

## **COUNCIL MINUTES**

November 18, 2024  
Council Chambers  
7:00 P.M.

**President Harris called the meeting to order**

**ROLL CALL** - Mr. Labutis, Mr. Marmie, Mr. Neely, Mr. Rath, Mr. Rine, Mr. Barker, Ms. Bline, Mr. Chute, Mr. Cost, Mr. Houser

**INVOCATION** – Mr. Labutis

**PLEDGE OF ALLEGIANCE** - Uriyah Smith, 5<sup>th</sup> Grade, John Clem Elementary

### **CAUCUS**

**Mr. Marmie** - With the support of the Minority Leader, Mr. Cost, I would like to invoke Rule 11 and make a motion to adopt Ordinance 24-44 and have it read.

**By: Mr. Marmie, Mr. Cost, Mr. Barker, Mr. Rath, Ms. Bline**

**Ordinance 24-44** AN ORDINANCE APPROVING, ACCEPTING, RATIFYING AND ADOPTING AN EMPLOYMENT AGREEMENT BETWEEN THE CITY OF NEWARK, OHIO, AND THE FRATERNAL ORDER OF POLICE LOCAL 127, BLUE AND GOLD UNITS, PROVIDING FOR THE APPLICATION OF ALL TERMS, CONDITIONS, AND BENEFITS OF SAID AGREEMENT, EFFECTIVE UPON EXECUTION THROUGH SEPTEMBER 30, 2027, ABOLISHING THE CURRENT EMPLOYMENT AGREEMENT WITH THE EFFECTIVE DATES OF JANUARY 1, 2023 THROUGH DECEMBER 2025, AND REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT WITH THE PROVISIONS OF SAID EMPLOYMENT AGREEMENTS AND DECLARING AN EMERGENCY.

**Motion to adopt by Mr. Marmie, Second by Mr. Cost**

**Mr. Marmie** - This has been something that has been a concern of citizens, what has been happening with our safety services, in particular the police department. We were grossly outside of being competitive with local law enforcement agencies as far as being able to hire. At that point, we kind of held off a little bit to determine whether or not we would get applicants and would be able to maintain staffing. We quickly realized that we were not. Therefore, there was a decision made by the administration to go into negotiations to make a one-time adjustment in order to make sure that we were competitive and we are able to employ new officers and also maintain our current force. It was decided to go ahead and go into complete negotiations to get some other things straightened out and to start just a new agreement. And so that is what this ordinance is doing, and it will end up with a 25, 26, 27, those years are impacted. So, it's going to do away with one of the years of the old contract and start new December the 1st. However, a lot of this will go into effect immediately.

**Passed 10-0**

**MINUTES of November 4, 2024, Motion to accept by Mr. Labutis, Second by Mr. Houser, passed by acclamation**

#### **APPOINTMENTS**

**Mayor Hall** – Appointing Brian Wood to the City of Newark Board of Zoning Adjustment. His new term begins immediately to fill the term of a past member and will expire December 31, 2025. Subsequent terms will be four years.

#### **REPORTS OF STANDING COMMITTEES**

Finance - **Received and Filed without objection**

Service - **Received and Filed without objection**

Capital Improvements – **Received and Filed without objection**

#### **REPORTS FROM CITY OFFICIALS**

**Ryan T. Bubb, City Auditor** – Operating report for period ending October 31, 2024

**Jill Frew, Tax Administrator's Office** – Income Tax Revenue Reports for period ending October 31, 2024

**Both reports received and filed without objection**

#### **COMMUNICATIONS**

**Ohio Division of Liquor Control** - Transfer liquor application from Ohio Banquet Ventures LLC, to Skylight Event Center LLC., 85 E. Main St., Newark, Ohio 43055

**Alejandra Leon** – Identifying and Addressing Behavioral Health Needs in Encampments webinar

**Trish Perry** - Town Hall Listening Session sponsored by OhioCAN/Newark Homeless Outreach, The Freedom School of Licking County, and Ohio Citizen Advocates for Addiction Recovery on 11/21 at the library

#### **COMMENTS FROM CITIZENS**

**Clint Eskins, Detective Sergeant, Newark Police Department, 39 South 4th St.** - I just wanted to step up and say thank you for passing and agreeing to the contract for the FOP, both Blue and Gold Units. I appreciate the administration's leadership, and asking us to come to the table early. I also appreciate the Council's full support in that measure. I look forward to working together. I will say that these contract negotiations were very swift. They were very positive. I think that both sides of the table were able to professionally and respectfully finish this in a very quick and precise manner.

#### **ORDINANCES ON SECOND READING**

**By: Mr. Barker, Mr. Chute, Mr. Cost, Ms. Bline, Mr. Marmie, Mr. Rath**

**24-39** AN ORDINANCE MODIFYING THE PAY RANGE FOR THE POSITION OF Senior Automotive Mechanic/Equipment Operator IN THE CITY OF NEWARK, DEPARTMENT OF Service, DIVISION OF Street Maintenance AND AMENDING THE DEPARTMENT AUTHORIZATION TABLES OF AND SETTING THE COMPENSATION THEREFORE

**Motion by Mr. Barker to table Ordinance 24-39 and send it back to the Personnel Committee for further discussion and consideration, Second by Mr. Houser, Motion to table passed 10-0**

**ORDINANCES ON FIRST READING**

**By: Mr. Rath, Mr. Barker**

**24-41** AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 278 SOUTH 24<sup>TH</sup> STREET, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID #054-223428-00.000 FROM THAT OF SINGLE-FAMILY RESIDENCE - RH - HIGH DENSITY ZONING DISTRICT TO TFR - TWO-FAMILY RESIDENCE DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO

**Referred to the Planning Commission**

**By: Mr. Rath, Mr. Cost, Mr. Marmie, Mr. Barker, Ms. Bline**

**24-42** AN ORDINANCE AUTHORIZING AND DIRECTING THE NEWARK CITY SERVICE DIRECTOR TO CERTIFY TO THE LICKING COUNTY AUDITOR, THE SUM OF \$3,800.00 INCURRED BY THE NEWARK CITY DIVISION OF ZONING WITH RESPECT TO ZONING VIOLATIONS TO BE PLACED AS A LIEN UPON CERTAIN PARCELS OF REAL PROPERTY SITUATED IN THE CITY OF NEWARK, OHIO.

**Held until 12.2.24**

**By: Mr. Rath, Mr. Cost, Mr. Marmie, Mr. Barker, Ms. Bline**

**24-43** AN ORDINANCE AUTHORIZING AND DIRECTING THE NEWARK CITY SAFETY DIRECTOR TO CERTIFY TO THE LICKING COUNTY AUDITOR, THE SUM OF \$379,110.00 INCURRED BY THE NEWARK CITY PROPERTY MAINTENANCE DEPARTMENT WITH RESPECT TO PROPERTY MAINTENANCE VIOLATIONS TO BE PLACED AS A LIEN UPON CERTAIN PARCELS OF REAL PROPERTY SITUATED IN THE CITY OF NEWARK, OHIO

**Held until 12.2.24**

**By: Mr. Rath, Mr. Cost, Mr. Marmie, Mr. Barker, Ms. Bline**

**24-45** AN ORDINANCE ACCEPTING THE DEDICATION TO PUBLIC USE OF THE STREETS IN WILLOW BEND SUBDIVISION, PHASE 2.

**Held until 12.2.24**

**By: Mr. Rath, Mr. Cost, Mr. Marmie, Mr. Barker, Ms. Bline**

**24-46** AN ORDINANCE ACCEPTING THE DEDICATION TO PUBLIC USE OF RIGHT-OF-WAY ON LICKING SPRINGS ROAD, AT THE INTERSECTION OF HORNS HILL ROAD, AND DECLARING AN EMERGENCY.

**Motion to adopt by Mr. Rath, Second by Mr. Rine**

**Mr. Rath** - Mr. President, 24-46 has gone in front of the Planning Commission, and they recommend this dedication, as well as the planning director who also recommends this dedication. The reason for the emergency clause is to get the dedication completed before the roads are opened. So, I am going to support this ordinance. I would encourage my fellow council members to do the same.

**Passed 10-0**

## **RESOLUTIONS ON SECOND READING**

**By: Mr. Marmie, Mr. Barker, Mr. Cost, Mr. Chute, Mr. Rath, Ms. Bline**

**24-91** APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

**Motion to adopt by Mr. Marmie, Second by Mr. Barker, Passed 10-0**

**By: Mr. Marmie, Mr. Barker, Mr. Cost, Ms. Bline, Mr. Rath, Mr. Chute**

**24-93** A resolution repealing Resolution 20-55 and consenting to an enterprise zone abatement agreement between the Board of County Commissioners of Licking County, Ohio and Packaging Corporation of America and authorizing the director of public service to execute such agreement on behalf of the city of Newark

**Motion to adopt by Mr. Marmie, Second by Mr. Cost, Passed 10-0**

## **RESOLUTIONS ON FIRST READING**

**By: Mr. Chute, Mr. Cost, Mr. Marmie, Mr. Barker, Ms. Bline, Mr. Rath**

**24-94** APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION  
**Held until 12.2.24**

**By: Mr. Marmie, Mr. Barker, Mr. Cost, Ms. Bline, Mr. Rath**

**24-95** A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO PREPARE AND SUBMIT APPLICATIONS TO THE OHIO DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2025 BODY WORN CAMERA GRANT FUNDING.

**Held until 12.2.24**

**By: Mr. Marmie, Mr. Barker, Mr. Cost, Ms. Bline, Mr. Rath**

**24-96** APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

**Held until 12.2.24**

**By: Mr. Rath, Mr. Cost, Mr. Marmie, Mr. Barker, Ms. Bline**

**24-97** A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT FOR PARTICIPATION IN THE ODOT COOPERATIVE PURCHASING PROGRAM THROUGH OHIOBUYS FOR THE YEARS 2024 THROUGH 2029.

**Held until 12.2.24**

**By: Mr. Marmie, Mr. Barker, Mr. Cost, Ms. Bline, Mr. Rath**

**24-98 Exp** APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION.

**Motion to waive the 2-day reading rule by Mr. Marmie, Second by Mr. Barker, Passed 10-0**

**Motion to adopt by Mr. Marmie, Second by Mr. Barker, Passed 10-0**

## **COMMENTS FROM CITIZENS**

**Brandon Fox, Water Administrator** - I just want to bring attention that for those of you that are aware, we have a 16 north sanitary sewer separation project that's coming up in a year or two. We are having a public meeting at the library on December 5th at five o'clock. So, spread the word to folks that may be impacted by that project and want to have a little discussion about that. It's basically Hudson Avenue, Mount Vernon Road, north of 16 up to kind of Quentin and E. Channel Street. So, if you're interested, December 5th, 5 p.m. at the Newark library.

**Mark Mauter, Economic Development Director** - Two things real quick. Number one. Thank you all for passing that lead grant hazard reduction grant funds. The city of Newark was recently awarded an about three and a half million-dollar lead hazard reduction grant from HUD. It came up so quickly that we didn't have time to get the money in the account to get our people to a mandatory training in Washington, DC in just about two weeks. So, thank you very much for doing that. We're excited to have the lead grant. We haven't had one since about 12. We wrapped up the last one. We get a lot of bang for our buck. It helps us to reduce lead hazard risk, especially to children. We're very grateful to take that. It's a four-year grant that we'll be working on this for. The second thing is Resolution 24-93. You approved an updated enterprise zone abatement agreement between the city of Newark that we can now work with county commissioners. This is for a very substantial economic development project by Packaging Corporation of America. There's actually a representative from their leadership team here with us tonight. Just want to make sure that everything's going to go smoothly. It's huge, everyone. It's about \$270 million project for the city of Newark. And we're also just very, very fortunate to maintain a long-time employer with good-paying jobs. They're a good community partner. So Packaging Corporation of America, the way I understand it, was one of the very first economic development deals put together way back approximately 1955, where the city worked with that company to get them located. It wasn't Packaging Corporation of America back then, but it was a corrugated cardboard manufacturer. And it's gone through several reiterations of different enterprises that worked there, but we are very glad, hopefully, to keep them here. And as you may recall, they bought about 90 acres out at Thornwood Drive at the railroad tracks, and that'll keep them on the same rail line that they are currently using there at 21st Street. So, thank you all very much for your consideration.

## **MISCELLANEOUS**

**Tricia Moore, Law Director** – I'll pass. Thank you.

**Mayor Hall** – I just kind of dovetail on what Mark said. I truly want to thank PCA for the project that we've been working on for a few years with them. They're here tonight, and I appreciate that. Mark's worked pretty hard on this update, the enterprise agreement, and thanks to Council's support for that. I want to thank Director Rhodes, too. The tower on Horns Hill is a lot of work. There's a lot of parts and pieces to that. It's kind of one of those in a long-term thing to happen, and it's about right now, and it's a good thing. I think grant money is a little tougher because everything's done through the MARCS system anymore. They aren't separate, independent radio systems in our community. So, MARCS has a certain plan that way. So, we'll see what we can get to with that. But thank you for Council's support for that, too, as we move forward. With that, I pass.

**Mr. Labutis** – Thank you, Mr. President. I want to congratulate Big Brothers and Big Sisters of Licking and Marietta County on a successful fundraiser on Friday night. A couple of us were

there for that. So, congratulations to John Wilson and his team for a great event that evening. Super happy, super excited that we were able to pass 24-44. That's something we needed to do for a while. I'm happy to vote in support of that as well. And finally, I want to welcome Melanie Timmerman back to the Law Director's office. She'll be a great asset. I've known her for a long time and she will do a great job for the city. So welcome Melanie. With that, I will pass.

**Mr. Marmie** – I need to call a Finance Committee meeting for December the 2nd. Also want to just update folks on Council. We were anticipating trying to get the budget to committee this evening. However, there's been a lot of different things kind of come about where they need to crunch some numbers a little bit more. I want to particularly thank Jim and Jackie in the Auditor's office for all the work and the effort that they're putting forth. Also, those in the various departments who have actually kind of trimmed their budget to try to help out. It's going to be a tight one. Hopefully we will have everything together for the December 2nd meeting. For the first discussion on that. We also hope to have packets out to all of Council so you can have those numbers in advance. So that's kind of the plan as far as the budget. And then of course we would pass it then in that second meeting in December. So that's kind of what it is going on there. I also want to wish everyone a very happy Thanksgiving. We have a lot to be thankful for in our country and in particular within our city. I also have a lot to be thankful for with my family. So, I want to wish everybody a very happy Thanksgiving. And with that, I will pass.

**Mr. Neely** - Thank you, Mr. President. I will just speak briefly on Ordinance 24-44 as well. I'm also happy to support and to vote for that ordinance. You know, with the contract between the city and the FOP, our numbers in the police department have decreased. We have not been as competitive as some other cities. Police departments lost some officers. So, I think this contract is going to definitely make us much more competitive, keep the good police officers we have and also put us in a position to grow our police department to more appropriate numbers which I think is going to ultimately be a safer situation for our citizens and the city. And with that, I will pass.

**Mr. Rath** – Thank you. I want to say I'm happy to see that 24-44 passed. Particularly, I want to thank Mr. Marmie and Mr. Neely for putting in their personal work, all the work that they did on this personally as well as our administration. This is a very long time coming. I'm very, very, very happy to see it go through. I want to wish everybody a happy Thanksgiving. I'll call a service committee meeting for December 2nd. With that, I'll pass.

**Mr. Rine** - Thank you, Mr. President. I'd like to express my gratitude to all the safety forces. Very proud and honored to have passed Ordinance 24-44. For all the Council that, all the work you did with passing and writing it. I know that the city, the police needed it and I'm very proud to pass that, so with that, I'll pass.

**Mr. Barker** - Thank you, Mr. President. I need to call a Personnel Committee meeting for December 2nd. I also want to just thank everybody for their support on 24-44. As we hear from citizens all the time, some have said, police, police, police, police. So many of us on this day is here and I think we've delivered with that tonight. So now, Chief, it is in your hands to bring in new officers and bring back some people and we know you'll be working diligently on that. So, we appreciate that. I want to wish everybody a happy Thanksgiving and then not to forget that on the 29th, the Friday after Thanksgiving at 6:15 starts the courthouse lighting event here in downtown. I hope you all can come and enjoy. Downtown will be filled with vendors at the

Canal Market. I know The Works has an event going on in the morning. So, it's going to be a pretty hopping day. We normally have about five to 6,000 people by the time seven o'clock hits in the downtown and having Newark Fire bring Santa in is always a joy and having a secure area by NPD and the sheriffs and EMA is always something we all maybe take for granted, but I appreciate all their work on that. And with that, I'll pass.

**Ms. Bline** – Thank you, Mr. President. I too want to thank our admin for their work on getting 24-44 through. Thank you, Mr. Marmie. Thank you, Mr. Neely. Great expertise. Thank you to our NPD and our safety forces. What a great collaborative effort. We have such a great city and in order to prosper, we have to have boundaries. Boundaries create capacity. And with capacity, we can grow and expand and do things that we've always wanted to do. Those things that are on our hearts, but in order for that to happen, we need things like this to come to fruition. So, I'm grateful for that. I'd like to thank PCA for coming tonight. Thank you. I appreciate the role you play in the city and in south Newark, certainly. Certainly, you're a blessing to our city. And I thank you, Director Mauter, for all that you do. I'd also like to thank Mr. Rhodes. He's worked on several projects consistently throughout south Newark, and things are looking good. I really appreciate him. And with that, I'll pass.

**Mr. Chute** - Thank you, Mr. President. I will pass.

**Mr. Cost** – I'm very happy to see 24-44 passed. I think that's a very positive thing for our city. I'm also happy to see that we've got PCA set and ready to go. That's a great thing for our city as well. And just wish everybody a happy Thanksgiving. I'll pass.

**Mr. Houser** – Thank you, Mr. President. I will also pass.

**President Harris** – I want to thank everyone who came to my mother-in-law's viewing and sent cards and condolences and things. I appreciate that. I'd like to wish everybody a happy Thanksgiving. Thanksgiving is my favorite holiday. I know what you're thinking, Mr. Cost, because I like to eat. That's not the reason. It's like Mr. Marmie said, it's time for all the family to come together and you can enjoy your family. So, I wish everybody a happy Thanksgiving. Our next meeting is December 2nd.

**ADJOURNMENT - Motion to adjourn by Mr. Cost, second by Mr. Houser, passed by acclamation**

**Jeff Harris, President of Council**