acclamation.**

REPORTS OF STANDING COMMITTEES

Finance-**Received & Filed**

Service- **Received & Filed**

Economic Development- **Received & Filed**

Capital Improvement- **Received & Filed**

Personnel- **Received & Filed**

COMMUNICATIONS

Ohio Division of Liquor Control- Renewal for Feras 826 Inc, Red Eye Express at 826 Mt. Vernon Rd- **Received & Filed**

Ohio Division of Liquor Control- transfer application from America's Pizza Company LLC, Pizza Hut to ADT Ohio LLC at 1825 N 21st Street. - **Received & Filed**

Ohio Division of Liquor Control- notice to the Legislative Authority that all permits to sell alcoholic beverages in our political subdivision will expire on February 1, 2019 and in order to maintain permit privileges every permit holder must file a renewal application. - **Received & Filed**

COMMENTS FROM CITIZENS

Tracy, 185 Van Voorhis St- stated that she was having problems with homeless people living on a vacant lot next door to her home. She stated that she has contacted and involved Property Maintenance and the Police Department to have them removed. She stated that the lot is owned by Ryan Hewett and he himself is assumed to be homeless since he stays there with them from time to time. She stated that there are many people that are staying there in and out and that there is a Pit Bull on the property with them as well. She asked what the enforcement of this is because Property Maintenance can't remove them just tell them to leave.

President Ellington- tell me the address of that property again.

Tracy- their address is on Iron Ave, 383 I think but they are right next to us

Robert Schaffer, 398 Wherle Ave- he was there also to discuss the problem that they are having with the homeless people living on the vacant lot behind him.

Ms. Miller, 402 Wherle Ave- she too stated her concerns regarding the homeless living on the lot and that it is dark back there where they park their cars in the back of her home where they are staying.

Tim Osborne 406 Wherle Ave- he has lived at his address for 30 years and is deaf so he is scared and can't hear what is going on but his dogs bark all of the time regarding the activity on the lot where the homeless people are living there. He stated that he goes to work at 4:00 A.M. and he sees them riding their bikes with their backpacks on looking in cars and looking at people's yards. He stated that it is too dark and stated they needed more lighting in that area or more patrolmen.

President Ellington- directed these residents to speak to Director Rhodes and Director Baum before they left.

ORDINANCES ON FIRST READING

By: Cost, Labutis, Fraizer, Lang, Marmie, Rath

18-35 AN ORDINANCE AMENDING THE POSITION CLASSIFICATION, PAY RANGE AND DEPARTMENT AUTHORIZATION TABLES OF THE CITY OF NEWARK, DIVISION OF WATER AND WASTEWATER, BY CREATING THE CLASSIFICATIONS OF PROJECT ENGINEER AND ENVIRONMENTAL SYSTEMS TECHNICIAN WITHIN THE DIVISION AND SETTING THE COMPENSATION THEREFORE, AND ESTABLISHING ALL OTHER POSITIONS WITHIN THE DIVISION.

Held for a second reading

By: Cost, Labutis, Fraizer, Lang, Marmie, Rath

18-36 AN ORDINANCE AMENDING THE BASE WAGE AND SALARY TABLE OF THE CITY OF NEWARK FOR THE POSITION OF STREET AND TRAFFIC ENGINEER WITH A STRENGTH AUTHORIZATION OF ONE (1), IN THE DIVISION OF ENGINEERING.

Held for a second reading

By: Cost, Labutis, Fraizer, Lang, Marmie, Rath

18-37 AN ORDINANCE AMENDING THE POSITION CLASSIFICATION, PAY RANGE AND DEPARTMENT AUTHORIZATION TABLES OF THE CITY OF NEWARK, DEPARTMENT OF PUBLIC SAFETY, DIVISION OF PROPERTY MAINTENANCE BY CREATING THE CLASSIFICATION OF PROPERTY MAINTENANCE CODE OFFICIAL/REHAB SPECIALIST SUPERVISOR, AND SETTING THE COMPENSATION THEREFORE

Held for a second reading

By: Cost, Labutis, Fraizer, Lang, Marmie

18-38 AN ORDINANCE AMENDING THE PAY RANGE AND DEPARTMENT AUTHORIZATION TABLES OF THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT FOR THE POSITON OF CODE ENFORCER / REHAB SPECIALIST AND SETTING COMPENSATION THEREFORE.

Held for a second reading

RESOLUTIONS ON SECOND READING

By: Marmie, Rath, Cost, Labutis, Fraizer, Lang

18-83 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO PREPARE AND SUMIT TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) A ONE YEAR USE OF FUNDS/ACTION PLAN ALONG WITH AN APPLICATION FOR FY 2019 FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS (CDBG), AS REQUIRED BY 24 CFR PART 91.220, FOR VARIOUS PROGRAMS RELATED TO HOUSING AND COMMUNITY DEVELOPMENT.

Motion by Mr. Marmie to adopt Resolution No. 18-83, second by Mr. Fraizer

Motion passed by a vote of 10-0.

By: Marmie, Rath, Cost, Labutis, Fraizer, Lang

**18-84 APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION.
(100 General-\$763.13: Machinery & Equipment; 100 General Fund-\$925.00: Fire Safety Supplies)**

**Motion by Mr. Marmie to adopt Resolution No. 18-84, second by Mr. Cost
Motion passed by a vote of 10-0.**

By: Marmie, Rath, Cost, Labutis, Fraizer, Lang

18-85 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION- CI (335 Capt Imp-\$80,000.00: Maintenance of Streets; 335 Capt Imp-\$34,000.00: Maintenance Bldg/Ground; 335 Capt Imp-\$10,500.00: NFD Back up vehicle; 335 Capt Imp-\$4,500.00: NFD Washer & Dryer)

**Motion by Mr. Lang to adopt Resolution No. 18-85, second by Mr. Fraizer
Motion passed by a vote of 10-0.**

RESOLUTIONS ON FIRST READING

By: Marmie, Rath, Cost, Labutis, Fraizer, Lang

**18-87 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION- CI (335 Capt Imp-\$24,045.00-Maintenance of streets)
Held for a second reading**

By: Marmie, Rath, Cost, Labutis, Fraizer, Lang

18-88 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION- Expedite (621 Water Dept Fund-\$24,937.50: Note Interest; 153 Comp Absences-\$30,500.00: Payout Tom O'Reilly; 100 General Fund-\$6,272.00: City Match Fire Asst Grant; 297 Fire Safety Grant-\$69,000.00: Asst to Firefighters Grant; 100 General Fund-\$16,000.00: Equipment for detective vehicle; 621 Water Dept Fund-\$5,000.00: Refunds to customers)

Motion by Mr. Marmie to waive the two day reading rule on Resolution No. 18-88, second by Mr. Fraizer

Mr. Marmie- we need to expedite this because there are some bills that need to be paid and payouts on this legislation

Motion passed by a vote of 10-0.

Motion by Mr. Marmie to adopt Resolution No. 18-88, second by Mr. Fraizer

Motion by Mr. Marmie to amend Section 2 the line for comp payout, instead of \$500.00 it should be \$6,900.00. There was a miscalculation in the auditor's office calculating that payout amount. The total payout then should be \$36,900.00, second by Mr. Lang

Motion to adopt Resolution No. 18-88 as amended passed by a vote of 10-0.

By: Marmie, Rath, Cost, Labutis, Fraizer, Lang

18-89 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO TO APPLY FOR, ACCEPT AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND AGREEMENT ON BEHALF OF THE CITY OF NEWARK FOR PLANNING, DESIGN AND\OR CONSTRUCTION OF WASTEWATER FACILITIES (FOURTH STREET SEPARATION PROJECT) AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN.

Held for a second reading

By: Marmie, Rath, Cost, Labutis, Lang

18-90 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (100 General Fund-\$75,000.00: Pending Refunds)

Held for a second reading

By: Marmie, Rath, Cost, Labutis, Fraizer, Lang

18-91 AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO TO ENTER INTO A CONTRACT WITHOUT COMPETITIVE BIDDING FOR THE REPAIRING OF THE TRAVELING SCREENING SYSTEM IN THE SOUTH INTAKE BUILDING AT THE WATER TREATMENT PLANT

Motion by Mr. Rath to waive the two day reading rule on Resolution No. 18-91, second by Mr. Fraizer

Mr. Rath- I am doing this at the request of Mr. Loomis

Roger Loomis- I am asking to do this so that we can purchase the equipment quicker and get the replacement done.

Motion passed by a vote of 10-0.

Motion by Mr. Rath to adopt Resolution No. 18-91, second by Mr. Fraizer

Motion passed by a vote of 10-0.

COMMENTS FROM CITIZENS

Steve Smith, 237 Violet Ct- I have been asked on behalf of the South Newark Civic Association to invite the Council members and the Mayor to a caroling session which will be held on December 13th at 6:30 P.M. They are going to meet at the old Newark Electric Plating parking lot on South Second Street. There will be refreshments available at the meeting house on Ohio Ave afterwards. I was also asked to check on the availability of the City's mascot for this event. The invitation is on the table for anybody would like to come.

Paul Moran, 63 N 4th St- discussed increase of businesses in the city closing and the lack of communication with the public when businesses close.

MISCELLANEOUS

Mayor Hall- reminder to everyone that the Courthouse lighting is this Friday and the festivities will start at the Canal Market District at 3:30 P.M. A 17 foot tree was donated for the Canal Market, the weather looks good. The caroling starts at 6:00 P.M. and Mr. & Mrs. Claus will arrive at 7:00 P.M. There is also an event going on at the Elk's for kids at 7:30 P.M. Have a safe and happy Thanksgiving to all.

Mr. Blake- I want to thank the Mayor and his administration, members of the CIC, Licking County Library and The Works for having a successful presentation last Tuesday at the Double Tree hotel about Newark then and now. I thought that it was great; there was a wonderful presentation on our 200 year history as a city plus activities that have been going on here in the recent years. The power point presentation with all the pictures was great. You left proud being from Newark and I thought that was a great sentiment. I want to wish everyone a Happy Thanksgiving, as soon as I get out of here I am going to pack my bags and leave for Key West so I will see you all when I get back.

Mr. Cost- Happy Thanksgiving everyone

Mr. Fennell- I would like to wish everyone a Happy Thanksgiving except Jeremy who will be in Key West.

Mr. Fraizer- happy Thanksgiving Jeremy. 31 West is having a free concert for Thanksgiving on Wednesday. I also want to highlight the scoreboard, maintenance of the streets and the wastewater repair that came through committee tonight and the investment that we are making in the city to bring it forward. The Look Up Center is doing a free Thanksgiving meal that they are going to be donating. As people have time on

Thanksgiving it is always great to volunteer, deliver meals to the shut ins, the elderly and those impoverished to put Thanksgiving in perspective of the blessings that we have and the opportunities that we have in our lives of giving back. Black Friday please be safe, care about one another and don't trample each other. I want to thank Ryan Bubb for his work with the Courthouse lighting and the fund raising effort that is associated with that.

Mr. Labutis- Happy Thanksgiving, take inventory of those blessings and if you can find a way to be a blessing to someone else as well. I'd like to thank Director Rhodes and the Street Department, they were able to help me with an issue in my ward and the residents were very happy.

Mr. Lang- Mr. Rath and I just finished the Citizens Police Academy, Deputy Chief Logan you guys did a really nice job with that. I would like to specifically call out Sgt. Wells, Sgt. Eskins and Officer Beech who I thought put on a really nice program this year. If you get a chance next year they will be doing class number 10 I recommend anyone who has any interest to do it you will not regret spending some time learning about the agency. It was a really nice program.

Mr. Marmie- called a Finance Committee meeting. Just some comments about what is happening in your neighborhood, quite frankly it's not just your neighborhood. It is happening in my neighborhood out near where I live there are people putting up tents and basically living off of the land. We also had a gentleman that had a vacant property and decided that he would reside there in a tent. It is a difficult situation. We had to deal with it through the Property Maintenance Department and the Police Department. Basically they have to find some kind of violation when the property owner is saying that it is their land and they want to do it so therefore he is condoning it therefore there has to be a violation. They have to have a sanitary system, there are issues of trash and things like that, that are enforcement vehicles. Property Maintenance does stay involved it is a tough and long haul just be patient with them. They are good at what they do but they also have to go by the rules. I won't say that anything will happen overnight but I know they will help out. The whole situation with the homeless in Newark and Licking County is starting to grow. I think this Council and others that have come before this Council have tried to come up with different things to assist in that. I think that we need to encourage all residents to be a part of that solution. Hang in there, like I said it's not just something common to your area. I have confidence in our safety forces, Property Maintenance and whoever else needs to get involved. Work with the system not against it. Happy Thanksgiving. I relate to that day as my gravy day, it is the one day I actually get gravy and I put it on every single item I eat. Black Friday don't worry Mark I will be safe because I don't go out at all. I think that our Buckeyes could use some prayers; we need whatever help you can give beating that team up north.

Mr. Rath- called a Service Committee Meeting. Great job on the Citizens Police Academy and I would strongly urge anyone with some interest to do that. The only disappointment that I had in the entire academy was after I took the dog bite Mr. Lang was supposed to get tazed and he conveniently missed that week. I wanted to remind everybody that the businesses that aren't closed yet Mr. Moran are having an open house on North Park Place it runs from 12-5 or 1-5. All those that survive black Friday I encourage you to remember small business Saturday. We have a lot of businesses in Newark that are open it is a great time to shop local and spend your money locally. Happy Thanksgiving. I want to encourage all my fellow deer hunters to have a very safe and productive season. Everyone else keep your dogs inside gun season opens Monday.

President Ellington- Happy Thanksgiving everyone, it is my favorite meal of the year. I am a big gravy fan also, I can hardly wait. I did a ride along last week with Officer Rizzo if you could tell her thanks again for me Deputy Logan. If you haven't done that in a while you need to do it, its eye opening. Don't forget that City Hall will be closed on Thursday and Friday for Thanksgiving. Don't forget about coming downtown Friday starting at 3:30 P.M. if you can it sounds like fun. Committees will meet Monday December 3rd at 5:45 P.M. and Council will meet the same day at 7:00 P.M.

ADJOURNMENT- Motion by Mr. Cost, second by Mr. Fraizer. Motion carried by acclamation.