

COUNCIL MINUTES

February 21, 2012  
Council Chambers  
7:00 p.m.

ROLL CALL

Mr. Bubb, Mr. Cost, Mrs. Floyd, Mr. Frost, Mr. Guthrie, Mr. Houdeshell, Mrs. Loomis, Mr. Marmie, Mr. Rath, Ms. Stare

INVOCATION - Mrs. Loomis

PLEDGE OF ALLEGIANCE - Mrs. Loomis

CAUCUS

President Ellington asked council to approve the appointment of Carol Floyd to the Temporary Board of Zoning Review, which expires in September 2012.

A voice vote confirmed the appointment by a vote of 10 - 0.

MINUTES

Motion by Mr. Rath, second by Mr. Cost minutes of the February 6, 2012 meeting be approved as presented and the reading be dispensed with in view of the fact each member of council has received written summary of same. Motion carried by acclamation.

APPOINTMENT

Mayor Jeff Hall requested council confirmation of the appointment of himself; David R. Rhodes, Service Director; Mark Mauter, Development Director; Councilman Doug Marmie, and Councilman Carol Floyd to a committee to determine rules, procedures, requests for allocations, and recommendations for allocations of hotel lodging excise tax revenues. Members will serve four-year terms.

A voice vote was taken to confirm the appointments and it was approved unanimously.

REPORTS STANDING COMMITTEES

Finance - Received and filed

Finance/Service - Received and filed

Service (2) - Received and filed

REPORT CITY OFFICIAL

Stephen E. Johnson - Auditor, Operating Report for the period ending January 31, 2012. Received and filed.

COMMUNICATIONS

**Glenn Hopkins** - The Main Place, 112 South Third Street, The Main Place will be the sponsor of a multi-family residential development being ten 1 bedroom apartments behind 112 South Third Street. The city may file a written objection within thirty days of receipt of said notice. Received and filed

**Chris Bowman** - Ohio Environmental Protection Agency, submitting notice of a National Pollutant Discharge Elimination System Permit for Fred Wright dba Wilkins Trailer Park, 200 South Second Street NE, Newark. Written comments may be filed within thirty days of the city receiving notice. Received and filed

ORDINANCE ON 2nd READING

12-3 BY: MR. BUBB, MRS. LOOMIS, MR. HOUDSHELL, MRS. FLOYD, MS. STARE, MR. MARMIE, MR. RATH, MR. COST

**AN ORDINANCE ANNEXING CERTAIN TERRITORY, GENERALLY DESCRIBED AS BEING APPROXIMATELY .5 ACRES, LOT NUMBER 9966, OLD ORCHARD ESTATES SUBDIVISION, LOCATED IN NEWARK TOWNSHIP, TO THE CITY OF NEWARK, OHIO.**

**Mrs. Loomis** - this allows the city of Newark to service this property with water and sewer.

Motion by Mrs. Loomis, second by Mr. Bubb the ordinance be adopted, 10 yeas

ORDINANCE ON 1st READING

12-4 BY: MR. MARMIE, MR. HOUDSHELL, MRS. FLOYD, MR. COST

**AN ORDINANCE TO MAKE AN APPROPRIATION FOR THE EXPENDITURES OF THE CITY OF NEWARK, OHIO DURING THE YEAR ENDING DECEMBER 31, 2012.**

**Mr. Marmie** - we have to expedite this because there are some funds that are not sufficient to last the fourth quarter.

Motion by Mr. Marmie, second by Mrs. Floyd to amend

Section 1 the total amount should be \$8,169,672.38; strike out 232 Total Brownfield (CORF) Newark Processing State (All Other Total \$759,603.50; Brownfield Processing State \$759,603.50 from 144 Total.

234 Total should be \$50,000.00.

Page 2 Grand Total at bottom of the page should be \$8,169,672.28.

Page 5 at the bottom of the page delete Fund 234.144.5231000, All Other, Professional services, Brownfield (CORF) Newark Processing Site \$250,603.50 delete; 234.144.5238000 All Other, Service contracts, Brownfield (CORF) Newark Processing State \$100,000.00; 234.144.5299000, Contingency, Brownfield (CORF) Newark Processing State \$400,000.00, \$759,603.50 (All Other Total. Delete 144 Total, Brownfield (CORF), Newark \$759,603.50

Page 6 - 145 Total should be \$50,000.00

Page 9 Grand Total should be \$8,169,672.38

The motion to amend passed unanimously.

**Mrs. Loomis** - what is the HODAG line item for?

**Mark Mauter** - Department of Development Director, it is understood there are some funds there that were used to purchase that home by Mr. Coffman. The administration is going to tour it to determine the best use of the property.

Motion by Mr. Marmie, second by Mrs. Floyd the amended ordinance be adopted, 9 yeas, 1 nay (Loomis)

RESOLUTIONS ON 2nd READING

12-4 BY: MR. RATH, MRS. FLOYD, MR. BUBB, MR. HOUDSHELL, MR. MARMIE, MS. STARE, MR. COST

**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 (AERATION ENERGY UPGRADE) AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN.**

**Mr. Rath** - this is for necessary upgrades to the aeration system to be made at a significant savings to the city.

Motion by Mr. Rath, second by Mr. Bubb to adopt Resolution No. 12-4; motion passed by a vote of 10 - 0.

12-6 BY: MR. RATH, MRS. FLOYD, MR. BUBB, MR. HOUDSHELL, MR. MARMIE, MS. STARE, MR. COST

**A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT, SUBJECT TO THE APPROPRIATION OF FUNDS, FOR INSTALLATION AND CONSTRUCTION OF THE AERATION SYSTEM UPGRADE AT THE WASTEWATER TREATMENT PLANT.**

Motion by Mr. Rath, second by Mr. Houdeshell the resolution be adopted, 10 yeas

12-7 BY: MR. RATH, MRS. FLOYD, MR. HOUDSHELL, MR. MARMIE, MS. STARE

**A RESOLUTION ENACTED BY THE CITY OF NEWARK OF LICKING COUNTY, OHIO, HEREINAFTER REFERRED TO AS THE LOCAL PUBLIC AGENCY (LPA), IN THE MATTER OF THE STATED DESCRIBED PROJECT.** (resurfacing portions of 30th Street, West Main Street, and Cherry Valley Road)

**Mr. Rath** - this has to do with the resurfacing of 30th Street, Cherry Valley Road and West Main Street in conjunction with other road resurfacing done by our neighboring communities of Heath and Granville.

Motion by Mr. Rath, second by Mr. Cost Resolution No. 12-7 be adopted carried by acclamation.

12-8 BY: MR. RATH, MRS. FLOYD, MR. HOUDSHELL, MR. MARMIE, MS. STARE, MR. COST

**FINAL RESOLUTION ENACTED BY THE CITY OF NEWARK, OHIO, HEREINAFTER REFERRED TO AS THE LEGISLATIVE AUTHORITY/LOCAL PUBLIC AGENCY OR "LPA", IN THE MATTER OF THE STATED DESCRIBED PROJECT.** (resurfacing 1.55 miles of West Main Street and 1.21 miles of Granville Street)

**Mr. Rath** - this has to do with the resurfacing of the Granville and West Main Street areas.

Motion by Mr. Rath, second by Mr. Bubb to adopt, motion passed unanimously.

12-10 BY: MR. BUBB, MRS. FLOYD, MR. HOUDSHELL, MS. STARE, MR. RATH

**A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION WITH REGARD TO THE RETENTION OF OUTSIDE LEGAL COUNSEL.** (professional legal services for the creation of a tax increment financing district)

Motion by Mr. Marmie, second by Mr. Bubb to adopt Resolution No. 12-10, passed by a vote of 9 yeas, 1 nay (Marmie)

12-12 BY: MRS. FLOYD, MR. BUBB, MS. STARE, MR. HOUDSHELL, MR. MARMIE, MR. RATH, MR. COST

**A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO SUBMIT AN APPLICATION TO THE OHIO DEPARTMENT OF PUBLIC SAFETY FOR AN AWARD OF FISCAL YEAR 2012-2013 FUNDING UNDER THE OHIO EMS TRAINING AND EQUIPMENT GRANT PROGRAM.**

Motion by Mr. Marmie, second by Mrs. Floyd the resolution be adopted carried by acclamation.

RESOLUTIONS ON 1st READING

12-11 BY: MR. MARMIE, MRS. FLOYD, MR. HOUDSHELL, MS. STARE, MR. RATH

**A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION.** (\$8,917.70 Streets/Traffic Fund; \$38,640.00 General Fund; \$76,400.00 Safety Fund)

Held to first reading

12-15 BY: MR. MARMIE, MRS. FLOYD, MR. HOUDSHELL, MS. STARE, MR. RATH

**A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A MANAGEMENT AGREEMENT WITH THE LICKING COUNTY FAMILY YMCA TO OPERATE THE HOLLANDER SWIMMING POOL.**

**Mr. Marmie** - if we are going to pass this and open the pool we need to get started on renovations immediately and make sure the YMCA can order everything it needs.

I am going to support this because I want the pool to open and hope we can work out all the difficulties that have happened in the past and make sure it's going to be something feasible for the city to do for the future. I would like for the city to look at this at the end of the year to decide if it's worth taxpayer dollars as far as what's being spent out and what we anticipate being spent in the future. I will support this at this time.

**Mr. Rath** - commended Mr. Rhodes and the city employees who are going to do the labor on this at significant cost savings to the city, which is the main reason we are able to open this. I look forward to such a facility being utilized and improved significantly over what we could afford. Kudos to those city employees.

**Mr. Guthrie** - expressed his appreciation to the administration, mayor, David Rhodes, and Mr. Mauter for moving forward on this important issue to our community. We're doing a good thing here.

Motion by Mr. Marmie, second by Mr. Cost to adopt Resolution No. 12-15. The motion carried by a vote of 9 yeas, 1 nay (Frost)

COMMENTS FROM CITIZENS

**William Butcher** - 129 West Main Street, voiced concerns about the vacant building behind his apartment building; it's not safe and something needs to be done with it. There are semis parked on the empty lot, too.

**Daniel Coffman** - 920 West Main Street, just a correction for the record, I did not purchase the Hudson Avenue home; I was a part-time employee for the City of Newark working the NSP Grant when that home was purchased. Judith Carr was the director of the department who had a plan specifically set up to purchase that home with HODAG dollars and there was a plan for utilization of HODAG dollars over the course of several years. I would like the record corrected that I ran the paperwork for her because I was an experienced real estate professional and I negotiated the deal for her but it is important that we stop saying that I purchased that home and the associated perceived difficulties with repairing that home. If anyone would like to understand the plan that Judith Carr had articulated to me I'll be happy to discuss that with anyone and provide them with those details; I have all of the records and all of the conversation notes.

MISCELLANEOUS

**David Rhodes** - Service Director, thank you for support on the Hollander Pool and I'll keep you updated.

**William Spurgeon** - Safety Director, as of 3:30 today the owner of the house at the rear of 127 West Main Street has taken responsibility. One van has been removed; there is a dump truck with a trailer full of refuse. There is work to remain but at this time they are being responsive to us.

**Mr. Bubb** - are political signs that are on the right of ways all over town being addressed?

**Mr. Rhodes** - last Friday I contacted the county commissioner candidates whose signs have been put out and advised them this coming week we will be removing some of those signs that are in the right of ways. There are two issues on the ballot and I haven't been able to reach those people.

For the November election I'm sending all the candidates and groups putting forth a complaint a copy of the city's sign ordinance. That should help to alleviate any confusion.

**Mr. Bubb** - called a personnel committee meeting for next Monday, Judge Michael Higgins has requested time to speak

**Mr. Cost** - feels really good about what we're doing with Hollander pool. It's a good decision, good for the community and I'm glad to see that moving on

Called a rules committee meeting for February 27

**Mrs. Floyd** - the property William keeps talking about between the library and Licking County Players is an eyesore when you drive by on West Main Street.

Complimented all the city employees, we have a lot of people who work awfully hard. Thank you for all that you do.

The Midland is such a gem in downtown Newark with so many wonderful shows there. They are also doing a lot with their STEM Program, which deals with technology and education.

It's basketball tournament time. Jim Tressel was a shooter at Newark High School Friday night and was very gracious to everyone.

**Mr. Guthrie** - Darrin Logan's son is doing a great job along with the rest of the team.

**Mrs. Loomis** - encouraged Mayor Hall, Mr. Mauter, and the administration to begin looking at the city CIC, focus mostly on transit and lead at this time. That's the reason for my no vote on Ordinance 12-4.

**Mr. Marmie** - announced finance committee will meet Monday in council chambers at 5:30 p.m.

We need to look at where there are duplication of services within our community being the county and the city. The governor has definitely made it clear in order to save taxpayers' dollars if you can consolidate and do a better job, and provide more dollars to go to the actual services versus administration then it is better served. I hope we look at all those things.

I've looked at HODAG and whether or not that could be used for the house on Hudson Avenue. Mr. Mauter has made it clear he will look into that and make sure it meets those qualifications; we need to have verification before spending more dollars on that.

**Mr. Rath** - called a service committee meeting for February 27, 2012

Kudos to the Midland Theatre, it is known throughout Columbus.

**Mr. Ellington** - thank you to Officer Goodman for volunteering his time and being here tonight, we appreciate that.

#### ADJOURNMENT

There being no further business to discuss motion by Mr. Rath, second by Ms. Stare to adjourn; motion carried by acclamation and the meeting adjourned at 7:35 p.m.