

## COUNCIL MINUTES

March 17, 2025  
Council Chambers  
7:00 P.M.

**President Harris called the meeting to order**

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

**INVOCATION** – Ms. Bline

**PLEDGE OF ALLEGIANCE** – Dylan DiBlasio, 5<sup>th</sup> grade, Ben Franklin Elementary

**CAUCUS** – Motion by Mr. Marmie to excuse Mr. Neely, Second by Mr. Houser, Motion passed by acclamation

**MINUTES of March 3, 2025, Motion to accept by Mr. Labutis, Second by Mr. Houser, passed by acclamation**

### **APPOINTMENTS**

There are none this meeting.

### **REPORTS OF STANDING COMMITTEES**

Finance - **Received and Filed without objection**

Service – **Received and Filed without objection**

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

### **REPORTS FROM CITY OFFICIALS**

**Ryan Bubb, City Auditor** – Operating report for the period ending February 28, 2025

**Jill Frew, Tax Administrator's Office** – Income Tax Revenue Reports for the period ending February 28, 2025

### **COMMUNICATIONS**

**Melissa Owens, Licking County Aging Partners** – An email regarding the national #SaveLunch campaign supporting Meals on Wheels programs.

### **COMMENTS FROM CITIZENS**

### **ORDINANCES ON SECOND READING**

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

**25-06 AN ORDINANCE AMENDING PART 8, TITLE TWO: BUSINESS REGULATIONS OF THE CODIFIED ORDINANCES OF THE CITY OF NEWARK, OHIO WITH MARKETING CARTRIDGE-BASED**

ELECTRONIC NICOTINE DELIVERY SYSTEMS (ENDS) PRODUCTS AND OTHER ENDS PRODUCTS THAT HAVE NOT OBTAINED PREMARKET AUTHORIZATION

**Motion to adopt by Mr. Labutis, Second by Mr. Barker, Motion passed 9-0**

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

**25-07** AN ORDINANCE ACCEPTING THE DEED OF DEDICATION OF EASEMENT AND RIGHT-OF-WAY FOR PUBLIC USE OF STEMFLEX WAY, A NEWLY DEVELOPED STREET LOCATED ON THE WEST SIDE OF MT. VERNON ROAD, BETWEEN NORTH 21<sup>ST</sup> STREET AND MYRTLE AVENUE.

**Motion to adopt by Mr. Rath, Second by Mr. Marmie, Motion passed 9-0**

#### **ORDINANCES ON FIRST READING**

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

**25-08** AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 134 EAST MAIN STREET, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID #054-186858-00.000, #054-186876-00.000, #054-186864-00.000, #054-186870-00.000, AND #054-195762-00.000 FROM THAT OF MB – MEDIUM INTENSITY BUSINESS ZONING DISTRICT TO DC – DOWNTOWN ZONING DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO. **Referred to the Planning Commission**

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

**25-09** AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 330 THORNWOOD DRIVE, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID #054-216702-00.000 FROM THAT OF MFC - MULTI-FAMILY CONDO ZONING DISTRICT TO MFH – MULTI-FAMILY HIGH RISE ZONING DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO. **Referred to the Planning Commission**

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

**25-10** AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 360 THORNWOOD DRIVE, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID #054-216624-00.000 FROM THAT OF MFC - MULTI-FAMILY CONDO ZONING DISTRICT TO MFH – MULTI-FAMILY HIGH RISE ZONING DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO. **Referred to the Planning Commission**

#### **RESOLUTIONS ON SECOND READING**

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

**25-07** A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO APPLY FOR FINANCIAL SUPPORT FROM THE STATE OF OHIO 2025 URBAN FORESTRY GRANT.

**Motion to adopt by Mr. Marmie, Second by Mr. Barker, Motion passed 9-0**

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

**25-08** A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

**Motion to adopt by Mr. Chute, Second by Mr. Labutis, Motion passed 9-0**

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

**25-09** A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

**Motion to adopt by Mr. Marmie, Second by Mr. Barker, Motion passed 9-0**

#### **RESOLUTIONS ON FIRST READING**

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

**25-11** A RESOLUTION EXPANDING THE EXISTING DESIGNATED OUTDOOR REFRESHMENT AREA FOR DOWNTOWN NEWARK AND ENACTING REGULATIONS WITH REGARD THERETO

**Held until April 7, 2025**

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

**25-12** A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$7,799.00 Annual mower replacement plan), (\$33,000.00 individual heating controls on the tower city's share), (\$30,000.00 Don Edwards Park lot with red house on it – 686 Downey St. Newark)

**Held until April 7, 2025**

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

**25-13** A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$1,500.00 Request appropriation to put donation from American Legion into the Misc. account until it has been decided what the needs of the division are and what the funds will be used for)

**Held until April 7, 2025**

#### **COMMENTS FROM CITIZENS**

**Dave Froelich, 648 Woods Edge Ln.** - I have a three-minute prepared statement for council and the mayor. You've received dozens of emails from me concerning Director Dave Rhodes. You never responded, and you exposed your lack of fiscal responsibility. Rhodes would have been summarily dismissed in the private sector for his actions. Only in this government setting is Rhodes still employed. Your lack of oversight has emboldened Rhodes. Now his indefensible and illegal actions have embroiled the city in an incriminating civil lawsuit by a 27-year city employee. Settlement is sure to cost taxpayers an enormous sum. You've contended that Rhodes' accusations have been investigated, providing you an excuse not to address the accusations. Here's what happened. In an apologetic tone, I received an unsolicited call from the BCI investigator. He stated that he was prohibited by the Coshocton County Prosecutor from pursuing the Rhodes investigation any further. After pushing back, I got this CYA response from the prosecutor. Quote, it does not appear, based on my 20 years of legal experience, that a crime has been committed in this case. This is not about whether some county prosecutor believes what is or is not criminal. It's about your appointee, Mr. Mayor. Rhodes used his

position to falsely obtain public funds. Council was deceived by a series of blatantly false and misleading claims, all recorded on video. Councilman Marmie's involvement, per Rhodes, and his laughable projections about Nike and Under Armour bringing in big bucks, confirmed Marmie's uninformed and blind support. Instead of replacing a scoreboard for well less than \$50,000, Rhodes convinced Council to approve an 864-square-foot, \$240,000 scoreboard to sell advertisements. Unbelievably, Rhodes only installed a 475-foot scoreboard for \$340,000. After six years, the plan, Council unanimously approved, produced the following disastrous results. The plan that was touted to fund Edwards Park for years to come has produced a pitiful \$40,000.

**President Harris** - Your time's up, sir. Your time's up.

**Mr. Froelich** - And the city has spent 256...

**President Harris** - Sir, your time is up.

**Mr. Froelich** - Three minutes exactly?

**President Harris** - Yes. Your time's up.

**Mr. Froelich** - \$256,000, and the Y's lost \$93,000.

**President Harris** - Time's up. Please have a seat.

**Mr. Froelich** - No, I'm going to leave. Is that okay?

**President Harris** - Oh, so you're not going to wait for anyone to respond? You're going to leave?

**Mr. Froelich** - You guys respond. Sure.

**President Harris** - All right. Anybody else would like to speak? Sit down, sir. Please sit down.

**Mr. Froelich** - You want me to sit down? I can't leave.

**President Harris** - You can leave if you want.

**Callie Rucker, 130 Delmar Ave.** - First of all, I would like to say good evening. What I am seeing what's going on in the city of Newark, I am not a happy camper. It seems like now since everything is going on in the universe, it seems like everybody is against one another. My main concern is the homeless people and the ones that's not as fortunate as we are and you are. And the way that they are being treated. These are human beings just like anybody else, and I always tell people, any one of us can become homeless today or tomorrow. Let there be a fire or a flood or a tornado. We can all become homeless, and who's going to be helping us out? The homeless, the one you all tossed aside. These have once been taxpayers for the city of Newark. So, if they're not working now, there's somebody in their family that's working. They're paying taxes also. If everything, let me repeat myself, going on in the universe, we should be coming closer together. When there's a storm coming, a fire, it doesn't care whether you're Democratic, Independent, or Republican, we all go when that wagon comes. And we got all these fires and all these mishaps going on, and all the time people can come together if there is tragedy. It's a shame when you support the ones that you have, people go around and talk about it. But what I see, we as a community and human beings should be ashamed of ourselves. We should be, Newark is small enough for us to set an example for the cities. They can take an example from us. I notice when there's snow in the city of Newark, the side streets are not getting plowed off. These are human beings that are working. They can't even get out and go to work. They're paying taxes also. A lot of times people have their little cubbyhole. They can come from the city, wherever they come from. Then they go back. Some people just don't have a heart for people. I don't know where these people come from. We have to look at the younger generation. I'm a fan for the younger generation. I don't see what they're doing

anything wrong. All they want is somebody to talk to them and not at them. Regardless of what the older generation might do or not, they are our future and they are going to be making plans for us one of these days and they are going to be taking care of us. The doses that people, the older generation, send it to them, well, listen, we're going to exit the universe one day and they're going to send the same thing that, not me, that they sent to them. Processed food, they want to take the Medicare and Medicaid from them so they have a chance to sit right back at people who did it wrong. They don't forget, like I said, all they want is to be a part of the solution. I don't see nothing wrong with them. I don't see anything wrong with them. People put all that negative, oh, look at them, look at them. Ain't nothing wrong with them. And the same equipment they have there at the airport to check their bags and stuff, they can have it in the school. They don't have it there. Ask me how I know because I check the schools. I don't have anybody go to school in the city of Newark. I don't have anybody. But I'm not going to get there and down the teachers nor the kids, but I can down the education because the kids are not getting the education that they need when they go to the real world. I pay attention to all this stuff, how everything is going. I pay attention. These are our children, grandchildren and great-grandchildren. I remember in the city of Newark when they got ready to build the new school. They said, we don't need no new school. We're just submitting here now. Those old schools had served us purpose to let them go (inaudible) lead. Asbestos. They had mold. They had dust. No telling what type of kind of insects were in there. It might have been (inaudible). I hope when you go home tonight, on your way home, you all can have a heart for human beings. They are all human beings regardless of where they come from, what they're doing. So, everybody have a good evening.

## **MISCELLANEOUS**

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

**Mayor Hall** – I'll pass this evening, thank you.

**Mr. Rine** – I just want to say I appreciate everyone...with 25-06, that really needed to be passed. I appreciate that. With that, I will pass.

**Mr. Barker** - Thank you, Mr. President. Again, to echo what Councilman Rine said, I want to thank everybody for their support on 25-06. Something that we definitely are hoping the state legislature will now act on, or the Supreme Court will rule on to allow that (inaudible) to go into place. Mr. Froelich, you have consistently been on a path of investigations that have found nothing. By multiple different agencies. I don't know if you're still here or if you left. I have no idea. But if you're still here, I just don't understand what your end goal is. With this crusade you've been on for years. That has found nothing. With that, I pass.

**Ms. Bline** – First, I want to thank everyone for their kind support. Who reached out with their condolences and gifts of prayer and food and cards and flowers. I appreciate the flowers from council. I appreciate, certainly, Councilman Marmie, Mr. Labutis, and Mr. Cost for attending this home-going ceremony on Saturday. It meant a lot. It just shows what a great community we have here. I had more people than I truly ever expected come. I just completely appreciate all the well-wishers. It was just a great time. I want to thank Mr. Fox for picking up the phone after hours and helping the community with a very difficult situation. Everything turned out great. I wanted to encourage you that I've received a call from a resident on Wyatt. He asked that I relate the experience that he had with the lead line replacement team. He said it was far and

above over his expectations, and that they had worked to make his property, in fact, better than what they had found him with, and he was thrilled. I'd also like to thank Deputy Chief Brnjic and Sergeant Harris for sharing their processes and expertise at yesterday's community meeting at Wells Park. It meant a lot to the residents. We had a great turnout. So many attended. I heard a theme, I was just listening as people were chatting at the end. And one neighbor said, I don't feel alone anymore. It's so good to hear that, it's so good. Then before I knew, another one said, it was so nice to know that things are being taken care of, that what a great community we have here, and how great it is to receive support not only from the police but from one another, and looking after one another and caring for one another. This is what all this is about, and I just want to thank everyone for the great support they offer, seen and unseen, throughout the city. It's really great, thank you.

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

**Mr. Cost** – I will pass.

**Mr. Houser** – I will also pass.

**Mr. Labutis** – I will pass this evening.

**Mr. Marmie** – Thank you, Mr. President. Need to call a Finance Committee meeting for April the 7th. I am going to kind of echo what Councilman Barker has indicated. Mr. Froelich has sent numerous emails. I used to respond to them. I asked him to send suggestions or ideas and not just point out fallacies or make accusations. Half of the information that is presented in emails and anything that he says is inaccurate and false. He exaggerates significantly. Yes, the scoreboard did not generate the revenue that was anticipated, but something called COVID happened that no one anticipated. It devastated a lot of businesses and also did devastate the revenue projections of the scoreboard. We gave the service director the right to enter into negotiations and he makes decisions on the operations side. We legislate his ability to make those decisions and he did that. Investigation after investigation has shown that there was no illegal activity, nothing that was founded. In addition, as Mr. Froelich said, yeah, no one wants to investigate because they said it's already been investigated, why would we need to reinvestigate it again? So, I will just state that for the record, nothing has been found to be wrong. Did everything work out exactly the way that we anticipated? No, it did not, but that's life. It doesn't always end up the way that it was anticipated because things happen. And so finally, on this St. Patty's Day, an Irish prayer. May God give you, for every storm, a rainbow. For every tear, a smile. For every care, a promise. And a blessing in each trial. For every problem life sends a faithful friend to share. For every sigh, a sweet song. And an answer for each prayer. And with that, I pass.

**Mr. Rath** – Thank you. I will call a Service Committee meeting for Monday, April 7th. Mr. Fox, I should have said something a couple weeks ago. Actually, I should have said something over and over and over again. I apologize for not. My stepdaughter is from Wapakoneta, lives in Greenville now, out in the country. Everything's supposed to be pristine and green and perfect out in the country. Every time she comes to Newark, to our house, I ask her about how good the water is. She is constantly talking about that. So, thank you for allowing that to happen and making that happen. Happy St. Patrick's Day to everybody. I appreciate your prayer, Mr. Marmie. But I will let you know, if you don't already know, I'll just remind you that St. Patrick was Italian, just so you know that. With that, I'll pass.

**President Harris** – Well, I'm not going to sit here and let people, you know, say false things about our council people and our service director and any other service people in the city. I agree with Mr. Barker and Mr. Marmie, all the false statements. He keeps going, going, going, and no one's found anything that anybody's done wrong. I don't understand why he keeps going. So as long as I'm president, I'm not going to let people stand there and disrespect none of us in here. Our next meeting is April 7<sup>th</sup>, and I'd like to get a picture that night if we can all dress up and look pretty. Is everybody going to be here? I'll have Amy send out an email.

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

**Jeff Harris, President of Council**