

## COUNCIL AGENDA

May 21, 2018

Council Chambers

7:00 P.M.

**7:00 P.M.** - President Ellington called the Monday May 21, 2018 Newark City Council Meeting to order.

**ROLL CALL-** Mr. Fraizer, Ms. Hall, Mr. Labutis, Mr. Marmie, Mr. Rath, Mr. Blake, Mr. Bubb, Mr. Cost, Mr. Fennell

**INVOCATION** – Mr. Labutis

**PLEDGE OF ALLEGIANCE-** William Butcher

**CAUCUS-** Motion by Mr. Marmie to excuse Mr. Lang, second by Mr. Fraizer

**Motion passed by acclamation**

**Mr. Bubb-** stated that he would be abstaining from Resolution No. 18-34 because he serves on the Homeowners Association.

**MINUTES of May 7, 2018** Motion by Mr. Labutis to approve the May 7, 2018 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**

Street- **Received & Filed**

Service- **Received & Filed**

Capital Improvement- **Received & Filed**

### REPORTS FROM CITY OFFICIALS

**Stephen Johnson, City Auditor-** operating report for the period ending April 30, 2018. - **Received & Filed**

**Barb Jobes, City Income Tax Administrator-** income tax reports for the months of February, March and April 2018. - **Received & Filed**

### COMMENTS FROM CITIZENS

**William Butcher, 263 Union St-** he was in support of the new fire station on Cherry Valley Road

**Paul Moran 63 N 4<sup>th</sup> St-** he stated that the old K-9 facility on Iron Ave is grown up with weeds and grass and that two structures were falling down. He stated further down the road there is a large amount of trash. He stated that he thinks if the new fire station is built that it will be a part time station. He is concerned about how it is going to be manned.

### ORDINANCE ON SECOND READING

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

**18-10** AN ORDINANCE AMENDING CHAPTER 618 OF THE CODIFIED ORDINANCES OF THE CITY OF NEWARK, OHIO WITH REGARD TO CITY OWNED OR OPERATED DOG PARKS

**Motion by Mr. Labutis to adopt Ordinance No. 18-10, second by Mr. Fraizer**

**Mr. Fraizer-** I am really encouraged by the development that is going on within the City of Newark. We have a dog park planned at Everett Park as well as Fory. This legislation is to clean up the laws that are on the books to make sure we don't have any unnecessary or contradictory legislation out there to ensure the administration will have the authority to open these as well as the users to understand the rules and guidelines while in the parks.

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

### ORDINANCE ON FIRST READING

**By: Rath, Cost, Marmie**

**18-12 AN ORDINANCE ENACTING AMENDMENTS TO NEWARK'S SEWER USE AND SEWER CHARGES ORDINANCE (91-59); DIRECTING LIMITED PUBLICATION OF THE SEWER USE AND SEWER CHARGES ORDINANCE.**

**Held for a second reading**

**By: Rath, Cost, Marmie**

**18-13 AN ORDINANCE RANKING PROFESSIONAL DESIGN FIRMS AND AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO NEGOTIATE AN AGREEMENT FOR ARCHITECTURAL SERVICES FOR FIRE STATION CONSTRUCTION PROJECTS.**

**Held for a second reading**

**By: Rath, Cost, Marmie**

**18-14 AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY GENERALLY DESCRIBED AS 2250 HORNS HILL ROAD, CITY OF NEWARK, LICKING COUNTY, OHIO FROM THAT OF SINGLE FAMILY RESIDENCE ZONING DISTRICT TO PLANNED UNIT DEVELOPMENT ZONING DISTRICT**

**Referred to Planning Commission**

**By: Cost, Marmie, Rath**

**18-15 AN ORDINANCE VACATING A TEN (10) FOOT WIDE ALLEY AS SHOWN ON THE PLAT OF THE AVALON ALLOTMENT, AS RECORDED IN PLAT BOOK 3, PAGE 82 OF THE LICKING COUNTY PLAT RECORDS, SAID ALLEY RUNNING WEST FROM SHOWMAN AVENUE, LOCATED SOUTH OF CHERRY VALLEY ROAD.**

**Held for a second reading**

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

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

**18-32 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (669 Storm Water Utility Fund-\$184,795.00: Professional Service; 232 Transit Fund-\$359.35: Contingency)**

**Motion by Mr. Marmie to adopt Resolution No. 18-32, second by Mr. Cost**

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

**By: Cost, Marmie, Rath**

**18-33 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION- CI (335 Capital Imp Funs-\$60,000.00: Vehicles; 335 Capital Imp Fund-\$60,000.00: Machinery/Equip)**

**Motion by Ms. Hall to adopt Resolution No. 18-33, second by Mr. Fraizer**

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

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

**18-34 A RESOLUTION DECLARING THE NECESSITY OF IMPROVING PROPERTIES IN AND ABUTTING FAIRWAY ESTATES SUBDIVISION AND ALONG HORNS HILL ROAD BY UPGRADING THE EXISTING SANITARY SEWER SYSTEM AND INSTALLING A NEW GRAVITY SEWER SYSTEM AND THE NECESSARY APPURTENANCES.**

**Motion by Mr. Rath to adopt Resolution No. 18-34, second by Mr. Fraizer**

**Motion passed by a vote of 8-0-1 (Mr. Bubb abstaining)**

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

**By: Marmie, Cost, Rath**

**18-35 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (100 General Fund-\$246.89: Services General; 621 Water Dept Fund-\$4450.75: Payout Mark Butler)**

**Motion by Mr. Fraizer to waive the two day reading rule on Resolution No. 18-34, second by Mr. Cost**

**Mr. Fraizer- typically with payouts in order to get people their money quickly we expedite this.**

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

**Motion by Mr. Fraizer to adopt Resolution No. 18-35, second by Mr. Labutis**

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

**By: Marmie, Cost, Rath**

**18-36** 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 2019 OHIO TRAFFIC SAFETY GRANTS PROGRAMS: SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) AND THE IMPAIRED DRIVING ENFORCEMENT PROGRAM (IDEP).

**Held for a second reading**

**By: Rath, Marmie, Cost**

**18-37** A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT, SUBJECT TO THE APPROPRIATION OF FUNDS, FOR THE OFF-SITE DISPOSAL OF LIME SLUDGE FROM LAGOON #3 AT NEWARK'S WATER TREATMENT PLANT.

**Held for a second reading**

**Rath, Marmie, Cost**

**18-38** A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO TO APPLY FOR, ACCEPT AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND AGREEMENT ON BEHALF OF THE CITY OF NEWARK FOR PLANNING, DESIGN AND/OR CONSTRUCTION OF WASTEWATER FACILITIES (INTERCEPTOR OPTIMIZATION PROJECT) AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN.

**Held for a second reading**

**By: Cost**

**18-39** A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION - CI- Expedite (**335 Capital Imp-\$52,000.00: Maintenance of Streets**)

**Motion by Ms. Hall to waive the two day reading rule on Resolution No. 18-39, second by Mr. Fraizer**

**Ms. Hall-** I am assuming that it is the timing for the streets

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

**Motion to adopt Resolution No. 18-39 by Ms. Hall, second by Mr. Fraizer**

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

**By: Cost**

**18-40** A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION - CI (**335 Capital Imp Fund-\$70,735.00: Maintenance Building Grounds**)

**Held for a second reading**

**By: Marmie, Cost**

**18-41** A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION - Expedite (**100 General Fund-\$6, 017.00: Copy Machine Lease Payoff; 931 Intr/Inter Govt Fund-\$612,000.00; 100 General Fund-\$8,228.14: Copy Machine Payoff**)

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

**Mr. Marmie-** we have bills that are overdue and we need to expedite

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

**Motion to adopt Resolution No. 18-41 by Mr. Marmie, second by Mr. Fraizer**

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

#### **COMMENTS FROM CITIZENS**

**William Butcher, 263 Union St-** asked when Union Street was going to get paved and why there wasn't a right turn at West Main and 6<sup>th</sup> Street.

**Rochelle Bolen Smith, 237 Violet Ct-** asked if there was a way to inform the public of responsibilities of using bicycles and helmets. She stated that she sees a lot of people going the wrong way. She asked if we could get the media to help with that.

**Laura Cambie 1130 Wintermute-** she asked about the gazebo being reconstructed back where it was. She stated that they have over 1,000 signatures of individuals who would like it back down there.

**David McElfresh, 153 N 39<sup>th</sup> St-** speaking as the IAFF Local 109 President regarding 18-13 I was going to wait for two weeks but I am going to be on duty so I want to make a few comments. The main thing that I want to do is caution Council on moving forward on something that we haven't accounted for how we are going to staff and equip. I haven't seen a figure on what the architect cost is whether that is a minimal amount. We are certainly not arguing the need for that station there is a need out there but until we have a plan in place; what was said two weeks ago was that we were going to take from the north end. That is not acceptable; we already took from the east end and shut down that station. Now what I heard two weeks ago was now to take some more people from the north end all to open a new station. I think that we need a better plan and that Council needs to work on figuring out how we are going to properly staff it and buy equipment for it before we move forward yet another new station.

## **MISCELLANEOUS**

**Director Mauter-** last month we did a neighborhood clean-up, the Department of Economic Development and Director Baum's Department of Property Maintenance in Dee Hall's Ward. We took out about 2 30 yard dumpsters. We are going to do this again; we are going into Mr. Fraizer's Ward this time, pretty much north of Route 16 up to North Street then to the east to Case Ave and west to Central Ave. We will be notifying everybody by mail who is a resident in that area. We are going to do something a little different, we are going to use dump trucks to load the trash on there rather than dumpsters. This was Jeff Hotchkiss's idea. We are going to drive the trucks up and down the streets. We are going to even take it one step further by allowing people to call into the Department of Development and schedule a pick up. We are trying to be very customer service oriented and see if we can increase our results even more. This is going to take place on June 9<sup>th</sup> from 8 A.M. to noon. It is a residential only pickup anything other than what would be hazardous materials. Feel free to pass out the number of Department of Development 670.7530.

**Mayor Hall-** this morning we proudly swore in two new Firefighters, they come with some experience which is a wonderful addition to our firefighting team. We wish then the best of luck in their future with our Division of Fire. In the last two weeks we have had students from Granville Christian Academy come downtown and a couple of parks and spent 6 hours cleaning and polishing the sculptures and on the bike path. The Newark High athletic teams cleaned the parks last week. We want to reach out and appreciate the youth as they give back in the community.

**Mr. Fraizer-** I would like to thank Mr. Mauter for speaking at the committee today, that's not really my Ward but it, is my neighborhood and the neighborhood cleanup is a great thing. We also did a similar clean up the same time you did and it was very successful. We had about 50 bags of trash and 10-15 tires but we couldn't get to it all so the cleanup is going to be great. If we can get the notification out to the HHCA members so that everybody is aware of it. I know we usually do a flyer press release so if we could get that out a little bit ahead of time that would be more than appreciated. When it comes to the fire station if you look at the runtimes which is 7 ½ minutes so passing the legislation on to get the architectural design of it, and costs as well as find the appropriate model for staffing and paying for it absolutely seems to be in the city's best interest. I would like to thank the administration and the Parks Department because we had a tree that fell down in North Street Park basically pulverizing the playground equipment and an insurance claim is being routed for that. I want to thank the administration for their efforts to get that resolved.

**Ms. Hall-** I would like to thank Mr. Mauter for the report that he gave us and ask you if once you go to all of the wards if you'd come back to the east side I think that the trucks are a good idea.

**Mr. Labutis-** I wanted to thank Fire Chief Connor for attending a community block watch meeting last week in my Ward and talked about fire safety and answered questions and concerns residents had. I appreciate the time he spent doing that, he did a fantastic job. Congratulations also to Chief Connor for adding two more fire/ems personnel.

**Mr. Marmie-** called a Finance Committee Meeting.

**Mr. Rath-** called for a Service Committee meeting and thanked Mr. Mauter for his report and stated he wished there was a little more time for him to present more in depth. That Department under your helm has certainly improved and had some incredible activity. I would like to thank Director Rhodes; he got some pot holes in streets and alleys fixed. I don't know if they were already on the schedule or not when I requested them but he made me look like a hero.

**Mr. Blake-** I also want to thank Director Mauter, it has always been a pleasure, we have been working on several different projects together from the Neighborhood Revitalization Committee and we had a few trips to Columbus for 2020 things. We have had some good conversations about the direction of our community. Also knowing the limited number of people you have working in your office and the long list of things you get accomplished. Thank you for your

dedication to our community. I want to thank Councilmember Fennell and Council President Ellington and our Fire Chief. We are going to be holding a Town Hall meeting at the Reese Center on OSU Newark campus. This is going to be on June 14<sup>th</sup> it is a Thursday evening at 6:00 P.M. I would also like to thank Dean McDonald for allowing us to use the Reese Center for the Town Hall meeting. It is going to be a discussion about emergency preparedness, response times, staffing and looking at all the challenges and opportunities of our Fire Department. It has been a pleasure to work with that group of men to get that meeting. I look forward to a positive event there.

**Mr. Fennell-** I would also like to thank Chief Connor, President Ellington and Jeremy for organizing all this. I think that the town hall meeting will help us ensure that we take a hard look at where our Fire Department is and if we decide to build this new fire station that it has the best opportunity to be as successful as possible. I encourage everybody to attend this meeting and share your information and learn as well.

**President Ellington-** City Hall will be closed on Monday May 28<sup>th</sup> for Memorial Day. Committees will meet Monday June 4<sup>th</sup> at 5:45 P.M. and City Council at 7:00 P.M. right here in this room. Thank you for your attendance.

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