

COUNCIL MINUTES

NOVEMBER 2, 2020
Council Chambers
7:00 P.M.

President Ellington called the meeting to order

ROLL CALL – Mr. Rath , Mr. Barker, Mr. Blake, Mr. Bubb, Mr. Fennell,
Ms. Hall, Mr. Harris, Mr. Labutis, Mr. Lang, Mr. Marmie

INVOCATION – Mr. Blake

PLEDGE OF ALLEGIANCE- President Ellington

CAUCUS

Mr. Marmie – I would like to invoke Rule 11 for Resolution No. 20-86

President Ellington – Is that okay with you Mr. Blake?

Mr. Blake – Yes

By: Mr. Rath, Mr.Marmie

Resolution No. 20-86 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITHOUT COMPETITIVE BIDDING FOR NECESSARY EMERGENCY REPAIRS AT NEWARK FIRE STATION #3 AND DECLARING AN EMERGENCY.

President Ellington – Mr. Rhodes, do you want to say anything about this?

Director Rhodes – I spoke about it at committee.

Motion to adopt by Mr. Marmie, Second by Mr. Blake, motion passed 5-0

MINUTES of October 19, 2020 - Motion by to approve the October 5, 2020 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 **Motion to approve by Mr. Labutis , second by Mr. Barker , carried by acclamation**

APPOINTMENTS

REPORTS OF STANDING COMMITTEES

Finance **Received & Filed with no objections**

Service **Received & Filed with no objections**

Personnel (10-5-20 Revised) **Received & Filed with no objections**

REPORTS FROM CITY OFFICIALS

COMMUNICATIONS

COMMENTS FROM CITIZENS

Mr. Steven Smith, 237 Violet Ct. – One of my neighbors’ entire family have come down with COVID-19, several adults and one infant. So far they seem to be doing well. It infuriates me when I go out to stores and I see the cavalier attitude people take about wearing masks or wear mask incorrectly when people are being harmed by their selfishness. This is a matter of public safety and responsibility and I hear people saying things like it’s their freedom of choice to not use the masks if they don’t feel like it. I feel like by the same argument it should be their freedom of choice to drive while intoxicated. This is a public safety issue, we are all in this

together. I just had to make my feelings known. Thank you.

ORDINANCES ON SECOND READING

By: Mr. Bubb, Mr. Marmie, Mr. Rath

20-31 AN ORDINANCE AMENDING THE POSITION CLASSIFICATION, PAY RANGE AND DEPARTMENT AUTHORIZATION TABLES OF THE CITY OF NEWARK, DEPARTMENT OF Public Safety, DIVISION OF Police BY CREATING THE CLASSIFICATIONS OF Secretary 2 and Detective Bureau Clerk/Analyst, AND SETTING THE COMPENSATION THEREFOR

Motion to adopt by Mr. Bubb, second by Mr. Labutis, motion passed 10-0

By: Mr. Bubb, Mr. Marmie, Mr. Rath

20-32 AN ORDINANCE AMENDING THE POSITION CLASSIFICATION, PAY RANGE AND DEPARTMENT AUTHORIZATION TABLES OF THE CITY OF NEWARK, DEPARTMENT OF Public Safety, DIVISION OF Fire/EMS BY CREATING THE CLASSIFICATION OF Administrative Specialist, AND SETTING THE COMPENSATION THEREFORE

Motion to adopt by Mr. Bubb, second by Mr. Labutis, motion passed 10-0

20-33 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 Inspector, AND SETTING THE COMPENSATION THEREFORE

Motion to adopt by Mr. Bubb, second by Mr. Labutis

Mr. Harris – I'm glad to see this position which will help the Property Maintenance Department, with this position they will be able to do about 1,000 more inspections per year and to help our city clean up and become better.

Mr. Bubb – I echo what Mr. Harris said, but with this, we also have to make sure this fits into our budget for next year, hopefully we can work that out within our budget next year.

Motion passed 10-0

By: Mr. Rath, Mr. Bubb, Mr. Marmie

20-34 AN ORDINANCE AUTHORIZING AND DIRECTING THE NEWARK CITY SAFETY DIRECTOR TO CERTIFY TO THE LICKING COUNTY AUDITOR, THE SUM OF \$293,233.00 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.

Motion to adopt by Mr. Rath, second by Bubb, motion passed 10-0

ORDINANCES ON FIRST READING

By: Mr. Rath

20-35 AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 298 BELLE VISTA AVENUE, CITY OF NEWARK, LICKING COUNTY, OHIO, FROM THAT OF LC – LIMITED COMMERCIAL DISTRICT, TO SINGLE-FAMILY RESIDENCE RH – HIGH

DENSITY DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO.

Forward to Planning Commission

By:Mr.Rath

20-36 AN ORDINANCE ANNEXING CERTAIN TERRITORY, GENERALLY DESCRIBED AS BEING 0.29 ACRES, MORE OR LESS, LOCATED IN NEWARK TOWNSHIP, TO THE CITY OF NEWARK, OHIO.

Held for 2 weeks

RESOLUTIONS ON SECOND READING

By. Mr. Marmie, Mr. Rath, Mr. Bubb

20-73 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 2021 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 to adopt by Mr. Marmie, second by Mr.Barker , motion passed 10-0

By: Mr. Rath

20-77 A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO PREPARE AND SUBMIT APPLICATIONS TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENTS PROGRAM AND TO EXECUTE CONTRACTS AS REQUIRED.

Motion to adopt by Mr. Rath, second by Mr. Barker, motion passed 10-0

RESOLUTIONS ON FIRST READING

By: Mr. Marmie, Mr. Rath

20-78 Expedite A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

Motion to waive 2 day reading rule by Mr. Marmie, second by Mr. Barker

Mr. Marmie – We have some money that needs to be moved in order to be put into appropriate payroll and supplies that are needed immediately

Motion to waive 2 day reading rule passed 10-0

Motion to adopt by Mr. Marmie, second by Mr. Barker, motion passed 10-0

By: Mr. Rath, Mr. Marmie

20-79 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE FOR THE CITY OF NEWARK, OHIO, TO ENTER INTO A LEASE-AGREEMENT WITH PARK NATIONAL BANK FOR THE LEASE-PURCHASE OF ONE (1) BUCKET TRUCK FOR USE IN THE DIVISION OF STREET AND TRAFFIC

Held for 2 weeks

By: Mr. Rath, Mr. Marmie

20-80 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE FOR THE CITY OF NEWARK, OHIO. TO ENTER INTO A LEASE-PURCHASE AGREEMENT WITH THE PARK NATIONAL BANK FOR THE PURCHASE OF TWO POLICE CRUISERS AND ONE PICKUP TRUCK FOR THE DIVISION OF POLICE

Held for 2 weeks

By: Mr. Marmie, Mr. Rath

20-81 A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

Held for 2 weeks

By:Mr.Rath,Mr.Marmie

20-82 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO TO ENTER INTO A CONTRACT WITHOUT COMPETITIVE BIDDING FOR THE PRE-PURCHASE OF ULTRAVIOLET LIGHT DISINFECTION SYSTEM EQUIPMENT AT THE CITY OF NEWARK WASTEWATER TREATMENT PLANT.

Held for 2 weeks

COMMENTS FROM CITIZENS

MISCELLANEOUS

Personnel Director Bill Spurgeon – On behalf of the administration I want to thank this council for it's support of Ordinance 20-31,32,33, it's much appreciated.

Mayor Hall – I want to thank our men and women of Police and Fire this week. During this past week when many of us are home and distancing due to COVID they have to be out working with people. This past week has been a tougher week. We had a burn out on Oakwood that was a vacant home, then followed by the commercial building fire on Clinton. That was a long night for police and fire, police did traffic control. I want thank mutual assistance, at one time they had 25 units there and in staging and pumped a lot of water for 2 1/2 – 3 hours and then through the night as it flared up and then of course with the legislation tonight, someone runs into one of our fire stations. It's been a little tough, but I appreciate the men and women of police and fire and all they do through these times and through this week they had.

Mr. Rath – I'll call a Service Committee meeting for the 16th and remind everyone to vote tomorrow.

Mr. Barker – I'd like to congratulate the Newark Catholic girls volleyball team for winning Districts this past weekend, they're headed to regionals. Also kudos to our police and fire chief, I was in touch with them to make sure our injured firefighter was okay and thankful for all they do to keep our citizens safe.

Mr. Bubb – I would like to call a Personnel Committee meeting for November 16th and would like to thank Newark Schools for stepping in to help Newark Catholic who is going to state playoffs. Newark High was able to move their game to an away site while the light upgrade project is being done and making it so Newark Catholic could play at home this weekend in front of their fans. So I wanted to thank the schools for being a good partner.

Mr. Fennell - I would also like to thank all of our first responders during this incredibly difficult time, not to mention the two fires as well as one of our firefighters being wounded, I wish a speedy recovery. Also it is election day tomorrow so if you haven't already done so, please turn out and vote.

Ms. Hall – I too want to remind everyone to vote tomorrow, it's our privilege. Speaking of voting, just a quick statement to clarify a recent article in the Advocate. Some people are upset that temporarily there is an "R" after my name. In the recent primary I voted for a Republican. It was my decision and important to me to do that. That changed my affiliation, however, in turning in my paperwork to run again in 2021, there will be a "D" after my name. Since my first day as a member of council in 2014 I have always voted in the best interest of the 1st Ward as well as all of Newark. Know that I will not be told how to vote, I will not ask permission, I will not be bribed.

Mr. Harris – I would like to say something about the last two fires we've had over the last couple of days. I believe there is no insurance on these properties so our Property Maintenance is going to have to take money out of their budget to help clean these properties up. It could hurt their budget. I would like to see us maybe look into something on these properties that maybe don't have insurance, and maybe we could go after the property owner or something to try to get some of that money back to put back into these budgets. If you have a big commercial fire and just guessing it costs \$70 or \$80 thousand to clean up the property, that's a big

chunk of change out of their budget. I don't know if we could call some type of meeting to discuss this because I think it's important and it's not fair to the taxpayers that pay their taxes and pay their own insurance and then have to clean up other stuff.

Mr. Labutis – I just want to remind everyone to vote tomorrow it is our greatest privilege. Obviously early voting is finished at this point, but kudos to the Licking County Board of Elections, my wife and I were able to vote a few weeks ago early. It was quick, fast, efficient and safe. If you haven't already, vote tomorrow.

Mr. Lang – I want to thank our first responders, I know it's been a difficult week responding to some situations that have been out of the ordinary. Glad to hear that our firefighter who was injured was at least able to go home and is recovering. If you weren't aware that voting is something you're supposed to do tomorrow I think you've been living in a hole. Go out and vote. Board of Elections has been doing a really nice job and I wish them luck tomorrow. It will be a challenging day for all the poll workers, kudos to all them who are out there making sure we can vote tomorrow.

Mr. Marmie – I need to call a Finance Committee meeting. I too want to congratulate Newark Catholic volleyball and football programs on their current success and wish them good fortune moving forward. I will echo Mr. Bubb, Newark High School was a good partner and the new Superintendent as soon as he found out said we've got to get right on it and said we've got to find a way. I really appreciate the fact that they're supporting each other and Newark Catholic's football team is going to be able to play at home at White Field. Otherwise they would probably had to travel to Zanesville or something out of our community where we wouldn't have received the benefits of folks eating dinner and things like that before and after the game, so, I do appreciate that. I also want to thank our first responders, they've done a fantastic job. I just heard they had to run out to the Trout Club this evening for another possible fire, but luckily it was not. They've just been extremely busy and on the spot, I appreciate everything that they do. I also know that during these times of COVID they're having to do extra things just to make sure they protect themselves and others and it doesn't make it easy, but they make it appear that way as they continue to do their jobs. Finally, I want to comment to the fact that I know there are some out there not abiding by the rules. I look and I see in our community far more people abiding by the rules and doing things positive to make sure COVID doesn't spread. I appreciate all of those folks and want to focus on the positive and those folks that are doing things right. Over the weekend the spike that's hit is an increase in numbers but the number of hospitalizations is down and other indicators are down a little bit. The key thing they're finding is that most of these things are actually happening in social gatherings of family members, like weddings, funerals and family get togethers. Everyone is quick to blame those who are out eating their dinner or for entertainment. Folks want to do things, they want to stay positive and stay active and that activity also helps with their own mental and physical health. I want to say kudos to those who are doing things in the correct manner and making sure that the spread doesn't go rampant.

President Ellington – Our next committee meetings will be November 16th at 5:45pm and full council at 7:00pm. If you are not one of those 90 some million that have already exercised your right to vote, go out and vote tomorrow.

ADJOURNMENT

Motion to adjourn by Mr. Labutis, second by Mr. Barker, passed by acclamation

Don Ellington, President of Council