

## COUNCIL MINUTES

June 1, 2020

On YouTube streaming via Zoom

7:00 P.M.

**President Ellington called the meeting to order**

**ROLL CALL –**

**INVOCATION – Mr. Blake**

**PLEDGE OF ALLEGIANCE- President Ellington**

**CAUCUS - President Ellington**

**MINUTES of May 18, 2020 - Motion by to approve the May 18, 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**

Streets **Received & Filed with no objections**

**REPORTS FROM CITY OFFICIALS**

**COMMUNICATIONS**

**AEP Ohio – Intention to file application to adjust distribution rates with the Public Utilities Commission of Ohio**

**ORDINANCES ON SECOND READING**

**By: Mr. Bubb**

**20-16 AN ORDINANCE SETTING COMPENSATION AND STATING POLICY WITH RESPECT TO CERTAIN POSITIONS WITHIN THE OFFICE OF THE CLERK OF THE LICKING COUNTY MUNICIPAL COURT OF THE CITY OF NEWARK, OHIO AND REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT**

**Motion to adopt by Mr. Bubb, second by Mr. Barker**

**Motion passed 10-0**

**ORDINANCES ON FIRST READING**

**RESOLUTIONS ON SECOND READING**

**By: Mr. Marmie**

**20-29 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 2021 OHIO TRAFFIC SAFETY GRANTS PROGRAMS: SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (step), THE IMPAIRED DRIVING ENFORCEMENT PROGRAM (IDEP), AND THE DRUGGED DRIVING ENFORCEMENT PROGRAM (DDEP)**

**Motion to adopt by Mr. Marmie, second by Mr. Lang**

**Motion passed 10-0**

**By: Mr. Rath**

**20-30** A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ACCEPT BIDS AND LEASE CERTAIN REAL ESTATE NOW OWNED BY THE CITY OF NEWARK, OHIO AND DECLARING THAT SUCH PROPERTY IS NO LONGER NEEDED FOR ANY MUNICIPAL USE

**Motion to adopt by Mr. Rath, second by Mr. Bubb**

**Motion passed 10-0**

**By: Mr. Marmie**

**20-31** A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (**100 General Fund - \$240 – Medical Supplies**)(**100 General Fund-\$4,464-Advertising**) (**100 General Fund-\$18,777-Salaries,PERS,Workers Comp, Medicare, Health Insurance**)

**Motion to adopt by Mr. Marmie, second by Mr. Bubb**

**Motion passed 10-0**

**By: Mr. Lang**

**20-32** A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (**335 Capital Improvement Fund-\$6,413.18 – Maintenance of Streets Projects**)

**Motion to adopt by Mr. Lang, second by Mr. Barker**

**Motion passed 10-0**

**By: Mr. Marmie**

**20-34** A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO APPLY FOR FUNDING FROM THE UNITED STATES DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE UNDER THE BULLETPROOF VEST PARTNERSHIP GRANT PROGRAM

**Motion to adopt by Mr. Marmie, second by Mr. Bubb**

**Motion passed 10-0**

## **RESOLUTIONS ON FIRST READING**

**By: Mr. Marmie**

**20-35 Expedite** A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (**929 Inter Intra Gov't Fund - \$198,000 – JEDZ 1 Distribution**)

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

**Mr. Marmie** – These funds are what we collect for the JEDZ1 and we need to get them to the appropriate entities as soon as possible. That is the reason for the expedite.

**Motion approved 10-0**

**Motion to adopt by Mr. Marmie, second by Mr. Bubb**

**Motion passed 10-0**

## **MISCELLANEOUS**

**Law Director Sassen** – I thought I should note that the Law Director's Office as of this past Friday is back to full staff and full time every day. Our office never really closed, as the need for law enforcement never really stopped despite the quarantine. Many of us were able to work from home, most of us took a turn in the office, but the business of our office would really have come to a screeching halt if it wasn't for the selfless and extraordinary efforts of our office manager, Cindy Campbell and Casey Osborne. The work of the City Hall, the Court and my office sometimes goes unseen, so if you have the opportunity please take a moment to thank them for the commitment and the effort that they made to keep the office going under some very strange circumstances and let them know that their efforts were appreciated. I think that they would appreciate that, I know I certainly do. I think Marcia Phelps probably feels the same way about her staff, because as much as we wanted to quarantine, crime marches on. We did what we had to do, everyone in our office stepped up, but if it hadn't been for those two individuals in particular, Cindy Campbell and Casey Osborne we would've

had a very difficult time the past twelve weeks. So, I thank them very much and I'd appreciate it if you took a moment to do so as well.

**Mayor Hall** – I'll extend that to all of the employees for the City as well. We can't thank them enough for all that they're doing. Obviously they have concerns at home, concerns at work and they're operating under difficult conditions and doing a yeoman's job in so many ways. I'd expect no less as they're all so great. I was fortunate enough last week to join a small group in a Q and A session with the four finalist for the Newark City School Superintendent. One was an internal candidate and three were external current superintendents. Today it was announced that David Lewis with the Miami Trace Local Schools which is in Washington Court House will be replacing Doug Ute, that's not effective until January 1<sup>st</sup> of 2021, but I will pass on that all the finalist were outstanding and Davis is outstanding and we'll welcome him. While it's still several months away, he'll be a nice fit in our community, he's been very successful where he's at and we look forward to welcoming him to the school system. All the external candidates had very generous comments not only about the school system but about the City in general. Everyone in the city should pat themselves on the back for attracting such successful candidates.

**Clerk of Court Marcia Phelps** – I wanted to thank everyone for supporting Ordinance No 20-16 I certainly appreciate it. It's to correct an oversight. When the other departments received that, my Chief Deputy was not included. I also want to thank all of the employees in the Court and Clerks office for everything they've been doing over the past weeks. We've been half staffed and trying to retrofit the office. I'd like the City of Newark for the support they've given me to be able to put up screening in there and some plexiglass so we can attempt to have space between the employees and also between those visiting our office. It's been a labor of love, but also a worry because while everyone else was able to stay home we were there working just as Director Sassen stated. We owe our appreciation to all those people who continued to come into the office when they did and continue to send out cases, we probably have about 700 cases that we're backlogged. Effective today we began our open hours fulltime, full staff and tomorrow City Hall will probably see several people coming into the building to handle all of the backlogged arraignments and current cases. It's been with the cooperation of the Law Directors Office helping and with Director Rhodes helping with funding for plexi glass dividers and we have all of our benches marked, so we hope tomorrow will go smoothly. The security people and the bailiffs are ready, so keep our fingers crossed that we're not too inundated tomorrow. Thanks everyone for your support.

**Mr. Rath** – I would like to call a Service Committee meeting for two weeks from now. We had some protests that went on in the City on Saturday and Sunday and I happened to be around those and they were very quiet and peaceful. I hope any protests in the future will be as peaceful. I understand we may have some visitors in our town tomorrow, I Had hoped to hear more about that tonight. I just wanted to remind everyone that cooler heads prevail and while property is important, your health and life are more important. I hope everyone stays safe.

**Mr. Barker** – I'd like to echo the thanks that the Mayor gave to the city staff and administration. It's not necessarily a time to slack and no one has. The city has continued to move forward. I greatly appreciate their leadership with their employees. I'd also like to thank Director Rhodes. He's been extremely honest when there's a problem in the city or when I have a question why are we are doing this or that during this pandemic and I appreciate that very much as a new Council member.

**Mr. Blake** – I'll call a Rules Committee meeting for two weeks to continue our discussion from tonight. I think one of our most important jobs as elected officials is to work with our constituents to help find solutions to their problems. I know as with all of you, you get phone calls asking questions and seeking direction. I've been working with one of my constituents in my ward a Mr. Matt Gayheart. Mr. Gayheart has an interesting issue with a vacant vehicle becoming a nuisance and I'm waiting from the Department of Public Safety some suggested dates and times when we can meet with Mr. Gayheart and I know that we can have a virtual meeting so that we can all talk about this vacant vehicle, but I wanted to bring this idea forward because I know other members of council may have also received phone calls about vacant vehicles, so please reach out to me and I'll include you on the conversation once I receive some dates and times from the Department of Public Safety. Next, I wanted to discuss an inactive commission that I hope we can reactivate and that's the Human Relations Commission. Chapter 632 of our City Ordinance discusses the Human Relations Commission and the purpose of that commission is to promote mutual understanding and respect among all racial, religious, nationality, and cultural groups within our city. I hope that we can reactivate that group and if there are citizens which are people of good will and willing to serve our city on this commission I ask that they come forward. It seems to me that this commission has been inactive long enough and should become active again. Lastly, I want to point us all towards the Newark Advocate reported on May 20<sup>th</sup> that there will be an examination of candidates for the Police Chief. Our Police Chief is our City's top cop and I would hope that the finalist for this position could be introduced to the residents and there should; be some public feedback on the finalists before the final decision is made. Similar to what happened with the Newark Schools Superintendent, the finalist were brought forward and there was public input. I think something similar with our City's Police Chief and that process that something similar should be entertained. What's this

person's philosophy on race relations, what's their viewpoint on community policing, what are their thoughts on homelessness, drug addiction and mental health in our community. There are questions that could be asked that have community interest and the public should be a part of that hiring process.

**Mr. Fennell** – I would like to start by thanking all of the city employees for their dedication and hard work during this time to keep the city running during a pandemic is no small feat and I hope that they know that I sincerely appreciate it. I know how difficult that is. I think many of you know that I work at a public library and so I can empathize with what it's like trying to balance public health with providing services and the dedication of the city employees has been commendable and I wanted to make sure that was said. I also appreciate my fellow members of council and city staff members who have been working to come up with really great solutions for us to continue council in a safe way to protect the health of our community and the council members so we can continue to have productive meetings. Over the weekend there was some pretty terrible footage of cities across the nation and I understand that there is so much anger and emotions out there and I wanted to commend again the people of Newark and the way that they expressed themselves during the protests on the square. They were peaceful. I wasn't able to attend but I was able to watch it on Facebook Live and I just wanted to commend the people of Newark. I'm continually impressed with City that I get to serve.

**Ms. Hall** – I can ditto what everyone has said already. I want to thank the city employees for coming in and keeping everything flowing as well as the clerk's office, thank you for your help as usual. I just want everyone to be well and be safe. I turn the news on and I can't watch it, but then I don't want to not watch it. It's very stressful for me and for a lot of people. It will be nice to get back in chambers, even if we're six feet apart. I think most of us miss that. I know my students miss their classes at Heritage Hall. They're waiting for approval from the Governor to reopen slowly, so we've been talking about that as well. Everyone be safe, take care and see you in a couple weeks.

**Mr. Harris** – I wanted to thank B.J. Varner from the Traffic Department for helping me get some lights fixed on some streets that I had some phone calls on. I also want to thank Detective Conley from the Police Department for helping me with a problem that was going on in the second ward. He was able to help me solve it.

**Mr. Labutis** – I just want to take a moment, as some others had mentioned, and thank the employees of the City for keeping the city running even in the midst of a pandemic. The city can't shut down, the services still need to continue so thank you for your service. Secondly, as others have mentioned and dovetailing off what Mr. Rath said, as we watch things happen on the news and protests here as well, I ask that we look back and take into account the value of life and how short it is and how quick it is and how blessed we are to be able to live a well life.

**Mr. Lang** – First there's been some discussion and certainly it was in the Advocate, information about how we were going to go about selecting our next Police Chief. The first thing I'd impress about that is the public input time for that was really our Mayor running for office. The Mayor is our Chief Executive Officer and certainly policing is an executive function, so I think it's entirely appropriate that ultimately it comes down to the Mayor's selection for our next Police Chief. That said, I think that once that selection is made it's very important for that Police Chief to take the time and make those community connections with the different organizations in our community and build those bridges. I think the questioning of the selection process, I would just set that aside and let the executive function play out how it is and let the next chief build those bridges. I'd also like to thank Superintendent Doug Ute and the High School Principal Tom Bowman for meeting with us this week and the school system volunteering that space whether we use it or not, we appreciate having that option and being able to have that discussion. I also wanted to thank the Health Department Olivia Biggs and Chad Brown for joining our meeting tonight. I appreciate you giving us input from the Health Department perspective and I know Chad was going to take a look at Council Chambers this week, so I want to thank him in advance. I think we have to every week thank Director Rhodes for something. I know he and President Ellington have spent a lot of time looking at the Chambers themselves and making sure of all the logistics of those locations. I really appreciate all the time and thought that everyone is putting into how we meet next.

**Mr. Marmie** – I need to call a Finance Committee meeting for two weeks from now. I would not only like to thank the city employees, but all of the employees around the community for working together during this pandemic trying to get things up and running. Newark is definitely representing the State of Ohio well and I appreciate all those folks who are working hard in the grocery stores, gas stations and everywhere has just been business as usual because they have to be there. It's kind of nice to see some of the restaurants in the community opening back up. Whether it be outdoor dining or some limited indoor dining, I haven't done that yet myself, however, it is a good sign. Another great sign is baseball was back at Don Edwards this past weekend. So, there are ball games being played, they're doing it in a safe manner, there was social distancing and there was definitely a number of games all weekend long at Don Edwards and that was fantastic.

## **ADJOURNMENT**

**Motion to adjourn by Mr. Bubb, second by Mr. Marmie passed by acclamation**