

## COUNCIL MINUTES

April 4, 2016

Council Chambers

7:00 P.M.

**7:03 P.M.**- President Ellington called the Monday April 4, 2016 Newark City Council Meeting to order.

**ROLL CALL- Mrs. Floyd, Mr. Fraizer, Ms. Hall, Mr. Johnson, Mr. Rath, Mr. Rolletta, Mr. Blake, Mr. Bubb, Mr. Cost Mr. Marmie entered the meeting at 7:19 P.M.**

**INVOCATION** – Mr. Johnson

**PLEDGE OF ALLEGIANCE**- William Butcher

### CAUCUS

**MINUTES of March 21, 2016** Motion by Mr. Rath to approve the March 21, 2016 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. Johnson. **Motion carried by acclamation.**

### APPOINTMENTS

#### REPORTS OF STANDING COMMITTEES

Finance- **Received & Filed**

Service- **Received & Filed**

#### REPORTS FROM CITY OFFICIALS

**Barb Jobes, City Tax Administrator**-income tax revenue reports for the period ending March 15, 2016.- **Received & Filed**

#### COMMUNICATIONS

**Roger Loomis, Utility Superintendent**- a lien document for past due water, sewer and stormwater bills in the amount of \$10,795.45- **Received & Filed**

**Larry Tate**- email asking Council to keep our breed specific legislation- **Received & Filed**

**Julie Eyrich Wall**- email asking Council to keep our breed specific legislation- **Received & Filed**

**Richard Prince**- email asking Council to keep our breed specific legislation- **Received & Filed**

**Joan Kowal**- email asking Council to keep our breed specific legislation- **Received & Filed**

**Carol Miller**- email asking Council to keep our breed specific legislation- **Received & Filed**

**Samantha Nelson with the Humane Society**- in support of the bred neutral legislation Council is considering- **Received & Filed**

**Joe Kennedy** – letter inviting Council to help save the Sparta event on Thursday, April 7, at 7:00pm. - **Received & Filed**

**Sonia Leclerc** – email asking Council to keep our breed specific legislation- **Received & Filed**

#### COMMENTS FROM CITIZENS

**William Butcher, 263 Union St**- wanted to know when Union Street was going to get paved and also when Cherry Valley Road was going to be open and when the pot holes on Cherry Valley Road were going to get fixed.

**Greg Angeletti, 308 Gregory Dr**- he was not in favor of Ordinance 16-07 A changing the Breed Specific laws. He also spoke of the incident that occurred in Gregory Park where the elderly gentleman was attacked by a neighbor's Pit Bull and then a Police Officer who responded to the call was subsequently attacked by the other Pit Bull within the same owner's property. He also presented facts that he found on dogsbite.org.

**Terry Lyle, 294 Stare Rd**- he disputed the facts that Mr. Angeletti presented and stated that dogsbite.org was not a reputable site. He was in favor of Ordinance 16-07 A.

**Peggy Jones, 1115 Normandy Court-** stated that any dog can bite at any time and that is the owner's responsibility to make sure that their dog is in control at all times and is socialized. She was in favor of Ordinance 16-07 A.

**Allie Long, 217 S Quentin Rd-** she was in favor of Ordinance 16-07 A and stated that BSL laws are not going to make safer.

**Jessica with a Pit Bull as a Service Dog, 111 Mitchell Ave Mt. Vernon OH-** she was in favor of Ordinance 16-07 A and spoke about how her service dog that is a Pit Bull was not chosen to be a service dog because she is a Pit Bull but because of her characteristics. She stated that she has the service dog because she has PTSD and a seizure disorder. She also stated that the website Mr. Angeletti cited was not a reputable website.

**Kristina Rhodes, 64 Penny Ave-** she was in favor of Ordinance 16-07 A. She is a Pit Bull owner and doesn't feel that the BSL laws are fair to the breed and that it needed to be every breed.

**Kay Kittle, 48 N 21<sup>st</sup> St-** she stated that her sister and daughter both own Pit Bulls and that they are loving and well behaved, well trained dogs and that her Wired Haired Fox Terrier is meaner than they are. She was in favor of Ordinance 16-07 A. She stated that City Council should be commended for the things that they do and try to do and that it is a hard job.

**Renee Hamilton, 90 S 21<sup>st</sup> St-** she stated that she rented a house that she loved from Mr. Bubb a few years ago and that the only reason why she left was because of the vicious dogs next door who were not Pit Bulls but English Springer Spaniels that she had many problems with. She was in favor of Ordinance 16-07 A and that a vicious dog should be labeled based on their action not their breed.

**Daniel Crawford, 163 S 2<sup>nd</sup> St-** he was in favor of Ordinance 16-07 A

**John Fornatero, Newark-** disagreed with Mr. Angeletti's comments and thought that it wasn't fair to put all Pit Bulls in the same category.

## **ORDINANCES ON SECOND READING**

**By: Mr. Rath, Mr. Marmie, Mrs. Floyd, Mr. Cost**

**16-05** AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT, SUBJECT TO THE APPROPRIATION OF FUNDS, WITH THE COMBINED GENERAL HEALTH DISTRICT OF LICKING COUNTY FOR THE CONTINUED DELIVERY OF PUBLIC HEALTH SERVICES TO THE CITY OF NEWARK, OHIO.

**Motion by Mr. Rath to adopt Ordinance 16-05, second by Mr. Bubb**

**Mr. Rath-** this is a renewal of our contract with the County Health Department with a significant savings.

**Motion passed by a vote of 10-0.**

**By: Mr. Fraizer, Mr. Marmie, Mr. Rath**

**16-07A** AN ORDINANCE AMENDING CHAPTER 618 OF THE CODIFIED ORDINANCES OF THE CITY OF NEWARK, OHIO REGARDING BREED SPECIFIC VICIOUS DOG DESIGNATION

**Motion by Mr. Fraizer to adopt Ordinance 16-07 A, second by Mr. Rath**

**Mr. Fraizer-** this is an ordinance to amend the codified ordinance to remove the BSL legislation in order to align us more with the State and to remove the special designation of a vicious dog to Pit Bulls.

**Mr. Rath-** as far as why we have introduced this legislation, for me, I have kind of led this charge for a while it is really two fold. One is because of the personal experiences that I have had in the past and we don't need to go into all that but the second reason is, look around. There are a lot of people in this chamber both for and against this but there have been a lot of people who have been pushing for this for a very long time and those people have done everything that it has taken to have their voice heard. I feel, personally as an Elected Official that is our job to allow their voice to be heard. So whether I was for or against this when there are this many people that are coming out on an issue and want to have their voice heard than I think that it is their right to have it heard. If I have to introduce legislation even that I don't agree with doesn't mean I am going to vote for it but if I am going to introduce legislation to represent them that nobody else will than I will do that. I commend all of you for getting up and speaking and for following this through for as long as you have. This is not in my mind a BSL legislation. To me it has nothing to do with breed specific legislation. To me this is about making Newark safer. We are doing it through a variety of different avenues. This is going to eliminate a significant administrative responsibility of our Animal Control Officer. He is burdened right now with a significant amount of responsibility to make sure for example that all the Pit Bulls are registered and compliant with our

current law. Without him having to do that it is going to free up a lot of his time to actually pursue vicious animals, to actually pursue our cat problem, to actually pursue other animal issues that we have in the city. This is the same legislation that over 50% of the municipalities in the State of Ohio are currently using and it is bringing us into alignment with what the State has adopted. By doing so it also allows our County Animal Control Officers to enforce the Newark law in Newark. Our Animal Control Officer works full time but that is not 24 hours a day, 7 days a week so there are times that we have issues and he is not there and I don't expect him to work 24/7 but this does allow the county to come in and maybe fill in some of those gaps. That is an administrative issue not a legislative issue, we'll deal with that later. There is also the issue of what is a Pit Bull? There are cases going through our courts right now through Licking County court system that could possibly eliminate breed specific legislation state wide. Pit Bull is such an arbitrary term. What is a Pit Bull? Is it this kind of Terrier; is it that kind of Terrier? It's really not even a specific breed and it is very difficult to identify. It eliminates discrimination. There are a lot of good dog owners that are being discriminated against simply because of the type of dog that they have. They are forced to jump through a lot of hoops and to me that is just over stepping government and it's just not right. It increases owner accountability. We don't have a Pit Bull problem in Newark, we don't have a vicious dog problem in Newark, if we have any problem at all it is a reporting problem. Mr. Angeletti the dog that you spoke of is a problem and has been a problem, we just heard about it and that is a problem. Only one now because the other one that bit the cop was euthanized. Yeah for them and I am ok with that because that is a bad dog. The point that I am making is those two dogs had been a problem for a while but we are just hearing about those. The problem is reporting. We can't control a vicious animal if we don't know the animal exists. Everybody has to report the bites. Everybody has to report the nuisances, the menacing, that is our biggest problem. People are afraid to do that because they are afraid of retaliation or making somebody mad or offending a neighbor. I understand that but you still have to report it. It has to be handled, it has to be dealt with and we have to hold those dog owners accountable. Dog owners have to control their dogs regardless of the breed. The dog owners have to be held accountable and that starts with you the citizens of Newark reporting the things that are happening. Ultimately I think our changing this is going to make Newark a safer place in regards to dogs and for that reason I would ask everybody else to support this legislation as well.

**Mr. Blake-** I think that everyone in the room or at least we have heard or experienced people who are truly animal lovers. I myself am a dog owner and it was several people in this room that helped me get my dog back a year ago. I am forever grateful. The fact that there are animal lovers in this city that is something to be grateful for that we live in a community that cares about animals. As I voted last year I am not in favor of breed specific legislation. I am in favor of behavior, I think behavior legislation is the way to go. The State government has done that, the Humane Society has been in support of the behavior legislation so tonight I plan to be in support of the legislation that Mr. Rath has brought forth to us. I think that it does bring a false sense of security. I don't we are secure at all with the current legislation. We have heard about bites and things so it is not providing anything more. I am in favor of what Mr. Rath has brought forward. I want to focus more on the responsibility of our Animal Control Officer because ever since I have been on Council the numbers of phone calls or emails that I have received have been more related to cats than they have been to dogs. So hopefully if this is taken off of his responsibility list he could do some type of program, a catch and release program or some other type of program to deal with the stray cats and those types of animals because I have heard more about cats than anything else. I'm sorry that we have not had a full discussion about it on Council but all the time you get calls about cats and what are we going to do with these cats. Hopefully our Chief and our administration can talk with our Animal Control Officer and make some focus on cats as far as new responsibilities as we move forward to the future. Thank you all for being here I think that it shows a great deal of dedication just for working on this issue for well over a year. I want to applaud you for your dedication to this issue and hopefully you will continue on with other issues that are in our city and work with us to get other solutions.

**Mr. Rolletta-** first of all I would just like to say that I respect everyone's opinions on this issue and like I said before I don't necessarily believe that a breed specific law is the answer to this situation and like I said before I would consider removing it if it was part of legislation that also worked to enhance public safety but I am sorry to say that this legislation does not do that. In committee this legislation was sold as being tougher on irresponsible owners of vicious dogs but that is simply not the case. That is not what this proposal actually does. This proposal lowers maximum fines for some offenses. Under the current law if a vicious dog attacks someone and causes serious injury regardless of that dog's breed it is considered a felony. With this legislation a vicious dog causing serious injury to a person will become a misdemeanor. This legislation doesn't make it harder to own a vicious dog, in fact even scales back some penalties so I will not be able to support this legislation how it is written.

**Ms. Hall-** I agree with Mr. Rolletta, I think that there is a lot of confusion about this law. I am going to vote against it.

This is just not BSL. This does loosen laws for people who don't mind the law so I am going to have to vote against it. I respect the people that are here tonight, I know that you love your dogs, this is a wonderful little Pit Bull but there are Pit Bulls out there that aren't trained. I just wanted to say thank you for being here.

**Mrs. Floyd-** I too can't support this. I didn't support it last year, won't support it this year. I did support the Good Citizen Test. We have been talking Pit Bulls here for several years now. Some of you are very familiar with all of the discussions. Those of us up here have received hundreds of emails on both sides of the question, we have had phone calls from people, we have talked to people on the street, and we have heard both sides of the issue. I don't personally feel the way that this law is written makes the city safer and safety is my main concern. I am mainly concerned with the citizens of Newark and the safety that we have in this community so I will not be supporting this.

**Mr. Marmie-** I am going to be in support of this. I think that it is a move in the right direction. Those that felt as though it was not strict enough as far as the penalties I wish you would have spoken up during committees or either when the legislation was being developed, that was the time to do it not the time of the vote. I think that if any recommendation would have come forward you probably would have received ample support as far as if you felt something needed to be stricter. Be part of the solution don't just point out the problem so therefore I would encourage everybody to support this. If it does go through and you still feel that stricter than I would assume those that feel that way will quickly bring legislation to make it stricter because you have to put forth the effort to be part of the solution not just point out the problem.

**Mr. Johnson-** we keep calling this breed a Pit Bull, there are five breeds that are considered Pit Bulls because of that nomenclature and I think that if we were really going to be breed specific then we should take the five breeds and say those five breeds need to have all of the same kind of things happen that these so called Pit Bulls have to have happen. I am going to vote for the new legislation with the hope that if we need to have more stringent penalties we can bring them forth and make them. I am very concerned that other dogs do bite because I recently had a friend who's Westie was attacked by a German Shepard. The dog fortunately lived but that doesn't make any difference. The owners of the German Shepard did take the responsibility and did put the dog down. That is unfortunate for the dog and the owners because they didn't really control the dog in the first place. That is what this is about, controlling the animals. I have two dogs, one is a toy Australian Shepard and if you come to our house you will think that she is going to bite your head off, she won't but she thinks about it. We have to keep a close watch on her, when she knows you you're fine. I think that we are finally moving in the right direction of making this going after all kinds of vicious dogs and the owners for being responsible.

**Mr. Cost-** I would like to thank everybody for being here, thank you for participating. I think that is phenomenal. I want to make you comment about something that Mr. Rath said, with all due respect. First of all I agree that safety is the most important issue in this whole thing. That is all any of us care about, is safety. We don't want anyone hurt that is the bottom line. Secondly, I also agree with Mr. Rath that the concerns that I have about this current legislation has nothing to do with BSL, nothing. It has to do with the concept of all dogs. Having said that I do not agree that this legislation makes the Animal Control Officer easier. I think we are putting more of the responsibility on the Animal Control Officer and less on the owner. I don't think that is a particularly good move. I appreciate the fact that we put a list together of classifications of dogs, we put together a list of penalties but I am also of the opinion those two lists don't exactly match up in a way that I would like to see it done. I do agree with Mr. Rolletta that in some cases we have become more lenient with the penalties than we were before. I think that I would like to keep it as strict as it was and if not I would look for it to be stricter to be honest with you. The other concern that I have is enforcement, we have one Animal Control Officer, one and I think that we are making his life more difficult to begin with, with this legislation. Secondly, when he is not able to cover the next step in line are other Police Officers and let's be honest here we don't have enough Police Officers. I think that is one of the few things that this entire room can agree about is that we don't have enough Police Officers and I surely don't want their job to be out chasing dogs and that would be the next line of defense, not the County Dog Warden. A couple of comments that I have heard, let's pass this and work out details later on. I'm not a real big fan of that. I would like to vote about something and really feel good about my vote, not let's vote for it, let's see what happens, let's see what other details there are, we will work them out later. Later doesn't seem to happen. From my way of thinking I want to work the details out first, I want to feel good about the information. Having said that I make a motion to send this back to committee so that we can look at those details, make decisions on those details in advance and then bring it back to Council when we are satisfied that those details have been worked out.

**Motion by Mr. Cost to table Ordinance 16-07 A until the next Committee Meeting, second by Mrs. Floyd**

**Motion was a tie 5 yeas (Mr. Cost, Mrs. Floyd, Ms. Hall, Mr. Johnson, Mr. Rolletta) 5 Nays (Mr. Blake, Mr. Bubb, Mr. Fraizer, Mr. Marmie, Mr. Rath). President Ellington voted not to table Ordinance 16-07 A therefore the motion to**

**table failed by a vote of 6-5.**

**Mr. Fraizer-** I just wanted to address the concerns about public safety. As the Chair of the Public Safety Committee this came out of my committee. Looking at the State law this is a more equitable law. I feel that we are not going to have a big public safety concern of vicious dogs roaming the streets. This is a comprehensive law that is meant to curb behavior and to hold owners more responsible. This is not the last piece of legislation this is the first piece so the next step is how do we build more accountability, more results and more administrative efficiencies in order to hold dog owners accountable. We could continue to say that this is a backwards step but this is really a forward step. We could continue to say it is ambiguous but really it is written on the page. We can either continue to discuss and debate about things that really have no place. We have the opportunity to add amendments; we have the opportunity to add new legislation and we have the opportunity to discuss in committee and change if needed. We have followed the due process. We are here to vote and we are here to pass this legislation. So I hope that we can go to a vote and I hope that we can get this off of the floor.

**Mr. Rolletta-** one more comment, I just want to say the breed specific issue aside I think there are problems with this legislation. I haven't seen a single proposal from any member of this Council as a way to remove the BSL while also enhancing safety measures at the same time. I was in support of sending this back to committee. When this was proposed in committee I studied the proposal, the current law, met with the Law Director to learn all that I could about this. What spured me with this proposal is that we are not holding owners of vicious dog more accountable with this legislation.

**Mr. Rath-** first off I want to say that I agree whole heartedly with Mr. Marmie's comments. You know we have been discussing this for two years. The last time that this failed people said "I'm going to bring back brand new legislation with stricter penalties and eliminates BSL and I am going to introduce this and I'm going to introduce that" I waited an entire year before I brought this back and nobody did anything. So put up. Secondly, if it is ok with the President I'd like to call on the Law Director to explain to the people the way he explained it to me as to why we have dropped the felony for the serious injury.

**President Ellington-** are you asking me to ask the Law Director?

**Mr. Rath-** I am asking you if it is ok if I ask him to address that issue.

**Law Director-** because I was asked to make this legislation to exactly mirror the Ohio Revised Code and that is what it does.

**Mr. Rath-** can you explain the benefits of an M1 versus a felony like you and I discussed?

**Law Director-** I don't know that I can say that. We talked on the telephone about the difference between a felony and a misdemeanor and the different penalties and the different factors associated with it but as we said it is a matter of philosophy as to what is an incentive and what is a disincentive, what is a sanction and what is the nature of that sanction. That is a philosophical issue based on any individuals approach to the question.

**Mr. Rath-** then I should explain my philosophy and why I can support this and I have always been for stricter penalties. I love what they did in Cincinnati by implementing a \$10,000.00 fine. I am ok with doing the \$10,000.00 fine and reducing it if you have the dog euthanized but that wasn't going to be what worked here. The fact of the matter is if somebody is convicted of a felony the chances of that sentence being suspended with our prisons over populated the way they are is pretty good but if somebody is convicted of a misdemeanor especially an M1 the chances of that person doing jail time are very good because that person is going to go down on East Main Street not a State penitentiary and there is plenty of room for them down there. The potential for jail time when you have a dog that is vicious and has attacks somebody and have real potential for real jail time I think it is a bigger deterrent than being convicted of a crime and not having the jail. In that respect I think the penalties will be harsher.

**Motion to adopt Ordinance 16-07 A was a 5 to 5 tie, Nays (Mr. Bubb, Mr. Cost, Mrs. Floyd, Ms. Hall, Mr. Rolletta) Yeas (Mr. Blake, Mr. Fraizer, Mr. Johnson, Mr. Marmie, Mr. Rath).**

**President Ellington-** I can see both sides of this issue. Somedays I have thought yes, somedays I have thought no.

**Mr. Rath-** point of order. When the President votes and speaks isn't it required of him to pass the gavel?

**President Ellington-** no, not now. When it is a 5-5 tie I have two minutes to speak to tell you why. I have gone back and forth, yes and no. I would read something and think it should be yes then read something else and think no. Regardless of that I know this is a tough vote for everybody up here, I understand that. I do like the idea of aligning this legislation along with the County and the State; I think that is a positive. The dog categories that are in this new legislation they are changed with this law and I believe these penalties will encourage dog owners to be more responsible and I also think that will also maintain public safety. Basically that is why I would be voting for the safety of our citizens. With that said the chair is going to vote yes. Ordinance 16-07 A passes 6 to 5; it will be thirty days before it is enacted.

**By: Mrs. Floyd, Mr. Marmie, Mr. Cost, Mr. Rath**

**16-08** AN ORDINANCE VACATING AN ALLEY DEDICATED BY ORDINANCE 47-94, BEING A STRIP OF LAND SIXTEEN (16) FEET WIDE OFF THE EAST SIDE OF LOT 72 AS SHOWN ON THE PLAT OF THE BELLEVISTA ANNEX, AT PLAT BOOK 3, PAGE 277, OF THE LICKING COUNTY PLAT RECORDS; SAID ALLEY IS LOCATED SOUTH OF LINWOOD AVENUE.

**Motion by Mr. Johnson to adopt Ordinance 16-08, second by Mrs. Floyd**

**Mrs. Floyd-** both properties on either side of the alley are owned by the same person and nobody had any problems with this.

**Motion passed by a vote of 10-0.**

**By: Mrs. Floyd, Mr. Marmie, Mr. Cost, Mr. Rath**

**16-09** AN ORDINANCE VACATING A PORTION OF ALLEY AS SHOWN ON THE PLAT OF THE B.B. JONES AND D.H. WATKINS' ADDITION AT PLAT BOOK 4, PAGE 116, OF THE LICKING COUNTY PLAT RECORDS; SAID PORTION OF ALLEY IS LOCATED EAST OF NORTH HAZELWOOD AVENUE.

**Motion by Mrs. Floyd to adopt Ordinance 16-09, second by Mr. Johnson**

**Mrs. Floyd-** again both properties on either side of the alley are owned by the same person and nobody had any problems with this.

**Motion passed by a vote of 10-0.**

#### **ORDINANCES ON FIRST READING**

**By: Mr. Cost, Mrs. Floyd, Mr. Rath**

**16-10** AN ORDINANCE TO PROVIDE FOR THE ISSUANCE OF \$2,000,000.00 OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING THE COST OF BUCKEYE CORRIDOR STORMWATER PLAN SEWER IMPROVEMENTS AND ALL NECESSARY APPURTENANCES THERETO AND DECLARING AN EMERGENCY

**Motion by Mr. Marmie to adopt Ordinance 16-10, second by Mr. Bubb**

**Motion passed by a vote of 10-0.**

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

**By: Mr. Rath, Mr. Marmie, Mrs. Floyd, Mr. Cost**

**16-25** A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO TO NEGOTIATE AND ENTER INTO CONTRACT, SUBJECT TO THE APPROPRIATION OF FUNDS, FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE DESIGN AND CONSTRUCTION OF A RIVERBANK FILTRATION SYSTEM PROJECT PURSUANT TO ARTICLE 10.02 (D) OF THE CHARTER OF THE CITY OF NEWARK, THIS CONTRACT FOR PROFESSIONAL SERVICES DOES NOT REQUIRE COMPETITIVE BIDDING.

**Motion by Mr. Rath to adopt Resolution No. 16-25, second by Mr. Bubb**

**Motion passed by a vote of 10-0.**

**By: Mr. Marmie, Mr. Cost, Mr. Rath, Mrs. Floyd**

**16-26** A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

**Motion by Mr. Marmie to adopt Resolution No. 16-26, second by Mr. Bubb**

**Motion passed by a vote of 10-0.**

## RESOLUTIONS ON FIRST READING

**By: Mr. Rath, Mr. Cost, Mrs. Floyd**

**16-29** A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AMENDED AGREEMENT WITH THE NEWARK DEVELOPMENT PARTNERS AS ITS AGENCY AND INSTRUMENTALITY FOR COMMERCIAL DEVELOPMENT IN THE CITY OF NEWARK.

**Held for a second reading**

**By: Mrs. Floyd, Mr. Cost, Mr. Rath**

**16-30** A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF NEWARK TO ENTER INTO A COMMUNITY DEVELOPMENT BLOCK GRANT FUNDED SUBRECIPIENT AGREEMENT WITH THE HEREINAFTER NAMED ORGANIZATIONS TO CARRY OUT ACTIVITIES INCLUDED WITHIN NEWARK'S FY 2016 COMMUNITY DEVELOPMENT BLOCK GRANT ONE YEAR ACTION PLAN.

**Held for a second reading**

**By: Mrs. Floyd, Mr. Cost, Mr. Rath**

**16-31** A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO APPLY FOR FINANCIAL SUPPORT FROM THE STATE OF OHIO 2016 NATUREWORKS GRANT.

**Held for a second reading**

## COMMENTS FROM CITIZENS

**William Butcher, 263 Union St-** he spoke about the difference between a misdemeanor and a felony regarding the dog legislation and provided a weather report.

**Brian Stone, 39 Wing St-** I appreciate Council voting for the BSL to be removed from the code. He relayed his encounter with the Animal Control Officer and his two dogs that he was charged for roaming at large.

**Peggy Jones 1115 Normandy Ct-** I wanted to comment on something that Mr. Rath said about reporting. I agree with you whole heartedly but everything seems to be the website. Not everyone at my age, widowed or retirement income have money for technology. If you don't have access to the website you can't do much. I feel our system in Newark when you finally find the numbers in the phone book is automated. A lot of senior citizens are hard of hearing and can't afford hearing aids. I think we need a different type of reporting system and I don't know what to suggest but it is very difficult to report anything in the City of Newark. I was very disappointed in our general election this year. I moved to this town in 1959 and I was a Democrat, I was very proud of it but I was brought up by a father who was a President of Council where I lived, as well as rotary as well as the school board so I learned a little bit about politics. I got involved with the Advocate and the Citizen Journal but I didn't know what I wanted to do then there was a man running for Council named Phil Resta. He was a dynamic Councilman. He later had a daughter Lori Resta who was a very fine Councilwoman. She stated how she changed her politics and became a Republican. What I was very annoyed about with this general election was that I don't ever recall the Ohio Republican Committee being involved in our local politics and I thought that it was a sad state of affairs. It is like what we have going on right now with our presidential election, the name calling, the slandering, the God awful comments. If you can't be nice to somebody keep your mouth shut. That's how I was raised. I felt so badly for Mr. Rolletta. He is a very kind, conscientious Councilman. He has a bright future ahead of him in politics and he was just beat to a pulp by the Ohio Republican Committee. It was wrong and I think you should be apologized to and I hope that it never happens again. I don't want to be associated with a political party that treats people like this. It is wrong. It seems like nobody has any respect for anybody these days. It's like whatever comes in their mouth comes out of their mouth even before they think. I will never forget the post card that I got in the mail from the Ohio Republican Party with the picture of Alex Rolletta on it. Alex, I'm sorry I hope that it never happens to you again. We're losing a very good Councilman especially someone who is interested in the Senior Citizens. She was concerned about losing landlines in the City of Newark and asked Council to get together on that and make sure it didn't happen.

## MISCELLANEOUS

**Mrs. Floyd-** reminded everyone about The United Way starting its 50/50 walk with Deb Dingus. It starts Thursday at 8:45 at the Doubletree. There are several places she will be on April 7<sup>th</sup> and 8<sup>th</sup> then on May 26<sup>th</sup> she will be coming back. She

stated that she was hoping to get some city officials and Councilmembers to walk with her. She will be camping out too if you are really brave.

**Mr. Fraizer-** April is child abuse awareness month and I attending an event on Saturday with the Mayor. Having that on my mind and having this legislation, going back to Mr. Rath's comments about reporting. We are all citizens of the same town and we all have the same level of expectation to care for one another. Love your neighbor as yourself. With this vote being as controversial and divisive as it was I look forward to putting that behind us and what we need to do is focus on what the future holds for us. I understand Dan Crawford's comments about minimum wage; we are going to differ on economic philosophy about employers bringing wages up through competition and the role of government in setting wages but ultimately we are citizens of the same community. It is up to us to make a better community that we all want to see. I don't think this legislation will have a detrimental effect to our community. I think that it will only have a positive effect where we hold everybody equally responsible for their actions, for their actions and their community. I look forward to you guys continuing to come back, staying active and voicing your opinions and I hope together we can make a brighter future.

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

**Mr. Rath-** called a Service Committee meeting. Daniel I don't always agree with much of what you say but when you do say something that I strongly agree with I want to acknowledge that. I appreciate you challenging the attendees in the Chamber tonight to get involved and do more and make a change. Whether or not I agree with the change that you want them to make is irrelevant the fact of the matter is that you challenged them to get involved and I think we all ought to do that more often. I appreciate you making those comments.

**Mr. Rolletta-** Mrs. Jones I would like to thank you for your kind words. I think you mentioned me leaving Council but I will be here through 2017.

**Mr. Blake-** related to Mrs. Jones's comments related to reporting, if you can't get through on the regular administrative phone lines you can call any of us, that's why we are here. It is part of our duties and actually it is one of the bigger parts that as I see us as Councilmembers is constituents' services. April 7<sup>th</sup> is going to be a busy day. The United Way has their breakfast that morning. I have committed myself to walk with Deb Dingus. The United Ways steam is culture of hope. I commend her for the 50 days that she will be walking and sleeping throughout Licking County. That same evening you all are invited to an event at the Sparta. Sparta really is start at a new beginning with the issues of employing people who have been incarcerated, giving them a second chance opportunity. Focusing on giving another opportunity of breaking down barriers within people's lives. I think that they have been a success story. Over the last few months they have been able to get rid of debt and now they are looking at raising money to purchase a building. I encourage you to go to the Sparta event I think that we all received an email on that. On Saturday April 9<sup>th</sup> at 8:30 AM at St. Johns Church on West National Drive the South Newark Civic Association will be having our 5<sup>th</sup> annual neighborhood clean-up. It is just a morning commitment. Volunteers are asked to come at 8:30 that morning then we will divide up into groups and go into different service projects throughout the neighborhood. Licking County Park District is a partner with us, Kiwanis Dave Doney was Kiwanis and other Kiwanians are going to be coming to help. We also have some Rotarians and YES Club members coming to help. We are really looking forward to that 5<sup>th</sup> Annual event that we will be having on Saturday. I do want to speak on one piece of legislation Mr. President. It was only on its first reading tonight. I have mentioned to Director Rhodes and hopefully the Mayor and the rest of us can talk between now and by the time we vote. It is related to the Newark Development Partners, 16-29 legislation. I know that the Mayor has appointees to the board and then there are some business leaders to that board but I feel as though that at some point someone from this Council whether it is the President or one of the Leaders should be on that board as well from Council. I just feel that way. Maybe we can have a discussion and maybe something can be done there. I just feel someone from the legislative body should be a voice on that board. Lastly a small business in my neighborhood in the south end, we have a pizza war going on. There is Carmen's Pizza, Brewsky's Pizza and then Don & Sue's Pizza so within about 2-3 blocks I have 3 pizza places and I love them all but Carmen's Pizza is celebrating 8 years. James and Janelle are celebrating 8 years of having their pizza shop in the south end. Just as we want to support the small businesses around the square we want to support the small businesses in our neighborhoods as well.

**Mr. Cost-** I would like to thank Mrs. Jones for coming and for her comments. I would have to agree with you that there were some tough moments in the 2015 election. Quite frankly 2016 has made it look far worse especially on the national level. I hope that you have noticed that whether we have agreed on things or if we have disagreed on things it has been with courteous and respect. I am very proud of that, I am very proud to serve with these people.

**President Ellington-** the next committee meeting will be Monday April 11<sup>th</sup> at 5:30 P.M. and the next City Council meeting will be Monday April 18<sup>th</sup> at 7:00 P.M. I appreciate you coming.



**ADJOURNMENT- Motion by Mr. Rath, second by Mr. Cost. Motion carried with acclamation. 8:38 P.M.**