

COUNCIL MINUTES

May 19, 2025
Council Chambers
7:00 P.M.

President Harris called the meeting to order

ROLL CALL - Ms. Blin, Mr. Cost, Mr. Houser, Mr. Labutis, Mr. Marmie, Mr. Neely, Mr. Rath, Mr. Rine, Mr. Barker

INVOCATION – Mr. Labutis

PLEDGE OF ALLEGIANCE – Aria Piper, 5th grade, Carson Elementary

CAUCUS - Motion by Mr. Marmie to excuse Mr. Chute, Second by Mr. Houser, Motion passed by acclamation

MINUTES of May 5, 2025, Motion to accept by Mr. Labutis, Second by Mr. Barker, passed by acclamation

APPOINTMENTS

Mayor Jeff Hall - Appointing Carson Combs to the Etna Corporate Park Joint Economic Development Zone 1 Board. His new term begins immediately to fill the term of a past member and will expire September 30, 2025.

Motion by Mr. Labutis, Second by Mr. Houser, passed by acclamation

Mayor Jeff Hall - Appointing Carson Combs to the Etna Corporate Park Joint Economic Development Zone 2 Board. His new term begins immediately to fill the term of a past member and will expire October 19, 2026.

Motion by Mr. Labutis, Second by Mr. Houser, passed by acclamation

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 April 30, 2025 **Received and Filed without objection**

Jill Frew, Tax Administrator's Office – Income Tax Revenue Reports for the period ending April 30, 2025 **Received and Filed without objection**

COMMUNICATIONS

Kyle Lund, Director Licking Park District – The Licking Park District’s Annual Report for 2024 Received and filed without objection

COMMENTS FROM CITIZENS

James Guy, 42 N. 22nd St. - First, I want to thank everybody here that's volunteered to serve the community as mayor, law director, and council members. It's an important function that not everybody is willing to use their time to do that. I've spoken to Bill and Mark on the phone and just have some observations and pet peeves of stuff that I see going around the neighborhood that I feel can make it safer both for me and others. It just, as you probably know, just takes one little careless moment and something really bad can happen. So, first observation is people parking on the public street on the wrong side, not going with traffic. So, the wrong side of the road. There's a law that we're not supposed to be doing that and yet if you go around you see it frequently on just a lot of streets. So, that means you have to cross over the lane of traffic in order to do that and I understand I'm not trying to be a jerk or not limit people's freedoms but there are laws and they're there for a reason and that's not really being enforced. It's the state of things here in our current times that people use cell phones and they don't use hands-free. These are observations that I just see walking around, riding my bicycle around, driving around, and if I see it I believe that the police officers are seeing this too, and I've never seen, I don't know if anybody's ever pulled over for it. I don't know if there's any kind of data that tells infractions of how often somebody's pulled over for something like that. No lights on when the wipers are on, that's pretty frequent. Not slowing down in school zones, especially if the 20 mile per hour signs are flashing. If I'm going 20 miles an hour, usually somebody comes up behind me at a high rate of speed and if I wasn't there they wouldn't slow down. Parking in fire lanes when picking up kids in the school zones or in the school parking lots, a lot of that happens. My granddaughter goes to Cherry Valley Elementary and nothing ever seems to be done about that. I don't know if it's possible to have a policeman every so often go through the parking lot, especially at drop-off and pickup time, and say hey you're not allowed to park here. If that happens again we're going to give you a ticket. I believe that if little things aren't enforced, people will try to get away with more and more and more. As you know, the city is going to be growing because of all the development around and you've got people moving in from other areas and maybe they're from less lenient places, or more strict places, or not as strict, and I don't want the city to become the Wild West. Traffic at pedestrian crossings when there's crosswalks and there's lights that flash to alert people you're going to cross, most people won't stop for that or slow down and let you go across. There's also a lot of those that do not work on a regular basis, and I don't know if the service department checks those, if they have any kind of system in place to check every quarter or whatever, if they just rely on the public to alert them when something like that happens. And then finally, noise ordinance in the city. I kind of read through the noise ordinance, which I believe is 6-34-04, and I believe after a certain time that their decibel levels are either supposed to be like 50 or 60 decibels and I think the motorcycles that are going up and down Main Street and North 21st Street and accelerating quickly and stuff that I believe those are over the decibel levels and I don't know if anything could be done about that or if they're allowed to do that. I told Mark and I think Bill both that if I had my car without a muffler on and was going down the street and making the same noise that a motorcycle was I'd probably get a ticket. Then also with the noise ordinance, at 4:30 in the morning, usually between 4 and 4:30 up at Pizza Hut at the corner of 22nd and Main, Shackelford Waste picks up usually between 4 and 4:30. That butts a residential area and there are residences on the opposite side of the road and on the same side of the road that I don't

know if that's a business because if it's a business, it's zoned differently. To me that either borders a residential area or is a residential area even though it's a business and I just don't think that they need to be out before 7 o'clock. They've got from 7 till whatever 7 o'clock at night or whatever to get that and should be able to do that. So, I don't know if something could be looked in to eliminating that and also, they come down the street usually between 6 and 6 30 to also pick up trash. There're studies done about noise and our health, and I'm getting older so I don't want to have coronary issues or high blood pressure issues and stuff because those are some of the things that loud noises can affect your health that way and there's been several studies throughout the years done on those. Thank you for listening to me, and hope I don't sound like an old man.

Mark David Fraizer, 20 W. North St. - Members of Newark City Council and the city administration, I want to start by saying the historical Hudson Community Association would like to invite you to our annual picnic in the park (inaudible) at North Street Park on July 12th at noon. This annual event is offered to anyone in our community and we have a cookout, activities, and our community garden will be open for viewing. Your attendance will be well received and provide an opportunity to meet the members of the community impacted from the January 2026 to 2031 sewer separation project for the 16 North sewer separation. From the initial public meeting I attended on December 5th to the follow-up conversations, I do appreciate Brandon Fox and Brian Morehead's willingness to engage with us and to assist the initial assessment of North Street in the associated costs to return a brick road back to brick. What is clear on the \$368,333 in assessments that that within the current time frame and the financial impact our community cannot afford the entirety of this price tag and the requirements of the city to provide an agreement prior to July 2025 time frame prior to bidding. The current cost with the potential increase with real additional costs will be placed on individuals with fixed incomes and result in exponential increases to their property taxes. One individual owner currently paying twenty-four hundred dollars a year in property taxes would be responsible for \$40,000 of this assessment alone, essentially 18 plus years of property taxes, potentially doubling or causing even greater than double of the yearly taxes. Outside a major charitable donation and or cooperation with the City, the North Street community will be unable to pay the assessment as made by the City. This has however demonstrated several key items in this research and the community conversation. Where are the brick roads located? (Inaudible) one, and what protections can be put in place to maintain this fleeting part of our history. I was able to locate 16 brick roads in the remaining part of the city located within four wards. The first step is awareness, so in the HHCA area there's West North, East North, Charles Street, Kibler Avenue, East Oak Street, and Elizabeth Street. For the other brick roads in Newark there's North 5th Street, Linden Avenue, North 7th Street, Fairfield Avenue, Rug Avenue, Park Avenue, Woods Avenue, and East Canal Street, Yearly Street, and Eddy Street. The next step to awareness of the process is to preserve the roads for communities and establish legislation to ensure a well-documented process to preserve the roads. Currently with minimal inventory on the roads and the lengths and what they're... it's a very slow process to capture the relevant information for assessment. Also, it's exceedingly cumbersome to ensure the documentation is correct and an assessment can be completed in the timeframe required by the City. I strongly believe in historical preservation, whether it's the Arcade, county courthouse, county jail, or simply brick roads that we travel on. I look forward on working with the City in this upcoming project which is phase two, which will encompass four roads that are brick in our community, as well as future phasing that is ultimately the sewer separation project for the rest of the city. I look forward to working with the administration and continue to work with the law director's office, council, and our organization in the next phase of this project in order to

make sure that we find a process that is adhesive, comprehensive, and repeatable. So, thank you guys for your time, have a wonderful day.

Rochelle Volen-Smith, 237 Violet Ct. - Thank you for bringing up the noise topic. Already fireworks have started in our neighborhood, or shooting, I'm not sure which. I'm curious as to why this has become in our city an all year-round event to have fireworks in people's backyards and in shopping centers all year round. Already Target has a sign up indicating that they don't want fireworks near their front door. I'm really curious as to why this has become a phenomenon and just want to state that. Last night I heard booming about midnight, like just about next door. It's just become ridiculous. Just because it's Memorial Day coming up doesn't mean it's an all year-round event. This is happening all times of the year now. Thank you.

ORDINANCES ON SECOND READING

There are none this meeting.

ORDINANCES ON FIRST READING

By: Mr. Rath, Mr. Cost, Mr. Barker, Mr. Marmie

25-17 AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 170 OBANNON AVENUE, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID #054-198390-00.000 AND PARCEL TAX ID#054-198396-00.000 FROM THAT OF LC LIMITED COMMERCIAL ZONING DISTRICT TO LI LIMITED INDUSTRIAL ZONING DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO.

Referred to Planning Commission

RESOLUTIONS ON SECOND READING

Mr. Marmie, Mr. Cost, Ms. Bline, Mr. Chute, Mr. Rath, Mr. Neely, Mr. Barker

25-23 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO APPLY FOR FINANCIAL SUPPORT FROM THE STATE OF OHIO 2025 NATUREWORKS GRANT.

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

Mr. Marmie, Mr. Cost, Ms. Bline, Mr. Chute, Mr. Rath, Mr. Neely, Mr. Barker

25-24 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO SUBMIT AN APPLICATION TO THE OHIO DEPARTMENT OF PUBLIC SAFETY OFFICE FOR FEDERAL FISCAL YEAR 2026 OHIO TRAFFIC SAFETY SUMMER HOLIDAY ENFORCEMENT PROGRAM (SHEP) GRANT

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

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

25-29 A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO SELL CERTAIN CITY PROPERTY AS DESCRIBED HEREIN BY INTERNET AUCTION

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

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

25-30 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO, TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT, SUBJECT TO THE APPROPRIATION OF FUNDS, FOR THE DESIGN AND CONSTRUCTION OF THE HORNS HILL MOUNTAIN BIKE PARK TRAIL REFRESH.

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

RESOLUTIONS ON FIRST READING

Mr. Chute, Mr. Cost, Ms. Bline, Mr. Rath, Mr. Barker, Mr. Marmie

25-31 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION **Held until 6.2.25**

Mr. Marmie, Mr. Cost, Ms. Bline, Mr. Rath, Mr. Barker

25-32 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION **Held until 6.2.25**

Mr. Marmie, Mr. Cost, Ms. Bline, Mr. Rath, Mr. Barker

25-33 Exp A RESOLUTION 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, Motion passed 9-0

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

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

25-34 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO NEGOTIATE AND ENTER INTO CONTRACT WITH LAYTON INC., FOR OFF-SITE ROAD IMPROVEMENTS (ROADWAY WIDENING OF WEST MAIN STREET FROM COFFMAN ROAD TO WEST OF BUILDERS DRIVE) AS A RESULT OF THE PROPOSED TRAILHEAD VISTA APARTMENT DEVELOPMENT AND WAIVING COMPETITIVE BIDDING AND DECLARING AN EMERGENCY

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

Mr. Rath - Mr. President, the reason for the emergency clause on this is to be able to coordinate this project with other road construction projects and minimize the impact of the surrounding community.

Motion passed 9-0

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

25-35 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO TO NEGOTIATE AND ENTER INTO CONTRACT, SUBJECT TO THE APPROPRIATION OF FUNDS, FOR PROFESSIONAL SERVICES TO REPLACE THE UTILITY BILLING SYSTEM FOR THE WATER DIVISION. PURSUANT TO ARTICLE 10.02 (D) OF THE CHARTER OF THE CITY OF NEWARK, THIS CONTRACT FOR PROFESSIONAL SERVICES DOES NOT REQUIRE COMPETITIVE BIDDING.

Held until 6.2.25

COMMENTS FROM CITIZENS

MISCELLANEOUS

Tricia Moore, Law Director – Yes, thank you. Mr. Guy, I want to address some of your concerns. First of all, we prosecute for people having stuff in their hands all the time. You can watch us on the municipal court. You can watch arraignments. We do have a lot of charges, especially with the State Highway Patrol coming in for that. We've had citations for wipers when lights are on. We do a lot of school zone speeding cases. You know, one thing I want to, and we've also have recently charged trash companies for picking up too early. But the key to all of this is that we have to have people that call the police. Not just come up here and say we hear it all the time and nothing's getting done. We need people that are willing to call the police, write a witness statement, and be willing to come in and be subpoenaed to court to testify. So, we'll talk afterwards. But people, and especially with the noise complaints, I know Beth and I talk about this all the time, people need to be willing to call into the police, write a report, and be willing to come in and testify. I think that's where we find a lot of people fall short, is that they don't want to be involved, but they want something to be done. So, these are very complaint-driven laws, especially our noise ordinance, especially with trash companies. I can tell you that there are a lot of things that you mentioned that we do prosecute in my office often. We'll talk afterwards. Other than that, happy Memorial Day. I'm a big fan of our veterans, and a special thank you to the families of those who gave it all. So, I hope everybody has a very peaceful Memorial Day and spends it with family and friends, appreciating everything you have and everyone you have around you. So, with that, I'll pass. Thank you.

Mayor Hall – Yeah, probably just to tag on what our law director just said, Memorial Day is next Monday the 26th. As we do each year, we'll have a wonderful, honorable ceremony at Cedar Hill Cemetery. It does start at 11, probably arrive 15 minutes early or something like that. A lot of people participate. The cemetery works very hard to get it cleaned up in order for that. It's a really nice service and a lot of people in the community attend. If you're concerned, I'd probably bring a chair to sit in. It helps a little bit. Sometimes there are chairs, but it never hurts to do that. But again, it starts at 11 o'clock, and there'll be some speakers, and there'll be, as Law Director Moore says, we owe a lot to our veterans, and especially those that gave the ultimate sacrifices for our freedom. So, we are very proud of this community to honor them on Memorial Day. With that, I'll pass.

Ms. Bline – Thank you, Mr. President. I'd like to echo the words of our mayor and law director concerning Memorial Day. You know, this is one of my favorite holidays of the year, I guess, more personal reasons. I have a lot of military in my family, and even through the heritage of, again, as the mayor and law director said, of those in this area, it's just a tremendous opportunity to give honor to those who (inaudible). I'd like to continue and thank Lindsey Brighton and Brandon Fox for intervening and responding to citizens when they have complaints. That's a big deal. A lot of places, they don't do that. And to have someone say, you know, the water department director or the engineers called me to talk about things, that means a lot. I really appreciate their time and service to do that. Speaking of service, I'd like to thank Christian Life Center. A week ago, Saturday, we all met and we did a renewal to an area of 16 that needed it. And I'd like to thank them as well. They didn't allow the city to take away the refuse. They took care of it themselves. They paid for it. That was really nice. I appreciated it and they're great people. Even after the event, it continued. We went on to places in areas of south Newark that needed a little touch up and it looks great. Continuing into that, our community cleanup was Saturday, and I'll tell you, we had a great time. Property maintenance was there. The parks

department was there. We had volunteers from the area. As Shackelford's was there kindly volunteering their truck. It was a really nice day to just sit back and see all the change that came to the south end. There really wasn't any trash to pick up. So, we ended up painting and it was really fun. It was great to see our service departments going out, working in the community and the community responding in like-mindedness. It was just a really good day. I'd also like to thank the Excellence in Learning Community for allowing me to come speak for their graduation. It was the second consecutive year and it was just a great time. They let me try some new things and work outside the box on some ideas, and it was just really good and I appreciate them. Congratulations again to all the graduates in the area. The best is yet to come. Thank you.

Mr. Cost – I just want to say how much I appreciate the Memorial Day service at Cedar Hill. It's always just an excellent program and I encourage you all to come. I'll pass.

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

Mr. Labutis - Thank you, Mr. President. I do want to wish everyone a happy Memorial Day and I'm thankful for all veterans that have gone out and fought for our freedoms. I'd like to thank Mr. Guy for coming out this evening and sharing your concerns. I know you'll connect with the law director. I'll join you afterwards as well, but thank you for coming in for that. And if you've been near Western Street between 29th and Greenwave Drive, it's a little bumpy right now. The construction has started in that area as of May 12th and will last for about four months. They're redoing that road, putting a turn lane in the center and then redoing some of the sidewalks and curbs there as well. So, if you want to go Main Street, behind Shaw Drive, 30th, 21st, you can kind of get around that area. But yeah, if you are traveling through there, just be careful and take some extra caution. With that, I will pass.

Mr. Marmie – Thank you, Mr. President. I need to call a Finance Committee meeting for June the 2nd. Couple of things. Mr. Guy, I really appreciate you coming, voicing your concerns. I'm going to echo with the law director. We have a very good block watch program in the north end of Newark. The key is never engage, always report. Be willing to follow up on your reports and help assist the law director's office with any kind of criminal prosecution or anything along those lines. There are different methods. We always tell folks, don't expect the police officers to come out for the minor things, but we do have a method now where you can report things. The more incidents that you report, and if it's a pattern, then now all of a sudden it gets a little bit higher priority. Therefore, if there's a pattern that's created in an area, then yes, by all means, it becomes a higher priority. So that's why it's important to report also. Like I said, most of the times, it doesn't even require an officer to come out. We just have a reporting system stating this happened or that happened. So, I encourage you to utilize that. I, too, have seen the trash and it's happened in my neighborhood, and yes, it can be frustrating. Although I'm up earlier than that. I'm up about 4, 4:30. So it doesn't bother me, but it bothers the fact that I know my neighbors are still sleeping. So, Mr. Fraizer, I look forward to working with you. We are trying to plan a follow-up meeting with different individuals, including the Historic Hudson Community. It won't be though until sometime in June, probably early June, before we can get that meeting together, but we do look forward to further discussions. I want to wish everybody a happy Memorial Day. With that, I will pass.

Mr. Neely – Thank you, Mr. President, I will pass.

Mr. Rath – Thank you. I'll call a Service Committee meeting for Monday, June the 2nd. I want to remind Mr. Mayor that we're going to have another additional 260 apartments plus or minus that we're going to be voting on here very shortly to approve. It's going to increase the traffic dramatically. We

absolutely need to close north-south Chalfant and open the Cherry Valley Bridge. Happy Memorial Day to everybody. With that, I'll pass.

Mr. Rine – Thank you, Mr. President. Thank you, Mr. Guy for coming in. If that's your real name, no, I'm just kidding. Mr. Jim Guy, hopefully you get everything you need, all your answers that you need from Tricia and everything. Mr. Fraizer, thanks for coming in. Couldn't agree with your comments any more. Couldn't agree with them any more, and then I couldn't have said it any better. I look forward to the picnic, July 12th. Happy Memorial Day, and I'll pass.

Mr. Barker - Thank you, Mr. President. Just like to wish everybody a happy and safe Memorial Day, and with that, I'll pass.

President Harris – Thank you. I want to thank everybody that showed up to the cleanup on Saturday. I think that's one of my favorite events to attend every year is all the cleanups. They're a lot of fun. I want to thank all the city workers who worked it. I want to congratulate Mr. Neely on his daughter graduating from high school. I think him and I are the only two that have a graduate. I have a grandson that's graduating from kindergarten.

Mr. Neely – Bookends.

President Harris – Yeah. Do I have a motion? Next meeting is June 2nd.

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

Jeff Harris, President of Council