

COUNCIL MINUTES

June 4, 2018

Council Chambers

7:00 P.M.

7:00 P.M. - President Ellington called the Monday June 4, 2018 Newark City Council Meeting to order.

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

INVOCATION – Mr. Blake

PLEDGE OF ALLEGIANCE- President Ellington

CAUCUS-

President Ellington- announced that with the consent of Mr. Marmie and Mr. Cost during miscellaneous Mr. Marmie would be evoking Rule 11 to vote on the four pieces of legislation stated below regarding the annexation of a property in Newark Township.

18-17 AN ORDINANCE CONSENTING TO THE ANNEXATION OF CERTAIN TERRITORY GENERALLY DESCRIBED AS BEING APPROXIMATELY 0.576 ACRES, MORE OR LESS, LOCATED IN NEWARK TOWNSHIP, TO THE CITY OF NEWARK, OHIO, AND DECLARING AN EMERGENCY.

18-18 AN ORDINANCE OBJECTING TO THE ANNEXATION OF CERTAIN TERRITORY GENERALLY DESCRIBED AS BEING APPROXIMATELY 0.576 ACRES, MORE OR LESS, LOCATED IN NEWARK TOWNSHIP, TO THE CITY OF NEWARK, OHIO, AND DECLARING AN EMERGENCY.

18-46 A RESOLUTION ADOPTING A STATEMENT INDICATING WHAT SERVICES, IF ANY THE CITY OF NEWARK, OHIO, WILL PROVIDE FOR APPROXIMATELY 0.576 ACRES, MORE OR LESS, LOCATED IN NEWARK TOWNSHIP, A TERRITORY PROPOSED FOR EXPEDITED II ANNEXATION AND DECLARING AN EMERGENCY.

18-47 A RESOLUTION REGARDING A BUFFER ZONE FOR THE ANNEXATION OF APPROXIMATELY 0.576 ACRES, MORE OR LESS, LOCATED IN NEWARK TOWNSHIP; AND DECLARING AN EMERGENCY.

Mr. Fraizer- stated that he would be asking for Ordinance 17-52 to be taken off of the table tonight during miscellaneous. This is the Thornwood Crossing billboard sign that was tabled in February. I made the motion to table it because I wanted to make sure that we were going forward with the Cherry Valley Rd changes going in there. That has passed in May so I feel that this is the appropriate time to take it off the table.

President Ellington- we will take a vote to see if it will come off of the table then you will bring it up in miscellaneous.

Motion by Mr. Fraizer to take Ordinance No. 17-52 off the table, second by Mr. Marmie

Motion to take off the table passed by a vote of 10-0.

Mr. Bubb- Ordinance 18-16 has the emergency clause on it but I don't believe that we are going to be voting on it tonight however if there is a motion I will be abstaining because I serve on the Home Owners Association for Fairway Estates.

MINUTES of May 21, 2018 Motion by Mr. Labutis to approve the May 21, 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**

Service- **Received & Filed**

Economic Development – **Received & Filed**

Capital Improvement- **Received & Filed**

REPORTS FROM CITY OFFICIALS

Barb Jobs, City Income Tax Administrator- income tax revenue report for the period ending May 15, 2018. - **Received & Filed**

COMMENTS FROM CITIZENS

ORDINANCE ON SECOND 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.

Motion by Mr. Rath to adopt Ordinance 18-12, second by Mr. Bubb

Motion passed by a vote of 10-0.

By: Rath, Cost, Marmie, Fraizer

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.

Motion by Mr. Rath to adopt Ordinance 18-13, second by Mr. Bubb

Motion passed by a vote of 8-2 (Blake, Fennell)

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.

Motion by Mr. Fennell to adopt Ordinance No. 18-15, second by Mr. Fraizer

Motion passed by a vote of 10-0.

ORDINANCE ON FIRST READING

By: Rath, Marmie, Cost, Fraizer

18-16 AN ORDINANCE DETERMINING TO PROCEED WITH THE IMPROVEMENT OF 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, THERETO, AND DECLARING AN EMERGENCY.

Motion by Mr. Rath to adopt Ordinance No. 18-16, second by Mr. Fraizer

Motion by Mr. Rath to table Ordinance No. 18-16, second by Mr. Fraizer

Mr. Rath- I want to table this until June 18th while there is an emergency clause on it that is for the timing it is pending other legislation.

Mr. Marmie- he just brought it to debate how can I not speak?

President Ellington- I don't think that he brought it up for debate he just stated why he wanted to table it.

Mr. Marmie- there was discussion

President Ellington- ok go ahead if you want to say something.

Mr. Marmie- I know that I won't be here on the 18th to vote on this and I believe that there will be another member of Council that isn't going to be here on the 18th and Mr. Bubb is going to have to abstain so it could cause a problem voting on it the 18th if we have three people not voting.

President Ellington- do you still want to go with tabling it?

Mr. Rath- I guess I am wondering what my options are for it to be effective on the 18th.

President Ellington- to not go with tabling it and vote on it tonight because it is an emergency or vote to see if you have enough to table it.

Mr. Rath- I will withdraw my motion to table.

President Ellington- do you withdraw your second Mr. Fraizer?

Mr. Fraizer- yes

Motion to adopt Ordinance 18-16 passed by a vote of 9-0-1 (Bubb)

RESOLUTIONS ON SECOND READING

By: Marmie, Cost, Rath, Fraizer

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).

Motion by Mr. Marmie to adopt Resolution No. 18-36, second by Mr. Fraizer

Motion passed by a vote of 10-0.

By: Rath, Marmie, Cost, Fraizer

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.

Motion by Mr. Rath to adopt Resolution No. 18-37, second by Mr. Fraizer

Motion passed by a vote of 10-0.

By: Rath, Marmie, Cost, Fraizer

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.

Motion by Mr. Rath to adopt Resolution No. 18-38, second by Mr. Fraizer

Motion passed by a vote of 10-0.

By: Cost, Fraizer, Rath

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)

Motion by Mr. Lang to adopt Resolution No. 18-40, second by Mr. Fraizer

Motion passed by a vote of 10-0.

RESOLUTIONS ON FIRST READING

By: Rath, Cost, Marmie, Fraizer

18-43 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO NEGOTIATE AND ENTER INTO CONTRACT WITHOUT COMPETITIVE BIDDING FOR THE PURCHASE AND INSTALLATION OF NEW, HIGH-EFFICIENCY STREET LIGHTING THROUGH THE U.S. COMMUNITIES PURCHASING PROGRAM

Held for a second reading

By: Marmie, Cost, Rath

18-44 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (100 General Fund-\$500.00: Flowers for City Hall, 100 General Fund-\$1452.08: Refund from JP Moher)

Held for a second reading

By: Cost, Fraizer, Rath

18-45 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION- CI (335 Capital Improvement Fund-\$20,000.00: Paving of Wells Park)

Held for a second reading

COMMENTS FROM CITIZENS

Laura Cambie, 1120 Wintermute Ave- asking for the gazebo to come back to the courthouse square where it belongs.

Everett McKee, 255 Ups and Downs Rd- a few comments I have may cause offense but no offense is meant to anybody. I would like to compliment the Licking County Health Department for their active role in promoting good health. A few years ago the Licking County Health Department was here giving a yearly report and I made a comment about Americans being 5 billion pounds overweight and I thought that the Health Department should get more aggressive about promoting good healthy eating and it looks like they are doing that, I'm sure it's not because I made that comment but they are doing that. What we eat and how much is what determines our health. He stated that the old Little Bear is a great opportunity to create a place where mostly healthy food can be obtained at a low price or nothing for those with no income. It could be a cooperation of locals and even an extension of the Farmers Market in the winter. If we need to change the framework to make that happen let's do it. Obesity epidemic was created by us and we have full control over that and it is easy to fix. When you don't have anything else better to do Google healthy nutrition and enjoy the results.

Vickie Hewitt, 43 N 3rd St- all of my concerns are about safety. My three safety concerns are the parking for residents downtown, a police issue we had and the fire escape on the back of my building that is required to be there as part of code but is causing a safety issue for me which I will discuss. Everyone in our building works second or third shift, I get off of work between the hours of 3 and 5 A.M. and I am expected to walk nearly 5 blocks home. I did do this after I received a parking ticket. I had 27 encounters of either homeless or drug addicts or just people wandering the streets at that time asking for money or food. I was fearful that she was going to have someone be aggressive with her so I won't park where I am expected to park, I park near my apartment and set my alarm for the time that they are going to make their rounds and get up and move my car. I don't get uninterrupted sleep; I sleep for 2 hours then go move my car and walk the 5 blocks during the daytime. This week I had an intruder in my home that got in through the fire escape. I did call my landlord and he said because of code they don't think that can be removed. There was a person that was arrested who went up the fire escape at Moe's and they are requesting that their fire escape be removed also. I don't know if code can be changed or not but that is definitely what I am going after. Because of all the construction on 3rd Street that has opened up a wide array of people being able to come up and live or sleep on my roof and it comes to my back door and window and I am afraid that they are peering in at me. This person did break into my home, my son was there and he went at my son while he was sleeping. When we called the police the police did not come up to the apartment and check out the scene they spoke to my son outside of the apartment and took the description of the individual who broke in. Later that night I was leaving to go to my second job and the intruder was breaking into my home again. I called 911 and was told that the police were on their way and while I was waiting for them the guy was banging on my door and jiggling the door handle. He then banged on the doors of both of my neighbors but they weren't home. I called 911 again because 10 minutes had passed and the police had not shown up they said don't open the door or go outside someone is on the way. I asked if I should go down the fire escape because the police aren't going to be able to get in because my front door is secured. The intruder was in my hallway where there is a secured door that the police can't get in unless they bust the glass. I could have snuck out the fire escape and let the police go in through that way if need be and they told me not to leave. Twenty minutes has gone by and there is no help in sight or on their way. I started calling friends and one of them was Jen Jeff Rath's girlfriend and they showed up in 15 minutes as well as other friends I called and my neighbors. Everyone was outside of the building, the police were not and the intruder was still inside. To make a long story short we waiting an hour and a half for police to come and 15 calls had been made to 911. I made six of those calls myself and the dispatcher kept telling me that someone was on the way. When we decided to apprehend the guy ourselves and drag him down to the police department ourselves I called 911 again and request that the police arrest the guy outside of their police station because he had broken in twice. At that point I was told to get my son because he was the only one able to identify the guy so I had to go get my son out of work so he could come down and identify him as the guy who broke in. They arrested him at that time. I hope that he is still in jail today they said he may get out today. There hasn't been any contact to me or my son in regards to this guy. I asked why no one was dispatched for an hour and a half and they said they never got the dispatch call from 911. They said that there is a break in the system and the police officers said that we were not made a priority. That is what they are assuming as to why

they didn't get the call. Officer Benner is the one that said I needed to bring this forth to be discussed because there is a break in the communication between county dispatch and 911. The last thing that I wanted to talk about was the fire escape, if there is some way that we could have it taken down because I think that would alleviate some of our problems with people sitting on our roofs and traveling between the roofs above the Arcade.

President Ellington- thank you for sharing that story that is certainly unacceptable and I think that Mr. Rath has talked to Safety Director Baum and I'm sure he has more to say in miscellaneous.

Steven Smith, 237 Violet Ct- we will be entering the month that we will be celebrating the country's birthday and it is a celebration that seems to last longer and longer each time. I don't begrudge anyone the celebration but I am worried about what I think are lapses of safety when people can buy incendiary devices at any market and use them without any safety issues or training. I happen to have witness what I thought was a particularly egregious example of that recently and I guess I don't have any solutions to offer but I would like the issue to be raised. These items that you can buy at any local convenience store are not toys they have their dangers. I think that the public needs to know that they need to be handled carefully with attention to safety.

MISCELLANEOUS

Ms. Hall- thanked Ms. Hewitt for sharing her story and stated she would like to talk to her after Council. She also thanked the Licking County Health Department for addressing a situation that they have had in her Ward. She wanted to thank them for all their efforts.

Mr. Labutis- Ms. Hewitt thank you for sharing your story, I can't imagine living through that and I apologize for that and would also like to talk to you after the meeting.

Mr. Lang- I was pleased to see Ordinance 18-13 pass tonight; I think that it is critical that we build a new fire station in the Fifth Ward. I think that it will allow us to deploy our safety forces in a much more efficient manner but it doesn't matter where you put your people if the 911 system is broken. I have serious concerns with your story Ms. Hewitt thank you for sharing it and bringing it to our attention. I want to talk to our Safety Director and find out more what is going on, I understand Mr. Rath is looking into it as well I just wanted to share my concerns regarding that and will continue to follow up as well. I would like to thank my colleagues for excusing me from the last meeting so that I could attend my son's preschool graduation.

Mr. Marmie- called a Finance Committee meeting.

By: Rath, Marmie, Cost

18-17 AN ORDINANCE CONSENTING TO THE ANNEXATION OF CERTAIN TERRITORY GENERALLY DESCRIBED AS BEING APPROXIMATELY 0.576 ACRES, MORE OR LESS, LOCATED IN NEWARK TOWNSHIP, TO THE CITY OF NEWARK, OHIO, AND DECLARING AN EMERGENCY.

Motion by Mr. Marmie to adopt Ordinance No. 18-17, second by Mr. Cost

Law Director Sassen- I just want to confirm any questions there might be. This is being brought forth under Rule 11 because when we received these from the County Commissioner we missed the deadline for the last committee meeting for them to be addressed and further on to Council. If you recall 2 weeks ago they were discussed at committee but they were not voted on so they are here tonight for that purpose. All four of the pieces of legislation are emergencies because this is an annexation II and there are deadlines we have to meet. According to the Ohio Revised Code that deadline is tomorrow. We have to have three of the four pieces of legislation back to the county tomorrow. The reason that I say three out of the four because Ordinance 18-17 and 18-18 are mirror opposites, we do that now so that Council can have a meaningful opportunity to object to the annexation of the property. You can only pass one of the two; you can't adopt both 18-17 and 18-18. I know we have been through this before but I think that it is important to restate that because it doesn't come up all the time.

Mr. Rath- if we adopt Ordinance 18-17 can 18-18 die of a lack of motion or do we need to vote on it?

Director Sassen- it can die for a lack of motion.

Motion passed by a vote of 10-0.

By: Rath, Marmie, Cost

18-18 AN ORDINANCE OBJECTING TO THE ANNEXATION OF CERTAIN TERRITORY GENERALLY DESCRIBED AS BEING APPROXIMATELY 0.576 ACRES, MORE OR LESS, LOCATED IN NEWARK TOWNSHIP, TO THE CITY OF NEWARK, OHIO, AND DECLARING AN EMERGENCY.

Died for lack of motion

By: Rath, Cost

18-46 A RESOLUTION ADOPTING A STATEMENT INDICATING WHAT SERVICES, IF ANY THE CITY OF NEWARK,

OHIO, WILL PROVIDE FOR APPROXIMATELY 0.576 ACRES, MORE OR LESS, LOCATED IN NEWARK TOWNSHIP, A TERRITORY PROPOSED FOR EXPEDITED II ANNEXATION AND DECLARING AN EMERGENCY.

Motion by Mr. Marmie to adopt Resolution No. 18-46, second by Mr. Bubb

Motion passed by a vote of 10-0.

By: Rath, Cost, Marmie

18-47 A RESOLUTION REGARDING A BUFFER ZONE FOR THE ANNEXATION OF APPROXIMATELY 0.576 ACRES, MORE OR LESS, LOCATED IN NEWARK TOWNSHIP; AND DECLARING AN EMERGENCY.

Motion by Mr. Marmie to adopt Resolution No. 18-47, second by Mr. Fraizer

Motion passed by a vote of 10-0.

Mr. Marmie- Ms. Hewitt I also feel for what you have gone through and I am confident that we will find some answers not only answers but we will find the solution to try to correct the problems so that it never occurs again. We don't know that there is a problem unless we are told there is one so thank you for making us aware of that.

Mr. Rath- Vickie I want to say thank you for coming forward. I know it is difficult to talk about an experience like that in front of everybody. Like she said I was there at the time when all of this transpired. When she called us we were on our way home from Buckeye Lake and amazingly enough the guy was still there. We literally walked him to the Police Station. It was an hour and a half after I arrived that he was finally arrested. We absolutely have some of the best Police Officers around. I am constantly amazed at the crimes that are solved and the rate that they are solved. I am impressed by the new Officers that we have signed on and I am excited for them because they get to learn from some of the best Police Officers out there. We have a great department but it is impossible for them to do their job when they don't know what is going on. At 11:30 at night when I am standing in front of the Police Station and I flag down a Police Officer that drives by after holding a breaking and entering suspect at bay for an hour and a half, he circles around and gets out of his car and asks what is going on? He had no clue what was going on. It's embarrassing and appalling. There is a system in place that is broken and needs to be fixed. I don't know if this is a single incident but I am told that is possibly what it could be but I have heard from Police Officers over time that this thing happens periodically, more so than it should. Saturday night there were lives at risk. She was up in her apartment in a confined space with nobody around to help. If he had been successful in breaking in to her apartment who knows what he would have done, could have done or if he had a weapon. Who knows what state of mind he was in? I know after spending an hour and a half of time with him I had no clue what he was capable of doing or what he could have possibly done just based on the words and conversation coming out of his mouth. I'm not going to make assumptions but I could tell you that is not a conversation that I would ever have with anyone I have ever associated with. For the fact that our entire police force was completely unaware that this situation was happening is just unacceptable. There are problems that need to be looked at, there is an obvious investigation that is going to happen and I don't think that it needs to be an investigation into one single incident not that that doesn't need to happen because it does but also an investigation of the system. From what I am hearing from our Officers it is not a single incident, this occurs often, the words that I heard was more often. I look forward to hearing from the administration, Mayor Hall, Safety Director Baum or the Licking County Sheriff's Department and the dispatchers. It is unacceptable to put peoples' lives at risk. It is just that simple. He called a Service Committee Meeting.

President Ellington- did you say that you were going to make some calls to the Chief or someone else?

Mr. Rath- I am as well as to the Licking County Sheriff's department

President Ellington- would you press upon him that someone needs to get ahold of Vickie.

Mr. Rath- that is a good point. Amazingly enough, thankfully enough there has only been two times in my life that I need the Police, this being the second time. The first time was when somebody came into my house. Fortunately everything worked that night, it worked perfectly well. I took him down and held him at gunpoint for under four minutes until the police swarmed my house arrested him and took him away. From that moment until his trail was complete which I was at there was never a minute where I didn't know where that guy was. We had victim advocates calling our family sending email stating where he is, this is what is going to happen, there was never any question in my mind what was going on. I can't imagine not knowing that, that is a real sense of security. Someone needs to get with Ms. Hewitt and her family and let them know where this guy is.

Mr. Blake- I just wanted to say to Ms. Hewitt I also lived at 43 N 3rd St, this has been 10 years ago but it sounds like Mr. Rath is going to be a good advocate for you to get some answers regarding the safety issue. I remember when I lived in the old YMCA we had a downtown resident parking sticker. I don't know if that is still available but when I lived there

that was an option and if it's not then maybe we should have some discussions about a parking sticker because waking you up in the middle of your sleep to go move your car to avoid a parking ticket doesn't sound good. You want to live downtown; you're living downtown and are contributing to all the positive things happening. That is another issue that you raised tonight so thank you. I wanted to make a few comments regarding my no vote on Ordinance 18-13. I am most definitely not opposed to a new fire station. I think that anytime that we have the opportunity or ability to build a new building to try to address some needs I think is wonderful. My concern comes into where we have a public discussion with the Division of Fire. We are going to have that discussion on June 14th. The Fire Chief is going to come and give his comments. The Service Committee didn't hear any comments from our Fire Chief nor has this Council heard any public comments from the Fire Chief but on June 14th at the OSU Newark Reese Center in the auditorium> this is sponsored by Council President Don Ellington and Councilman Fennell. I think there are some serious questions to be asked regarding staffing, regarding equipment, regarding if we do build the new Fire Station in its proposed location are we reducing response times in one area and increasing response times in another area. There's no access road from the proposed location to 21st Street. There are a lot of concerns and questions that have not been addressed publicly. I hope that we can have a good positive discussion on June 14th at 6:00 P.M. This Thursday regarding public safety and drug addiction recovery there is a town hall meeting at Newark High School cafeteria. This Saturday is Newark Pride, it is our first one. Pride has been in several other major cities and several other communities, our inaugural event will be this Saturday. I am looking forward to having people in the Canal Market District from 4-7 P.M. and then at 31 West will be the other evening activities. Saturday is going to be a busy day because The Works is having opening day for their Scio dome.

President Ellington- I believe that parking permit you mentioned is no longer available but I know Director Baum is working on something for the folk's downtown.

Mr. Cost- Ms. Hewitt thank you so much for coming and making us aware so we can see what can be done to help your problem.

Mr. Fennell- Ms. Hewitt thank you for coming, I echo everyone's comments here. My greatest hope is that you sharing your story will help us work to make sure that this doesn't happen again. I'm sorry that this happened to you, I had a home invasion myself I was lucky like Mr. Rath everything worked great that night. The police were there and they were amazing. I'm sorry you didn't have that experience and I would like to talk to you also to see if there is anything we can do to help you through this process and to make sure that it doesn't happen to other people. I also don't oppose the fire station I am concerned about our ability to adequately staff the station. I think the location and the building of the station is absolutely needed I just want to make sure if we do put this new station in that it has the best opportunity to be successful and effective as possible. I want to make sure that we are looking at all the different concerns before we move forward. I want to echo Jeremy's comments about our inaugural Pride is this weekend there will be a lot of great events that will be happening at the Canal Market District, Thirty One West and at the Denison Art space.

Mr. Fraizer- I would like to consider Ordinance 17-52

President Ellington- we have already voted to remove that from the table, there has already been a motion to adopt that before we tabled it, motion by Mr. Rath, second by Mr. Fraizer. It is in your packet. Autumn if you will read Ordinance 17-52 then we will open it for discussion.

Ordinance No. 17-52 AN ORDINANCE AMENDING ARTICLE 135: DISPLAY SIGNS AND OUTDOOR ADVERTISING OF THE ZONING CODE OF THE CITY OF NEWARK, OHIO.

President Ellington- just a reminder that the Planning Commission did not recommend this so it takes 7 votes to pass this.

Mr. Fraizer- the Planning Commission was opposed to this and they were opposed similarly to 17-53 for the new sign on 13. Really we have a couple of options we can either say this new road is going to go on Thornwood Crossing and the existing billboard they are requesting to relocate will just become an eye sore and not be relocated or we can relocate it to this location and have economic activity and basically make this enter way and make this billboard all a part of the aesthetics. When it comes to the Planning Commission decision I strongly disagree with it. I understand the goal to control and maintain the billboard situation we have. We really need to take a strong stance on this and take a look at what we are doing. We can either make the decision that the Planning Commission did and allow a billboard and an access route change and not update our map and not update the locate of that or we can take the proactive decision and do what the property owner wants as well as the company and encourage economic activity in our community.

Mr. Rath- I will just say as the Third Ward Councilmember and this being in the 3rd Ward I agree with everything that Mr. Fraizer said. The sign at the corner of Reddington and Cherry Valley Rd has been there a long time and it is definitely not aesthetically pleasing to the area. Allowing a sign at the Thornwood Crossing would eliminate the sign at Cherry Valley and Reddington because of the proximity so they would have to make a choice of one or the other. The other is definitely more desirable. I would encourage everyone to please support this. The area that we are talking about putting the sign

was not on the map when that map was created.

Mr. Blake- it has been awhile since we talked about this so to refresh my memory; the Planning Commission was opposed to putting this up, the owner of the Cherry Valley Lodge was also opposed to it and we also received notification that the Granville Village was opposed to it, this is the same sign right?

President Ellington- correct

Mr. Blake- a yes vote is to put it in?

President Ellington- correct

Mr. Cost- the Planning Commission when they voted on this my impression was that they did not feel it was a particularly good location as far as being an entry way to the city making another billboard the first thing that you see when you approach Newark. I agree that the old billboard will be totally ineffective when that is closed off but I am certainly not in agreement that we need another billboard to add to the ones that we already have. The folks at the Cherry Valley Lodge certainly don't want it as well and as Councilman Blake said Granville is not thrilled about it either. I don't think that it is a particularly effective way of entering Newark is to be facing a billboard. I can't support it.

Mr. Marmie- I don't know about anyone else but I know when I come into Newark a lot of times some of the billboards that are displayed are a good representation of Newark and what we offer and provide, community service in with the advertising. In addition to that I think there are those folks that think billboards are negative. They are economically positive for our community. As far as a business owner I know that billboards are effective as far as advertising. As far as passing along community information I think that it is an effective way of communication and if there is a way especially into the entrance into our city to highlight some of the positive things within our community on 16 and the entryway into our community folks will stop in our community and visit for a while. I think that it is definitely something that we will want. I am in full support of this.

Mr. Blake- we did a lot of work with the folks at Cherry Valley Lodge and they are putting a huge investment into the area there so I don't know why we wouldn't take into consideration his wishes with all the good things that he is doing with that property. I also am going to be a no vote.

Ms. Hall- I am going to vote for this, I typically don't want to see a lot of billboards it is just too much sometimes and I understand Cherry Valley Lodge and their take on this but I'd like to see an old one go down and a new one go up. If you are coming into the city maybe it is go to The Works. Who knows what is going to be on that billboard but it is going to be an invitation to downtown Newark so I will vote for this one.

Motion passed by a vote of 7 (Hall, Labutis, Lang, Marmie, Rath, Bubb, Fraizer) - 3 (Blake, Fennell, Cost)

Mr. Fraizer- Ms. Hewitt I want to apologize for what happened to you for the personal safety in your house and the victimization of that. It is shocking and appalling. I just want to commend Mr. Rath for responding and being there for you but our police force and dispatchers should be there for you too. This isn't the first concern that we have heard but it is probably the most shocking. I hope that we resolve this issue and the next time that you call we are there. I will not be in attendance for the next session, I will be traveling abroad to have some vacation with my wife. I will be going to Hawaii, I would appreciate being excused.

President Ellington- our next meeting will be June 18th, Committees will meet at 5:45 P.M. and Council will meet at 7:00 P.M.

ADJOURNMENT- Motion by Mr. Cost, second by Mr. Lang. Motion was carried by acclamation.