

## COUNCIL MINUTES

July 17 , 2023  
Council Chambers  
7:00 P.M.

**President Ellington called the meeting to order**

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

**INVOCATION** – Mr. Harris

**PLEDGE OF ALLEGIANCE**

**CAUCUS - Motion by Mr. Marmie to excuse Mr. Lang, Second by Barker, Motion passed by acclamation**

**Motion by Mr. Marmie to invoke Rule 11**

**RULE 11**

**By: Mr. Marmie, Mr. Chute**

**23-31** AN ORDINANCE ACCEPTING THE FACT FINDER'S REPORT RECEIVED IN CONNECTION WITH THE COLLECTIVE BARGAINING NEGOTIATIONS BETWEEN THE CITY OF NEWARK AND FRATERNAL ORDER OF POLICE LOCAL 127, BLUE AND GOLD UNITS AND RECOMMENDATIONS CONTAINED THEREIN AND DECLARING AN EMERGENCY.

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

**Motion passed 9-0**

**23-32** AN ORDINANCE REJECTING THE FACT FINDER'S REPORT RECEIVED IN CONNECTION WITH THE COLLECTIVE BARGAINING NEGOTIATIONS BETWEEN THE CITY OF NEWARK AND THE FRATERNAL ORDER OF POLICE LOCAL 127, BLUE AND GOLD UNITS AND RECOMMENDATIONS CONTAINED THEREIN AND DECLARING AN EMERGENCY. **Failed due to Lack of a Motion**

**MINUTES of July 5, 2023, Motion to approve by Mr. Labutis , second by Mr. Houser, motion passed by acclamation**

**APPOINTMENTS**

There are none this meeting.

**REPORTS OF STANDING COMMITTEES**

Finance - **received and filed**

Service - **received and filed**

Economic Development - **received and filed**

## **REPORTS FROM CITY OFFICIALS**

**City Auditor, Ryan T. Bubb** – Operating report for period ending June 30, 2023

**Brenda Cooper, Tax Administrator's Office** – Income Tax Revenue Reports for period ending June 30, 2023

**COMMUNICATIONS** - There are none this meeting

## **PUBLIC HEARING**

**By: Mr. Marmie, Mr. Barker, Mr. Chute, Mr. Labutis, Mr. Rath, Ms. Bline, Mr. Harris, Mr. Rine**  
**23-21 AN ORDINANCE CREATING A DOWNTOWN NEWARK TAX INCREMENT FINANCING INCENTIVE DISTRICT1 AND DOWNTOWN NEWARK TAX INCREMENT FINANCING DISTRICT 2; DECLARING IMPROVEMENTS TO THE PARCELS WITHIN THE INCENTIVE DISTRICTS TO BE A PUBLIC PURPOSE AND EXEMPT FROM REAL PROPERTY TAXATION; REQUIRING THE OWNERS OF THOSE PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF THOSE SERVICE PAYMENTS; SPECIFYING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT DIRECTLY BENEFIT THE PARCEL, AND DECLARING AN EMERGENCY**

**President Ellington** - 23-21 was Tabled to a date certain which was tonight, what is your wish.

**Mr. Marmie** - Just so everyone is aware of what's going on here, this is Tax Increment Financing, we have to do things in a particular order, the Public Hearing needs to take place this evening, we then as a Council cannot vote on it for a certain number of days, however, the way that the original Ordinance came forward, there are some changes that had to be made, we made some changes to accommodate the local schools and we just needed to clean up some language. So, what I'm going to do is offer an amendment now so that it is cleaned up before the Public Hearing, so then the actual legislation that we are going to vote on August 21<sup>st</sup>, will already be in place.

**Motion by Mr. Marmie to amend Ordinance 23-21 to Ordinance No. 23-21-A, Second by Mr. Barker, Motion passed 9-0**

**Motion to Table 23-21-A to August 21<sup>st</sup>, Second by Mr. Barker, passed by acclamation**

**Mark Mauter, Director of Economic and Community Development** - This Tax Increment Financing legislation that is before you and the public for discussion is really a result of positive economic impact that downtown Newark has experienced with this tremendous revitalization over these past 10 or so years. Newark has become a destination for visitors to experience and visit, it's a hot spot for businesses, investors and developers and a place to call home for residents living in our downtown. As a result, Newark is growing in all these economic areas, in the need to be able to meet the needs necessary to sustain and promote that growth, the TIF is an economic development tool, not a tax. I'd like to repeat that, a TIF is an economic

development tool, not a tax and it will help us meet our expenses to expand our infrastructure for future economic growth. A TIF does not create any new taxes and again it is not a tax, it is a tool that can only redirect any future tax increases that are assessed by the County Auditor. Here's an example, hopefully you are all aware that we are in the midst of renovating that beautiful Arcade building that we have here in our town. Once the Arcade renovation is completed, the County Auditor will re-asses the value of that property. Any increased assessed value done by the Auditor that generates additional property taxes over and above the current taxes, 75% of that can be re-directed to the TIF. Those re-directed TIF funds which are now called payments in lieu of taxes will go towards paying the debt obligation to build a parking garage. The parking garage is a necessity for future development to continue. We need a place for additional residents, business owners, employees and customers of those new businesses to park. For a developer to come in and invest to create new living and work spaces, they need assurances that parking will be available to accommodate their clients and users. Without those assurances, the risk is too great for investment. In addition, we need to have ample parking to accommodate municipal employees, customer of the City Hall building and other downtown businesses and patrons of those businesses. For these reasons and for the continued prosperity of Newark's downtown I would recommend that this TIF be given careful consideration for approval.

**Tom Bline, 980 Jonathan Lane** - I think most of the folks know I'm on the School Board. For those who don't know the School Board passed our Resolution regarding the TIF a week ago tonight. I think I can speak for the entire Board when I say that this is one of those occasions where it works for all the entities involved, there just doesn't seem to be a downside in this and it especially works for the people we all mutually represent, so I think that's the most important thing. I think the Board also feels that one of the reasons this is coming to fruition is that the communication and cooperation on this has been outstanding through the whole process. All of our questions and concerns have been addressed in a timely basis and we just felt like we were able to move through the whole thing. I probably have forgot a few names, but names we keep hearing that we really want to commend are Fred Ernest and the NDP, Mark Mauter and Dave Rhodes from the City and then our Treasurer Julio Valladeras, I think they've all done an excellent job getting this thing through and I think it's because of their efforts that I guess we're rounding third base headed for home.

**Amy Shaw, 215 Elmwood Avenue**- I don't understand this at all. What's going to be done on my street? I live on the dead end side of Elmwood Avenue and it's awful. We have 2 street lights, no curbs and we're expected to pay this TIF thing, I don't understand it. Nobody's explained it to someone like me. I don't know where the money will go, what it's going to be. When it rains, I have to jump a 3 foot stream of water to get to my husband's truck, when it's icy out, same thing, in the 37 years we've lived there, we've seen one snow plow. It doesn't seem fair to me that we will be paying this and still live the way we are on our street.

**Mr. Marmie** - First of all I want to put it into laymens terms. You are not going to pay any additional money because this is in place. Your current tax rates are right here right now, okay, next year they will automatically increase, the County does a re-assessment every three years I believe it is, they re-evaluate, now there is a chance it could go down, but historically has not, what's in between here now is not going to be distributed the way the County currently does, it's going to go just for the special project of the parking garage. You're not paying one dollar more than you would have if this does not go in place, but when your taxes do go up, that increased amount is going to be re-directed, as the Director said, or just moved to a different fund to pay for the parking garage. AS far as your current situation, talk to your Council representative and the Administration on that, that's a separate issue. Does that make sense? And I can always talk to you afterwards. I want to continue on with a little bit of what Mr. Bline indicated, I appreciate you coming and speaking., I want to thank the Newark City School Board, I agree, I firmly believe this is a win, win situation. The area in which this TIF is taking place should not increase the number of students attending Newark City Schools. What it should do though is increase the average revenue for the area we're trying to do in Newark, which increases Newark City Schools revenue because they are collecting 1% on all income tax. So, I believe that what we are going to do here is actually going to increase their bottom line as far as what they are generating in revenue. I also want to thank Julio, he's done a fantastic job, his emails just come fast and furious, so I do appreciate what he has done. Also, one group and name that has not been mentioned yet, the Montrose Group, Nate, who's back her in the back, he's been fantastic, he's just kept us on track. He brings a perspective because this has happened in other municipalities and how they worked it. He's even said, well we need to ask this person this because we need a legal opinion on what's acceptable and what's not, so I greatly appreciate his expertise and what he has put into this project. NDP they've worked hard, they've done a great job, Director Mauter of course has been involved in that, the Mayor and Director Rhodes. This is something and I indicated this in one of the meetings that we had, this is not something that should we do it, I really firmly believe that if we do not do these things like this project, it will set Newark behind because we're going to grow regardless and we need to make sure we stay ahead of that growth. The things that this group has talked about and they're doing and the things that are stimulating other discussions that are taking place, that's what we need to be doing, we need to stay ahead and we need to plan ahead. We need to make sure that in that planning that we have contingencies, if this doesn't happen, this is the direction we need to go. I think there's enough intelligent individuals moving forward and this TIF is just one of those things immediately that's happening and this parking garage, it's being structured so that in the future if we need to make adjustments or do things like have a charging station, there is enough capacity with the electricity, so it isn't like we're just putting something up that's only going to be useful for 5-10 years, we're looking down the road with this so, I think it's a great project, a great way to fund this and again it's not increasing taxes in

order to do it, it's just whenever taxes do increase. If we have this parking garage, the land south of this building and on down south, now, it's more marketable for future growth, future building, for increased taxes to stimulate even more revenue for all the entities that are involved. So, I think it's something that is going to jump start it and I think that everybody should be in support of it.

**Tim Collins, 535 Welsh Hills, Granville** - I own Minuteman Press down here at 44 S. 4<sup>th</sup> Street. I appreciate what you're saying, I just have a couple questions, what is going to be the total cost of the structure, about how much revenue do we plan on getting out of the TIF each year and then approximately how long until it's paid off. Those are the questions I have, I think it's a good idea, but it seems no one has fielded these questions yet, it seems kind of open ended. So, I'd like to know approximate end date are we taking a year, 5 years, 10 years because if we say 5 years and we get the growth we all hope we get and we've got to add two more floors on top of that, or is that not even worthy of being built onto.

**Mr. Marmie** - It's a 30 year TIF, so the TIF lasts for 30 years, once the debt is paid off, like if it is paid off in 20 years, then the Schools get a portion of their funds back instead of keeping it at the current percentages. The other thing is this TIF is not the only mechanism funding that project. There's another area in the downtown that's going to pay special assessment to help, there is also additional funds coming from different entities, so we hope to get it paid off. The question you asked about adding 2 floors, probably not something that is going to happen and here is the reason why. If we need that much parking, we're not going to need it all right there, we might need it 3 blocks over this way or 4 blocks over this way. Those discussions are happening, but we don't know that next step yet, but we're thinking about them already, it won't happen here though because we don't want all the parking in one place.

**President Ellington** - Anyone else? Okay, we are going to go ahead and close this Public Hearing and this will be voted on August 21<sup>st</sup>.

#### **COMMENTS FROM CITIZENS**

**Nancy Welu, 7441 Stewart Rd.** - I'm here this evening as a volunteer for Ohio CAN, Newark Homeless Outreach as some of you probably know, I've been part of this organization for 5 years and I'm still amazed at the work we are doing each week. Unfortunately in the past few weeks we've lost 2 of our guests who were like family members to us and to the larger outreach community. These were two men who came to the outreach often. We mourn the loss of these two men and wish we could've done more to help them. As a community we need to do more to help those with substance abuse disorder, who are unsheltered and who have mental health issues. We know first hand how difficult it is for people to navigate the system that we have in this area and other areas. Unless you have lived experience or you try to help somebody get services you have no idea how difficult it is. I don't know how difficult it is because I haven't lived the experience. At the Outreach we are seeing over 100 people a week, 112 last Saturday. Some are unhoused, others who may just need a meal or some

hygiene articles. We're seeing more elderly, we're seeing more minorities. We turn no one away at the Outreach and I believe the reason that we are so successful is due to our consistency. We've not ever missed a Saturday in our existence. I would challenge you to come up with another small non-profit like we are to have that record. Last Christmas when it was really cold we had 4 or 5 volunteers down there that served 32 people that day. If we dropped food, it was frozen by the time it hit the ground. We have a huge commitment to our community, In view of all the statistics I stated we also don't stigmatize those who might have substance use disorder or who are unsheltered or who are just the working poor. We at the Outreach treat our guests with the utmost respect and in turn we receive respect back. We've never had to call the Police Department we don't have issues at the Outreach we have people come and we love on them and they love us for it. We are sisters and brothers and the volunteers at the Outreach are dedicated, caring individuals, some are here tonight, who come together each Saturday to give back to your community and my community. We will miss our two friends and we send condolences to these friends families, just as we miss those we have lost the last several years. So in your prayers tonight, for those who pray, please think of these tow gentlemen and their families.

**Patricia Perry, 282 N. 21<sup>st</sup> Street** - Linda Mossholder has been coming here for quite some time and requesting Opioid Settlement Funds to help offset our cost of fentanyl testing strips. She was pretty harshly denied them. One thing I wanted to let you all know is that we are providing fentanyl testing strips for the Adult Court Probation Department. Now, what's wrong with this picture? We also have several churches, maybe some of the churches that you all go to that donate money every month for us to get fentanyl testing strips and other harm reduction supplies. I wanted to make reference to a few comments that was made, One was "I am not going to promote anything that promotes the use of fentanyl or any other drug in this capacity that I know of, that creates unfunctional individuals within our community". Number one, fentanyl drug strips do not promote drug use, they save lives, many loves. I don't know if you read the drug overdose tally for every year, but last year 75-80% of the overdoses were meth cut with fentanyl and each one of those people could be alive if they had a fentanyl testing strip to know that there was fentanyl in it because people who use meth do not want to use fentanyl. Also the other comment that was made was "As far as legal attitude the drugs you are talking about, they are legal and I just can't support the use of fentanyl strips and the use of funds, our funds." No, I beg your pardon, they are not your funds, they are the funds of those people who have died to overdose and their families. When there was first talk of the Opioid Settlement money, I got emails, I got phone calls, they were mothers mainly and they were is there going to be enough money maybe I could bury my child instead of having him in an urn setting in my bedroom, do you think I could get money for flowers to put on my families grave. People deserve this money, the people that it affects deserve this money and people that are still out there struggling deserve this money. Everyone speaks of all the resources that we have here in Newark, it's not true. If you really are down in the dirt and doing what you need to do to try to help people. About a month ago I spent 6 hours on a Sunday morning trying to help a young man. He had tried to commit suicide and had went to a mental health

facility, but they sent him home in about 6 days. I called many agencies all around Ohio and no one could answer a phone on a Sunday. I have met with One Ohio and they have told me that money from the Opioid Settlement can go to treatment providers so they can hire people to work on the weekends and maybe do intake, but this young man his drug of choice was meth. I got him some phone numbers, gave them to him, but by Monday he was in the wind. Now he sits in the County Jail with a felony that will probably get him in prison where he won't get any treatment or any help there. So all of these agencies and organizations that tell you they give these people help and they give people rides to treatment, that's not true. Some of these agencies we've reached out to to get somebody a ride to treatment who had somewhere to go, oh well maybe tomorrow I could do it, well tomorrow never comes for many, as you see. Thank you for your time.

**Ramona Anders, Essex Street** - July 3<sup>rd</sup> was 5 years since I became a resident here which makes me a fulltime resident, July 3<sup>rd</sup> 3 years ago was also the day my brother was murdered by fentanyl. Same person, another person got the same drug, his was poisoned purposely. These people still walk the streets, I don't see anything being done except for these people who are exhausted. I'm from New York, I've been here 5 years and I feel like I'm doing more, I'm sorry, than any of you guys, because where are you, why aren't you down there. I don't understand, I'd like to be made to understand why you're not helping. And I think I was told that something very rude was said about the homeless people about them being a nuisance and an eyesore, well help them, they're people, they're people that were in the military, they are human beings, they're good people. Sit down at the Salvation Army and talk to some of these people, they're amazing. Has any of you ever lost somebody to fentanyl poisoning, or drug addiction because if you haven't you don't understand. You don't understand the grief, you don't understand the pain, not just for my brother who I lost July 3<sup>rd</sup>, 2020, or my mothers son, who found him in his bed and we were treated so horribly by the Police Department, horribly, it was disgusting, so I don't know what I can do or where I can step, and I'm stepping wherever I can to help wherever I can because this is wrong. You want your town to have a nice new garage to bring more people in, help your people. I'm not trying to be rude, but we need help. These are your people, not even mine, they're your people that were born and raised here they need help, I shouldn't be the one who's a single mother on my own hardly pays my bills, helping these people every single day and I don't know them, but I love them, because they don't get hugs they get treated poorly and looked at like they're pieces of crap and they're not. So that's just what I wanted to say my brother, forever 41, Patrick is his name and this is his fate.

**Linda Mossholder, 224 Green Meadow Dr.** - I'm not going to bring up anything my other friends have said, but the other day I watched and participated in an Opioid Project Webinar for community leaders. There were over 200 people present on this webinar, most of them were Mayors, they were County Officials and the whole purpose was to talk about what we could do about the Opioid Crisis. A couple takeaways that I had from that meeting, that in order to solve some of these problems collaboration is required. We can't do it at the Homeless Outreach, we're a grassroots organization, but without the cooperation of government, private sectors and others this is going to continue. The Opioid Settlement

Funds and I'm not going to be up here with my proposal again, I know better, should be used to assist people affected by substance abuse disorder. The State, Counties and Cities need to be held accountable for how this money is spent. Through this webinar, the most important statement I heard for community leaders is lead with compassion, leave stigma behind and I think that is an important thing to hear. Unfortunately in our community there is a lot of stigma. The Saturday after one of our guests died of an overdose was a hard day for our guests at the Outreach. We had a lot of people who were very upset. One woman said I just need to go and get some bad drugs because I just want to die because nobody in this community besides you guys care about us and we all just gave her a hug. When you see somebody for 4 years on every Saturday you really do have compassion for this person, this is a disorder it is not something people choose to do. As we know the number of overdoses have increased over the last couple of weeks, we got notices of overdosed behind the Salvation Army and in some other places, luckily those people were revived. I go down to the Outreach twice a day and restock the naloxone box, for those of you who don't know, that's Narcan. Every time I go down there the box is empty, so people are using it to save people. I would like to invite some of you just to stop by the Outreach, we're there every Saturday from 10-12. Look at the faces of the people there, talk to them, just acknowledge that they are human beings and then ask yourself this question. Are you willing to lead with compassion when making decisions about the Opioid Settlement Funds. On a positive note, we are once again doing a Health Fair at the Outreach this Saturday. This is an example of collaboration. These agencies come every three months and provide services for our people. The services aren't just for the people who come to the Outreach it's for the whole community, it's HEP A testing, HEP C testing and if we can keep this community well the rest of us can stay well.

**Clint Eskins, Gold Unit Rep for the Police Department** - The Blue Unit Rep is out of town and was unable to be here, we have some comments we'd like to make in regards to the acceptance of the Fact Finders Report earlier. First let me start by saying our membership is honored and grateful for the continued support from this community. People from this community come up to us every day and shake our hand and thank us for what we do. We're especially grateful for every one of you here who says thank you to us and who are the elected representatives of the citizens who shake our hand every day. I want to start with tonight you voted for the Fact Finders Report, we needed an agreement between the FOP membership and the City of Newark. In general as all contract negotiations go there is good and there is bad with it. Overall we think it's a good agreement, it's got a fair wage increase, however there was a key area that we feel that both sides of the table failed. And that area is the retention and recruitment of officers. There were several issues that were left on the table and like I said those were recruitment and retention, also the need for more officers in our budgeted allotment. Currently the police department sits at 70 sworn officer today, we will be losing an officer in a few days to a higher paying agency in Franklin County, we have another officer who will be retiring in the next month or two, that will leave us down 5 from being fully staffed at 73 a short time ago. By the end of 2025 the reality at the Police Department is that we will lose an additional 8-10 officers to retirements and most of those will probably be the supervision staff who will move on or will be eligible to retire at

that point. So we have an issue coming up with being able to recruit people to come here. According to the FBI stats the average City has 2.4 officers per thousand citizens, if you do the math, that would be 120 officers in Newark. By no means are we asking for 120 officers, but we're saying we need to look at the number for staffing, we really need to look at that. As far as how this bargaining process went, we want to share some of that with you, in September 2022, nearly a year ago, contract discussions began, a few meetings and (inaudible) and far too much attorney to attorney conversation and deliberation. Looking back we would've like to have changed that. The use of traditional bargaining practices failed the City, it failed our community and it failed the membership to really get to the meat and potatoes of what we needed to do. In the final months we became entangled in a non-financial issue regarding shifts, it's one of the things that keeps us compared to other agencies, the training we do, the work-life balance it provides, we thought was under attack, obviously through negotiations we kept most of that, but it was a retention thing that we thought was one of the hard things for us to have to deal with when recruitment and retention was such a key part of what we were trying to do each and every day. During face to face negotiations there seemed to be a consistent message in the beginning of a common bullet to address recruitment and retention, but primarily recruitment. Through negotiations the City and the FOP agreed to a condensed wage scale during this process. By condensing the wage scale, meaning that it takes an officer 10 years to reach a top wage, it was to bring it back down to where it would be 5 years. In doing so, actually not giving more to the senior officer, but giving more by increasing the starting wages so we could become more competitive. We believe both sides had a good plan to try to attract new candidates to the Division of Police, but unfortunately the shared ideal was literally pulled off the table in the very last minutes of negotiations. With this new contract a certified new officer in Newark will make \$24.72/hr, which is a good wage, I don't take that away, however, that same officer, it will take 10 years to top out. In contrast, our neighboring agency in Heath will start at nearly \$1 more, \$25.54/hr and in 3 years they will top out at more than what our contract will be. Certified Police officer in Pataskala, of all places, with their history there, they will now start at \$27.15/hr, Licking County Sherriff's office who is starting negotiations is now at \$27.12/hr for a starting officer and they top out in 2 years. That's \$2.40 more per certified officer and over \$5 an hour more for a new officer that needs to go to the academy. So, our concern is, that even though this is a good agreement it will leave us severely limited in our ability to compete with our neighboring law enforcement agencies just here in Licking County, not to mention Franklin, Fairfield. Delaware and other central Ohio communities such as Zanesville, in an out of contract move increased their salaries by 8%. City Council Members, Mayor Hall, Directors, we are proud to serve this community and truly thank you for the opportunity that you gave us to work here and serve this community. Over the next several weeks, we're asking not only for your support, but also for action from the leaders of this City and our organization pick up where we failed and help this community be served and fully protected by fully staffing us and helping us recruit the right officers to come here. I respectfully thank you for your time and look forward to continue working with you, thank you very much.

## **ORDINANCES ON SECOND READING**

There are none this meeting

## **ORDINANCES ON FIRST READING**

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

23-23 AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AND A RESOLUTION AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; PROVIDING FOR THE ADOPTION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; AND DECLARING AN EMERGENCY

**Motion to adopt by Mr. Rath, second by Ms. Bline**

**Mr. Rath** - The reason for the emergency clause is to meet publishing deadlines

**Motion passed 9-0**

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

23-24 AN ORDINANCE ANNEXING CERTAIN TERRITORY, GENERALLY DESCRIBED AS BEING 0.871 ACRES, MORE OR LESS, LOCATED IN NEWARK TOWNSHIP, TO THE CITY OF NEWARK, OHIO

**Held until August 7<sup>th</sup>**

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

23-25 AN ORDINANCE ANNEXING CERTAIN TERRITORY, GENERALLY DESCRIBED AS BEING 2.035 ACRES, MORE OR LESS, LOCATED IN NEWARK TOWNSHIP, TO THE CITY OF NEWARK, OHIO

**Held until August 7<sup>th</sup>**

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

**23-26** AN ORDINANCE AMENDING PORTIONS OF CHAPTER 1068 OF THE CODIFIED ORDINANCES OF THE CITY OF NEWARK, OHIO, REGARDING PROHIBITED ACTS AND PROHIBITED POSSESSIONS IN PARKS AND RECREATION AREAS WITHIN THE CITY OF NEWARK, OHIO.

**Held until August 7<sup>th</sup>**

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

**23-27** AN ORDINANCE AUTHORIZING A MORATORIUM ON THE PROCESSING OR APPROVAL OF ANY APPLICATION FOR A CERTIFICATE OF ZONING CLEARANCE, BUILDING OCCUPANCY PERMIT, OR ANY OTHER PERMIT OR APPROVAL REQUIRED UNDER A SECTION OF THE ZONING CODE RELATED TO SHIPPING CONTAINERS, TEMPORARY STRUCTURES, STORAGE UNITS, PODS AND BINS AS WELL AS FOR VAPE AND TOBACCO SHOPS IN THE DC DOWNTOWN DISTRICT OF WHICH ARE CURRENTLY UNDER REVIEW BY THE PLANNING COMMISSION AND CITY COUNCIL BY WAY OF ORDINANCE 23-22 AND DECLARING AN EMERGENCY

**Motion to adopt by Mr. Barker, Second by Ms. Bline**

**Mr. Barker** - This is an emergency because as it says in the legislation these items are currently under review by Planning Commission and we want to put a hold on any new changes that would be currently under discussion

**Motion passed 9-0**

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

**23-28** AN ORDINANCE ACCEPTING THE DEDICATION TO PUBLIC USE OF THE PLAT AND STREETS IN THE OVERLOOK SUBDIVISION, LOCATED OFF CHERRY VALLEY ROAD.

**Held until August 7th**

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

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

**23-63** APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$50,000.00 -Representation for Employment Actions)

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

**By: Mr. Chute, Mr. Labutis, Mr. Rath, Ms. Bline**

**23.64 CI** APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$59,875.00 -Contingency)

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

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

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

**23-65 Exp** APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$12,000.00 -Temporary Services) (\$11,315.07 -Expense for Kylie Humphrey while working as Deputy Clerk DocuScan Position)( \$23,838.54 -To cover newly created Grounds maintenance worker for 10 pay periods)

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

**Mr. Marmie** - We've created some new positions and things, but we did not have the funding in there so we want to make sure we get the funding in there right away so we can pay them.

**Motion passed 9-0**

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

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

**23-66** APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$150,000.00 -Request appropriation to hire 4 additional firefighters effective 8.1.23 and to outfit them with gear and uniforms) (\$693.75 -Requesting funds be appropriated into the equipment supply account from the sale of hose nozzles/tips on Gov Deals) (\$100,000.00 -Replace 300 feet of damaged sanitary sewer clay pipe on Church Street between 2<sup>nd</sup> and 3<sup>rd</sup> St. as part of East Church St. Storm water improvements project)

**Held until August 7th**

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

**23-67** A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE FOR THE CITY OF NEWARK, OHIO, TO ENTER INTO A LEASE-PURCHASE AGREEMENT WITH PARK NATIONAL BANK FOR THE LEASE-PURCHASE OF EIGHT (8) POLICE CRUISERS FOR THE DIVISION OF POLICE

**Held until August 7th**

#### **COMMENTS FROM CITIZENS**

**Rochelle Volen-Smith, 237 Violet Ct.** - I just found out that not only are we having difficulty with the negotiations with the Police Department and Fire Department, but a number of other departments like the Water Department have not had a contract for about a year or more and it just surprises me that it's taking that long for the City to fairly negotiate with it's amazing employees and they deserve better. Thank you.

**Linda Mossholder, 224 Green Meadow Dr.** - I also forgot to say that I am a Board member of OHIO CAN which is Ohio Change Addiction Now. I think what we would like to know is what plans the City does have for spending of the Opioid Settlement Funds and who's going to be involved in making those decisions. (inaudible on recording)

#### **MISCELLANEOUS**

**Bill Spurgeon, HR Director** - I just want to thank the Council for support of Ordinance 23-31. I want to thank the police union but more importantly all of our dedicated public servants who give their lives for our great City and I thank this Council as well.

**Mr. Mauter, Community and Economic Development Director** - Just to give a reminder, I put this out in an email to all the Council members, we finally received authorization to use our CDBG Funds through the COVID program, there are 3 specific qualified census tracked areas in the City that we can do roof replacements for, for owner-occupied homes. We put together a program flyer to answer basic questions, we have a map for qualified areas and the best part is this is a no risk or cost program available to income qualified homeowners, no landlords would qualify for this program. Please spread the word in your area and contact Community Development for any additional questions.

**Tricia Moore, Law Director** - First of all, I want to say I'm sorry for the loss experienced by the Homeless Outreach, I can sympathize with that as a prosecutor in the drug court whenever we hear of someone relapsing, we get to know that person, we get to see them every Friday in drug court and it's heartbreaking sometimes to see them after they have relapsed and so I do understand. As a City Official, my office works very hard to address the drug issue, of course we only see them when they come into our office after they've been charged with an offense, but there can be good things that come from someone that may be in jail, and they get clean and then they have a rational mind and can work with us, there are ways to help them with this situation and I can see from my office for sure in that whenever someone with an addiction problem comes in front of my office whether it's on domestic violence, OVI, an assault we try to address their needs and our probation department I think does an amazing job in trying to get them resources to get help, but it's a choice that they have to make. But I can speak as a City

Official and say that every day my office works to help people with addiction. I also wanted to remind people that the County One Grant is going to be coming out through the County so keep your eye out for that.

**Mayor Hall** - I'd just echo everything our Law Director said and Director Mauter and Director Spurgeon there's a lot of people that do a lot of work for people with addiction in a lot of ways, but it does sometimes come down to the individual. I want to thank the teams through the negotiating time, that's a lot of work and has been going on for a long time. It's two sides to that and two sides can speed it up or slow it down it's equal both ways. Finally on the TIF it's been months and months in the works to get to this point on that and I want to thank everybody that sits up here on Council with the FOP contract and also for the timeline to keep those moving forward.

**Mr. Rath** - I'll call a Service Committee Meeting for August 7<sup>th</sup>.

**Mr. Barker** - It's good to have you back.

**Ms. Bline** - it is good to have you back. I'd like to thank all of our safety forces they were very helpful recently as always, but there were some difficult situations that would've been, that would've taken a lot more had they not come, so I really appreciate them. I'd like to congratulate Ms. Shelby over there she made a presentation to the Parks Department on the name change for what is currently known as Easy Street Park, Town Commons, so we'll get a chance to vote on that name change soon. Hopefully we can get everyone's support on that. I'd also like to thank our great community volunteers for their momentum they've been displaying. We've been working on 4 blocks of properties, making them easier to patrol for our safety forces, certainly cleaner, certainly brought up the esthetic value of the area, so we're about 65% there. Along the way it's also good because we do engage with our homeless population because they offer to help and sometimes they just chat which is normally the case, but that's okay, we talk. We spoke about the recent loss and it was interesting to hear their comments and I asked what they thought, what we could do better. They were concerned about the availability of needles on the streets and how it was so easy for someone to be able to continue their addiction when they otherwise might not be able to. That conversation I had today with a gentleman on 5t Street, I recognize him and he knew someone who had passed and he echoed that as well and that was interesting and good to hear that dialogue in the community. I also visited with the gentleman's family that passed over the weekend and they are certainly in a very difficult place so I would like to ask your prayers for them. Among the homeless population we've been having some good conversations.

**Mr. Chute** - It's nice to see you, thus far since I've been on Council, Jeff Harris has been my President.

**Mr. Harris** - you know if he wasn't here we'd all be home by now. I'm glad you're back, out of everybody here, I'm glad you're back.

**Mr. Houser** - It's nice to hear you make fun of someone else but me this time. It's good to see you. I just want to thank Mr. Mauter for the information on the TIF.

**Mr. Labutis** - It's good to see you back. I want to say thank you to Joe Paul and Jeff Hotchkiss they both helped me with some things over the past week.

**Mr. Marmie** - I need to call a Finance Committee meeting for August 7<sup>th</sup>. I too want to welcome you back and I am glad that Tracy is making amends and it's good that you're back and she's getting healthier, so really appreciate you being back. Just a couple comments first and

foremost, contract negotiations the speed and time it takes, I know it hasn't been a year so I know that is not an accurate statement, but I do know it's two way street as far as how much time it takes it's not just the Administration that slows that down and they have not done that. Finally I just want to talk about the men and women in blue. They just do a fantastic job, greatly appreciated, I really appreciate that you talk about negotiations instead of a fight because that's what it's all about and we really do appreciate the FOP coming to the table willing to work, willing to negotiate and that is just fantastic and I'm sure if there's things we can do in the future to make improvements, we'll do just that, we'll negotiate and talk about it. It's all about being for the betterment of our citizens and the safety of our citizens so I do appreciate the words that were shared. I appreciate everything the men and women in blue do every single day to make sure that I can sleep peacefully at night. I'm looking forward to September the 8<sup>th</sup> and braking bread with my FOP partners and hitting that little white ball around, I really am looking forward to that on September the 8<sup>th</sup>

**President Ellington** - Mr. Harris, thank you for sitting in for me, I appreciate that. I was so pleased to see we could pass the police contract, that was terrific. You know since I've not been here the last few meetings, I guess I've had some time to reflect on some things, I've been on this Council for 4 different Mayors, 3 different Law Directors, 3 Council Clerks and several Council Members, I don't know what that says about me. Several Council members have come and gone, except for Doug Marmie who has been here for a little longer than I have, I really do appreciate his leadership and I do admire that, so thanks Doug. I feel so blessed and privileged to be elected and re-elected to this position over the last 20 years, I hope you feel that I've represented all of the citizens of Newark fairly, we as a City and a Council have accomplished so many positive things together that I'm not going to list them, but that being said, due to some family health issues and some other issues, this will be my last meeting tonight. I'd just like to thank all of you for your support that you've given me over the past 20 years, I'm sure Mr. Harris will take the reigns and do a great job, but I will miss being here. So, with that and for the last time I guess, is there a motion to adjourn.

**ADJOURNMENT**- Motion to adjourn by Mr. Marmie , Second by Mr. Rath , passed by acclamation

**Don Ellington, President of Council**