

COUNCIL MINUTES

May 17, 2021
Council Chambers
7:00 P.M.

President Ellington called the meeting to order

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

INVOCATION – Mr. Labutis

PLEDGE OF ALLEGIANCE- President Ellington

CAUCUS

Mr. Marmie motion to excuse Ms. Hall, second by Mr. Blake, passed by acclamation

MINUTES of May 3, 2021 - Motion by to approve the May 3, 2021 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 – There are none this meeting

REPORTS OF STANDING COMMITTEES

Service – **Received and filed no objections**

REPORTS FROM CITY OFFICIALS

City Auditor, Stephen E. Johnson – Operating report for period ending April 30, 2021
Received and Filed no objections

COMMUNICATIONS

Ohio Department of Agriculture – Reminder of aerial treatments for Gypsy Moths

Linda Hoetger – Prostrate Cancer Awareness Month in June

City Engineering Department – Link to a demonstration project on Hudson Avenue with the goal of reducing traffic speeds and improving pedestrian safety in the corridor.

COMMENTS FROM CITIZEN

Linda Mossholder, 224 Green Meadow Dr. – I've been attending quite a few webinars on the Rescue Act and one of the things that's stressed over and over again is the need to report community input with allocation of resources to make sure that every part of the community is heard. I think this is important for a couple of reasons. Some things may not come to the attention. One of the things in the interim, the final to the public register has not been published yet, but the interim mentions what

health concerns is the increase in substance misuse that's gone up quite a bit, it's also gone up in Licking County and the number of overdoses has also gone up. One of the ways to prevent overdoses is to use fentanyl testing strips. One of the things the outreach does is we pass out between 50 and 70 of those strips every week and what happens is, we have to pay for those. So, this could possibly be use of short term COVID funds. I'm also on the Board of the South Newark Civic Association and one of the long terms uses I think could be considered is paying attention to the storm water drainage in the south end of Newark. That's an allowable expense under the Rescue Act, storm water and water treatments. The final guidelines have not yet been published, so there might be some changes to those, but those are just two suggestions I have, thank you.

ORDINANCES ON SECOND READING

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

21-16 AN ORDINANCE AMENDING THE POSITION CLASSIFICATION, PAY RANGE AND DEPARTMENT AUTHORIZATION TABLES OF THE CITY OF NEWARK, DEPARTMENT OF Service, DIVISION OF Cemetery/Parks BY AMENDING THE POSITION OF Secretary 1 TO THE CLASSIFICATION OF Office Manager/Account Clerk, AND SETTING THE COMPENSATION THEREFORE

Motion to adopt by Mr. Bubb, second by Mr. Labutis, motion passed 9-0

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

21-17 AN ORDINANCE AMENDING THE POSITION CLASSIFICATION, PAY RANGE AND DEPARTMENT AUTHORIZATION TABLES OF THE CITY OF NEWARK, DEPARTMENT OF Service, DIVISION OF Street/Traffic Control BY CREATING THE CLASSIFICATION OF Data Technician/Sign Fabricator, AND SETTING THE COMPENSATION THEREFORE

Motion to adopt by Mr. Bubb, second by Mr. Labutis, motion passed 9-0

ORDINANCES ON FIRST READING

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

21-18 AN ORDINANCE ESTABLISHING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS HORNS HILL ROAD (LOCATED BETWEEN THE ADDRESSES OF 1700 HORNS HILL ROAD TO 3131 HORNS HILL ROAD), PARCEL TAX ID # 058-286682-01.000 AND 058-286194-00.000; CITY OF NEWARK, LICKING COUNTY, OHIO, TO SINGLE-FAMILY RESIDENCE – MEDIUM DENSITY DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO.

Referred to the Planning Commission

RESOLUTIONS ON SECOND READING

By: Mr. Rath, Mr. Barker

21-25 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO NEGOTIATE AND ENTER INTO CONTRACT WITH THE LICKING COUNTY HUMANE SOCIETY, SUBJECT TO THE APPROPRIATION OF FUNDS, FOR THE PROVISION OF CERTAIN ANIMAL WELFARE FUNCTIONS

Motion to adopt by Mr. Rath, second by Mr. Barker, motion passed 8-1

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

21-27 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 2022 OHIO TRAFFIC SAFETY GRANTS PROGRAMS: SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP), THE IMPAIRED DRIVING ENFORCMENT PROGRAM (IDEP), AND THE DRUGGED DRIVING ENFORCEMENT PROGRAM (DDEP)

Motion to adopt by Mr. Marmie, second by Mr. Lang, motion passed 9-0

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

21-28 APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

Motion to adopt by Mr. Marmie, second by Mr. Lang, motion passed 9-0

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

21-29 APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

Motion to adopt by Mr. Lang, second by Mr. Barker, motion passed 9-0

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

21-30 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO APPLY FOR FINANCIAL SUPPORT FROM THE STATE OF OHIO 2021 NATUREWORKS GRANT.

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

RESOLUTIONS ON FIRST READING

There are none this meeting

COMMENTS FROM CITIZENS

Mr. Steven Smith, 237 Violet Ct. – Tonight we heard a resolution for the zoning change for Horns Hill Road and I'm glad to see that there's going to be progress in our community for additional housing. I saw recently in the Advocate there's a new development planned on Cherry Valley Road as well and I think that these are indication of progress in our community. I also think that we have a need in our

community for low cost housing for a significant section of our population that are in need. There was a project that almost got off the ground by Walmart on N 21st Street some time ago that unfortunately failed and I was very sorry to see that happen. My wife Rochelle and I do work with the Homeless Outreach to some degree, we're certainly not speakers for that organization we just help out as we can, so we have seen the need in our community. There have been a number of studies that have gone on in other parts of the country that say not only is providing housing for homeless people the right thing to do in terms of saving lives, it also saves money. In terms of reduction of police resources, emergency rooms and the general support and help of getting these people into the services that they need to be constructive members of society. Helping the homeless is just fiscally responsible. I used to work for the federal government, I am well aware of the problem of different pots of money, we're saving money from this pot but we're spending it from this other pot. I understand that problem, but I think it's something that we as a society need to get past. The study I was referring to I saw in the Huffington Post in 2014. The study of the system in Charlotte North Carolina, reduced emergency room visits by 78%, stays in hospital 79% and generally just caused a great reduction in societal costs by providing housing for these people. There have been a number of people trying to work on this and we've got small scale projects going on, but the scale of the project needs to be increased to really handle the problem. And I would hope that the Council would consider supporting these kinds of things with the County, the hospital system, the Police and Sheriffs' Department to help support these people that are in need in our community. Thank you very much.

Kim Blaney – Today I am here as the managing member of Rice Rail Properties LLC, with a mailing address of 714 Rice Street, Newark, Ohio. Rice Rail owns and maintains, how do I say, the nicer properties on Rice Street, the other properties are still in my name and my lifelong companion's name. Eventually when we tear those properties down or remodel they will go into Rice Rail Properties. At this point in this 42 year-long project we own 100% of the property on Rice Street except for the piece of property that the Land Bank owns and we would like to acquire that, we have talked to the City Engineer without Planning Committee and we would like to tear down all or the majority of the houses on Rice Street north and south block and it's been a life -long project to develop that area. I think the City engineer even suggested that's for the Planning Commission for him to bring up that we could actually take up the street and still have the City right of way, we could landscape part of it, put parking on some of it. I'm here tonight because of a personal matter, I'm having trouble sleeping at night, I think there's 3 or 4 night snow that I have not been able to sleep and one of them was last night. I substitute at Licking Heights full time and tutoring and actually have some long term assignments. I need to resolve these issues with the property maintenance group. Three weeks from today, the 6th of next month, I would like to propose our plan for what will be torn down, what will be remodeled. It's going to take me at least 3 weeks to put this together. It's probably going to take me half the summer to tear down for sure one house. I will tear down, more than likely, two houses and maybe even three houses this year. It makes no sense to repair these older houses, I know there's a need for low income housing, I just can't afford to support people. I have a bunch of other notes here, I guess I got off my

track. We would also like to look into the process of maybe widening the alley because we own the entire property along the alley, we own the entire street along Brice Street. I cannot continually get the green envelopes from Mr. Paul's office. I think what he's requesting I do is come up with a plan. I need at least 3 weeks to put a plan together. For over a year now, during COVID property maintenance didn't want anything from me, I even tried to meet with him last year, and there's records of that, I meant to bring a bible put my right hand up and say it, but a year ago COVID was such a big deal here we backed off for a little bit. So now I guess, and I don't mean to be sarcastic, but because COVID has gone away and everything is back to normal, I'm supposed to get a green envelope and tear down these houses. I know I'm going to come up with a 6 month plan, a 9 month plan, but I cannot go without sleep. I'm sorry that it will be in the minutes, but I cannot stress over a green envelope, I think he sent me 20 in the last couple weeks or some auditor look into this. I know I need to tear these properties down or do something with it and we plan to, I just need a little bit of time to get a plan together or to tear down some houses. I just don't think this is absolutely necessary because we've lived in Newark all our lives, raised our kids here. I'm a person of the community that does right, so just back off somehow and give me some time and I'll make something happen. I got off my track, just please work with me somehow. Thank you.

MISCELLANEOUS

Director of Development, Mark Mauter – I just wanted to give you a brief update, we've had two more neighborhood clean-ups in the last couple of weeks. We did one on Hudson Avenue and the north area, Central Avenue to the west and Clinton to the east, up around Channel Street and south to 16, we also did an East side clean-up. I really want to stress this is a collaboration that has evolved, it's really been a great comprehensive effort. It involves my department, Community Development, we have paid for the clean-ups with CDBG dollars we get. We've coordinated very well with Director Hickman's Safety Department, i.e. Property Maintenance, Joe Paul and his staff. They go out for example a week before the cleanup and they do what they call a blitz. They put eyes on the properties and if there is anything that needs attention they notify the homeowners and tell them hey, there's a problem but guess what we can also help with a solution, we're having a cleanup day this Saturday free of charge. This is what you can bring, this is what you can't bring, then they have a dumpster set up or in this case we used a garbage truck with a compactor. It's really been successful. We've done three now since April 14th. We have sent out over 3 thousand letters to property owners notifying them that this is taking place in their neighborhood. Please come and participate, let us help you get rid of your items that need disposed of. Certainly Mayor Hall with you and the support of Property Maintenance and allowing it to grow and to help our City it's made a huge difference in the City of Newark. So, I just wanted you all to be aware of that and also wanted to thank Dave Rhodes and the Service Department because Jeff Hotchkiss from the Parks Department brings trucks out and helps with it as well, to the point of when we send our letter out we tell them you can make an appointment. We will come to you with a truck, you have a big piece of furniture or a mattress you can't haul yourself we'll help you do that. So, it's been a great effort and made a huge impact on our City and I thought you all should be aware of that.

Human Resources Director, Bill Spurgeon – I just wanted to thank the Committee as well as this whole Council for the passage of Ordinances 21-16 and 21-17. We appreciate your support.

Mayor Hall – This past week was Police Officer's Memorial Week, I want to thank, with the culmination of Police officer Memorial Day on the 15th, it was honored at festivities, in person activities were put off till October because of COVID, but there were a few small activities around here, the Police Enforcement Units across the County did a parade type of event and went across the county from Pataskala all the way down to Newark, it wasn't advertised so much due to COVID, but it honored OSU Newark, Law Enforcement, Parks Department they all put vehicles in and culminated around the courthouse around the circular drive which was quite a thing to see with all their lights going and there were a lot of kids that enjoyed that. It was very nice so we were happy to participate in that. Jos for Ohio graduates is a program that Newark High has taken up for the first time this year and I joined them last week at a dinner to honor those graduates and some juniors and sophomores that are in that program. It's just an outstanding program. They're working to train students that desire to take the program on how to write a resume, how to interview. I think all critical and important things within the community, one student said, it was the only class I took this year that was about real life and I kind of got a laugh out of that. This was really hands on. Linda Parks headed that up this year and she did a great job. I joked with them if you didn't learn anything you must've been asleep, but Oh no, Linda Parks wouldn't let you do that. Jeff Harris knows Linda well and understands that. At the same time this past week we gave out a scholarship to the Lion's Club. I just want to congratulate all of our senior graduates, the class of 2021 that have worked so hard over the years and I wish them the best in their next step of life.

Mr. Harris – I would also like to thank the City workers for the east end cleanup, I was down there helping for a few hours and I appreciate them going out and helping make the community a little bit better. Also, I was privileged to go to the ribbon cutting of the new DeFelice Brothers pizza place today, they have good pizza they're out on Newark-Granville Rd, so give them a try sometime.

Mr. Lang – First I'd like to congratulate Chief McKee that was a nice swearing in tonight, I wish him all the best. I wanted to extend thanks to Service Director Rhodes who came out to meet with a property owner who's having some issues with drainage on their property and would also like to thank Brian Morehead and Nick Shultz from our engineering department for some work that they're helping me with and for keeping me in the loop on the round a bout construction I think we're having a pre-construction meeting this week, so hopefully we'll have more information on the schedule and the detours, obviously that will be an inconvenience short term for a great long term gain.

Mr. Mamie – I need to call a Finance Committee meeting for two weeks. I too want to congratulate Chief McKee, I think he's going to be a great asset to the community and to the division of police. He's already communicated well with me in the brief time he's been interim Chief and now Chief so, I appreciate that and look forward to working with him. I want to comment on a couple of things that were brought up. In Committee's this evening, there are some funds going toward sidewalks. I'm in agreement to assist in sidewalk development. When it comes to some areas that were grandfathered in with our current legislation where every property owner's responsible for their sidewalk and any new construction of sidewalk as long as there's curb on their property and it's a requirement for them to have a sidewalk. However,

there are some areas of our community that have gaps and they were developed prior to that ordinance being put into place and if the city can assist in doing some things that will help out I am in support of that, however, maintenance of current sidewalks, that is not the city's responsibility. That is the responsibility of the property owner. If it's not maintained then our property maintenance department needs to be notified because it is a safety concern and we want to make sure that they are held accountable to make sure that is maintained. I'm kind of disappointed that Ms. Blaney left. I believe our property maintenance department does a fantastic job and if they're getting the envelopes, there's a reason for that. The comments stating that she does right, well if you get one of those envelopes, you are not doing right. Not only that, if you have a plan in place and you have a remediation plan that department will work with you and give you time and make sure as long as you're adhering to your plan. I have full support for our property maintenance department, I congratulate them all the time, they are always willing to help, they work all the time, they don't answer their phone all the time because they're out doing their job. They will get to the messages and so I appreciate them, I support them and if Ms. Blaney comes up with a plan for remediation, they will probably support that as long as she's showing progress. I urge her to get that plan to them as soon as possible and show that progress and if you've got one of those envelopes you've been given adequate time probably already, that's just my experience working with property maintenance department. I want to make sure we give kudos to those folks in that department, they work their tails off, especially for all of us, if we have a complaint they're right on it.

Mr. Rath – I want to start by thanking Brian Morehead, Dave Rhodes and the Council for voting for the sidewalks on West Main. That's going to be a great addition to the third ward that's going to connect Cherry Valley all the way down to CVS Pharmacy to the Hospital and in fact all the way down to Cherry Valley Elementary. That's a serious path that's used by pedestrians both on foot and bicycle. It's been needed for a good long time and I'm excited to see that's going to come about. Mr. Mayor, it's nice you mentioned National Police Week, I was going to mention that as well. That ended on Saturday and what a nice way to cap it off by swearing in Chief McKee tonight, my congratulations goes out to him. I wanted to bring up another subject as far as supporting our police department. The shooting that occurred in Columbus a few weeks ago where the officer heroically shot a teenager that was about to knife another teenager, those actions were just absolutely heroic in my mind. The precision that he had is astounding and amazing, but what upset me most about that was that officer was tried, convicted and sentenced before any evidence ever came out. In National media and National Social Media, had there not been video footage of that officer's actions, he would've been hung out to dry, his career would've been lost, his family would've been devastated, it would not have turned out so well. About the same time that happened, Sheriff Thorpe announced he was going to start implementing body cameras with the sheriff's department. I just got me thinking, really they don't already have body cameras and I started thinking, neither do we here in the City of Newark and I think in today's atmosphere and time that they are long past due. It's time to start supporting our police officers and getting body cameras on them. I've spoken with a lot of officers and prosecutors and other people in the administration and everybody is 100% for it. They'll go a long way to protect our police officers, it helps with prosecution as far as evidence and goes a long way helping to protect our citizens as well and will also go a long way to help protect the city against lawsuits. I think the time has come that we need to start putting a plan

in place to implement body cameras with our officers. I know there are price quotes already gathered, there's a lot of information it's pretty simple plan of action I think the time has come for that. I'll call a Service Committee Meeting for our next meeting.

Mr. Barker – First I would like to give thanks to Tina Scott in Director Rhode's office, there's a couple things I needed assistance with for constituents today and she went above and beyond. I also want to congratulate Chief McKee on his swearing in tonight. I'm glad to hear from the administration and some general public that our first DORA sip and stroll event was a success, had a little wet weather, but still went very well here in the downtown, that's great. Also, as Councilman Harris mentioned I wanted to welcome the DeFelice Brother's Pizza Company here to Newark. We were able to participate in their ribbon cutting this morning, they were very excited, ready to go, I would definitely encourage you to try them out. Many probably know, but I would say 3 days ago I think it was, the YES club here in downtown caught fire, luckily I don't think they had any structural damage but they did have some heavy interior damage so, I know other facilities in the community have already stepped up to help them with facilities for their programming that they have going, but my thoughts and prayers go out to them. It's always nice when you hear a compliment. At Minuteman Press the other day they wanted to let me know how great the workers are doing on the 4th Street project and with traffic flow for their business. I love to hear that. When we get positive feedback on a construction project and about our city workers it's always great to hear. Last but not least I would be remiss if I did not remind everyone, you should've gotten in your emails as well as the public has been invited to the Grand Opening of Newark Station on May 28th at the old Westinghouse site with the ribbon cutting at 8pm. I know some people have been concerned about the neighbors. I am happy to report that the owner personally walked the neighborhood on Jefferson Street to meet any neighbor he could, as well as sent letters to all the surrounding residents announcing the project to them and getting their feedback.

Mr. Blake – I first want to give a thank you to Director Rhodes, we have a park bench at Wells Park that was very damaged and was a safety concern and he and the team removed that bench and are going to get it replaced. I also want to congratulate again Chief McKee, I had lunch with him last Friday and we had a really good conversation for about an hour and a half just talking about different concerns of the city and his philosophy on leadership and policing in our community and he's really going to do an outstanding job and after that conversation he actually attended the stomping stigma event that was on Saturday. So, he's already showing great promise to reach out to the community and wanting to be out there and be a voice and listen to people. I think he's going to do a fine job. As we talk about police week, on my house I have a blue front porch light and many of you know that the blue front porch light symbolizes solidarity with our police and so each police week I replace that light, so I was able to do that and want to continue on. Generally at the end of police week they have a banquet, which they didn't have this year because of the pandemic, but looking forward to having that next year. So, congratulations to the Chief and all our police officers and wanting to support them the best we can. I wish MS. Blaney did stay because I personally met with her and Joe Paul well over a month ago and so I think courtesies and time have been given to Ms. Blaney and I agree with Mr. Marmie, Joe Paul has been very flexible wanting to work with people and that's exactly an example right here is the case with the Blaney properties and the situation that's occurring down there. I saw Joe to be very professional, wanting to accommodate, wanting to provide

time for plans to be submitted. He actually did provide time and that timeline has actually already passed and nothing was submitted and so the full story wasn't told necessarily from the podium, but Director Hickman, please take back to Joe Paul that he's doing a great job. I appreciate what he's done and it's a difficult situation but he's gone above and beyond trying to work with the situation. This is in my ward which is why I've gotten involved with it, but he's done wonderful. So I appreciate the communication that you and Joe have provided and at this point you just have to do what's necessary to correct the situation and thank you for doing that. The last thing I wanted to say is regarding the Newark Station, councilman Barker mentioned that both Todd and Seth did walk on Jefferson Street because I was getting phone calls from Jefferson Street and so I do appreciate them going up and down the street and making introductions. Becoming a new neighbor for that area along Jefferson Street, I thought that was great for them to do that and I applaud them for making that effort to reach out to those neighbors. We all want Newark Station to succeed and especially with their new neighbors there on Jefferson Street o, I do thank them for doing that. Ms. Mossholder brought up the comments about the water studies and flooding issues in the south end and the levy situation. I've been in communication with Mr. Morehead and there was an H1N1 Study that was completed, they're working with a consultant to get the summary of that and hopefully at some point we can move forward with some recommendations to get the levy raised to get that neighborhood out of the floodplain. SO that's exciting, but we're still working on that and he's in constant communication and hopefully we'll be able to make some progress there.

Mr. Bubb – First off, points, very well made by Mr. Marmie across the board, very good points. Please be advised of upcoming traffic detours on Cherry Valley Road for a while and I'm very satisfied about new housing prospects on Horns Hill Road and Cherry Valley Road area coming up, it's much needed in Newark.

Mr. Fennell – I too would like to congratulate Chief McKee.

President Ellington – I'll add my congratulations to Chief McKee I think he will do a great job. Mr. Rath I completely agree with your comment, in this current environment I'm surprised that body cameras are not already in the works, so I think that was a great suggestion so hopefully that can work out. Our next meeting will be three weeks from now, June 7th, again Committees start at 5:45pm and Full Council starts at 7:00pm, we'll see how this works tonight and go from there.

ADJOURNMENT Motion to adjourn by Mr. Lang , seconded by Mr. Harris , passed by acclamation

Don Ellington, President of Council