

## COUNCIL MINUTES

October 21, 2019

Council Chambers

7:00 P.M.

**7:00 P.M.** - President Ellington called the October 21, 2019 Newark City Council Meeting to order.

### ROLL CALL

**INVOCATION** – Mr. Labutis

**PLEDGE OF ALLEGIANCE** –Boy Scouts

### CAUCUS- Rule 11

**By: Rath, Marmie, Cost**

**19-31** AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 595 THORNWOOD DRIVE, CITY OF NEWARK OHIO, LICKING COUNTY, OHIO FROM THAT OF GB, GENERAL BUSINESS DISTRICT, GI GENERAL INDUSTRIAL DISTRICT, GO GENERAL OFFICE DISTRICT, MFC MULTI-FAMILY CONDO DISTRICT, AND MFR MULTI-FAMILY RESIDENCE DISTRICT, (AS SHOWN ON THE ATTACHED EXHIBIT A) TO LI LIMITED INDUSTRIAL DISTRICT ZONING CODE OF THE CITY OF NEWARK, OHIO IN ITS ENTIRETY AND DECLARING AN EMERGENCY

**Referred to Planning Commission**

**MINUTES of October 7, 2019** Motion by Mr. Labutis to approve the October 7, 2019 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 Mr. Fraizer. **Motion carried by acclamation.**

### REPORTS OF STANDING COMMITTEES

Finance- **Received & Filed**

Economic Development - **Received & Filed**

### REPORTS FROM CITY OFFICIALS

**Barb Jobes, City Tax Administrator**- income tax revenue reports for the periods September 30, 2019- **Received & Filed**

**Barb Jobes, City Tax Administrator**- income tax revenue reports for the periods October 15, 2019- **Received & Filed**

### COMMUNICATIONS

**Ohio Environmental Protection Agency**- notice of National Pollutant Discharge Elimination System Permit was issued for Newark City Landfill on Watson Rd. - **Received & Filed**

### PUBLIC HEARING

President Ellington opened the public hearing

**By: Rath, Marmie, Cost, Fraizer**

**19-22** AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY GENERALLY DESCRIBED AS 1435-1445 WEST MAIN STREET, CITY OF NEWARK, LICKING COUNTY, OHIO FROM THAT OF MFR- MULTI-FAMILY RESIDENCE DISTRICT TO MB- MEDIUM INTENSITY BUSINESS DISTRICT ZONING CODE OF THE CITY OF NEWARK, OHIO.

**There were no comments received for or against this change.**

**President Ellington closed the public hearing.**

**Motion to adopt Ordinance No. 19-22 by Mr. Rath, second by Mr. Fraizer**

**Motion passed by a vote of 9-0.**

## COMMENTS FROM CITIZENS

### ORDINANCES ON SECOND READING

**By: Marmie, Cost, Labutis, Fraizer, Lang**

**19-25** AN ORDINANCE AUTHORIZING AND DIRECTING THE NEWARK CITY SAFETY DIRECTOR TO CERTIFY TO THE LICKING COUNTY AUDITOR, THE SUM OF \$260,732.01 INCURRED BY THE NEWARK CITY PROPERTY MAINTENANCE DIVISION 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 by Mr. Rath to adopt Ordinance No. 19-25, second by Mr. Cost**

**Motion passed by a vote of 9-0.**

**By: Rath, Cost, Labutis, Fraizer, Marmie, Lang**

**19-26** AN ORDINANCE VACATING A PART OF A SIXTEEN AND ONE-HALF FOOT WIDE ALLEY AND PART OF LOTS 136 AND 149 OF THE ORIGINAL PLAT OF THE CITY OF NEWARK, AS RECORDED IN PLAT BOOK 2, PAGE 4 OF THE LICKING COUNTY PLAT RECORDS; SAID ALLEY IS LOCATED SOUTH OF SCHEIDLER STREET, BETWEEN SOUTH 1<sup>st</sup> STREET AND SOUTH 2<sup>nd</sup> STREET.

**Motion by Mr. Fennell to adopt Ordinance No. 19-26, second by Mr. Fraizer**

**Motion passed by a vote of 9-0.**

**By: Rath, Cost, Marmie, Lang, Labutis**

**19-27** AN ORDINANCE VACATING A TWELVE (12) FOOT WIDE ALLEY AS SHOWN ON THE PLAT OF THE WINTERMUTE ADDITION, AS RECORDED IN PLAT BOOK 3, PAGE 121 OF THE LICKING COUNTY PLAT RECORDS; SAID ALLEY IS LOCATED SOUTH OF STEEL AVENUE, BETWEEN SOUTH 29<sup>th</sup> STREET AND SOUTH 30<sup>th</sup> STREET.

**Motion by Mr. Fennell to adopt Ordinance No. 19-27, second by Mr. Fraizer**

**Motion passed by a vote of 9-0.**

**By: Rath, Cost, Marmie, Lang, Labutis**

**19-28** AN ORDINANCE VACATING A SIXTEEN AND ONE-HALF (16.5) FOOT WIDE ALLEY AS SHOWN ON THE PLAT OF THE TOWN OF LOCKPORT, AS RECORDED IN PLAT BOOK 2, PAGE 100 OF THE LICKING COUNTY PLAT RECORDS; SAID ALLEY IS LOCATED BETWEEN 33 AND 45 UNION STREET.

**Motion by Mr. Fennell to adopt Ordinance No. 19-27, second by Mr. Fraizer**

**Motion passed by a vote of 9-0.**

### ORDINANCES ON FIRST READING

**By: Rath, Cost, Marmie**

**19-32** AN ORDINANCE ACCEPTING THE DEDICATION TO PUBLIC USE OF THE STREETS IN TIMCYN WOODS SUBDIVISION, PHASE 4.

**Held for a second reading**

**By: Rath, Cost, Marmie**

**19-33** AN ORDINANCE ACCEPTING THE REPLAT OF LOT 13100 OF THE MEADOW AT RIVER BEND SUBDIVISION, AS RECORDED IN INSTRUMENT 200402110004930 OF THE LICKING COUNTY PLAT RECORDS.

**Held for a second reading**

## RESOLUTIONS ON FIRST READING

**By: Marmie, Bubb, Cost, Rath, Fraizer**

**19-48** A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (**152 Budget Stabilization Funds: OPT-\$30,000.00; 100 General Fund: Services-\$30,000.00**)  
**Homelessness Consultant**

**Held for a second reading**

**By: Marmie, Bubb, Cost, Rath, Fraizer**

**19-70** A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION- **Expedite (153 Compensated Absences Fund: Payout-\$5,600.00; 153 Compensated Absences Fund: Payout- \$27,100.00; 231 Probation Grant Fund: Return money to State-\$2,806.21)**

**Motion by Mr. Marmie to waive the two day reading rule, second by Mr. Cost**

**Mr. Marmie-** there are payouts for employees and a refund of grant money back to the State that need to be given back.

**Motion passed by a vote of 9-0.**

**Motion by Mr. Marmie to adopt Resolution No. 19-70, second by Mr. Cost**

**Motion passed by a vote of 9-0.**

**By: Marmie, Bubb, Cost, Rath, Fraizer**

**19-71** A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (**100 General Fund: Sale of Vehicle-\$2,035.00**)

**Held for a second reading**

**By: Rath, Bubb, Cost, Marmie, Fraizer**

**19-72** A RESOLUTION PETITIONING THE BOARD OF LICKING COUNTY COMMISSIONERS TO ACCEPT THE AMENDMENT OF THE PREVIOUSLY ESTABLISHED ENTERPRISE ZONE AND TO DESIGNATE THE ENTIRE CITY OF NEWARK AS AN ENTERPRISE ZONE IN ACCORDANCE WITH SECTIONS 5709.61 THROUGH 5709.66 OF THE OHIO REVISED CODE AND DECLARING AN EMERGENCY

**Motion by Mr. Fraizer to adopt Resolution No. 19-72, second by Mr. Lang**

**Motion passed by a vote of 9-0.**

**By: Marmie, Cost, Rath, Fraizer**

**19-73** A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK, OHIO TO EXECUTE THE JOINT ECONOMIC DEVELOPMENT ZONE CONTRACT AMENDMENT NO. 1 BY AND BETWEEN THE CITY OF NEWARK, OHIO AND ETNA TOWNSHIP, OHIO

**Held for a second reading**

**By: Marmie, Cost, Rath, Fraizer**

**19-74** A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO PREPARE AND SUBMIT TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) A FIVE YEAR CONSOLIDATED PLAN AND A ONE YEAR USE OF FUNDS/ACTION PLAN ALONG WITH AN APPLICATION FOR FY 2020 FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS (CDBG), AS REQUIRED BY 24 CFR PART 91.220, FOR VARIOUS PROGRAMS RELATED TO HOUSING AND COMMUNITY DEVELOPMENT.

**Held for a second reading**

## COMMENTS FROM CITIZENS

### MISCELLANEOUS

**Mr. Rath-** thanked the Boy Scouts for being there, and thanked Aaron Dages from the Census Bureau for his presentation regarding their task at hand tonight during Service Committee. It is very important that everyone be counted it is an important message he put out there and I hope everybody helps as well. He called for a Service Committee meeting for November 4<sup>th</sup>.

**Mr. Bubb-** thank you Scouts for coming out this evening, thank you for your patience.

**Mr. Fennell-** I also want to thank Aaron for coming out the Census is a really critical for our community. Thank you to the Scouts for leading us in the pledge. I would also ask that everybody keep Jeremy and his family in their thoughts and prayers with the loss of his grandmother that is why he is not here this evening.

**Mr. Fraizer-** I would like to thank the administration for their work on North Street Park. The finishing touches should be done within a couple of weeks I encourage anybody to go out there with their families. Previously the equipment was destroyed by a tree and it is a really neat thing to see happen in a relatively short period of time. I was really interested in the US Census presentation as well. One of the key statics they had was a 33% poverty rate in 2010 for the City of Newark the current rate they have based on their survey is 20.5% I am really excited to see the metric in which the city is improving especially when it comes to home ownership and poverty. Hopefully we see to see improvement in the City of Newark from 2010 to 2020. I want to thank the Federal Government for the CDBG funds given to the city those are being distributed and there are some grant applications available with the city as well. There are also US Census jobs so if you know anybody looking for a job over the next year there are part time and full time positions doing various tasks for them. October 31<sup>st</sup> is Trick or Treat.

**Ms. Hall-** thanked the Boy Scouts for being there and said they could visit anytime.

**Mr. Labutis-** thanked the Scouts for doing a fantastic job with the pledge. I would like to thank the Street Department for putting up some requested neighborhood watch signs in my ward. There was overgrowth at one of the parks in my area and the Parks Department trimmed that up and made it look nice.

**Mr. Lang-** thanked the Boy Scouts for coming out. Early voting is going on right now, we have some important city races coming up and I would encourage everyone to get out and vote. The Board of Elections is open Monday-Friday 8-5.

**Mr. Marmie-** thanked the Boy Scouts for coming out. I hope that you were able to follow along with everything that was done up here. I am sure it wasn't as interesting as you might think but a lot of what we do actually happens in committees. We appreciate you coming and leading us in the pledge. He called a Finance Committee Meeting.

President Ellington- Scouts thanks for coming you were very well mannered you can come back anytime you did a great job. The next Committee meeting is Monday November 4<sup>th</sup> at 5:45 and City Council will meet at 7:00 P.M. Early voting is going on exercise your right to vote.

**ADJOURNMENT- Motion by Mr. Cost, second by Mr. Labutis. Motion carried by acclamation**