

COUNCIL MINUTES

April 18, 2022
Council Chambers
7:00 P.M.

President Pro-Tem Harris called the meeting to order

ROLL CALL – Ms. Hottinger, Mr. Houser, Mr. Labutis, Mr. Lang, Mr. Marmie, Mr. Rath, Mr. Rine, Mr. Barker, Ms. Bline

INVOCATION – Beth Bline

PLEDGE OF ALLEGIANCE - Jude Moore, 2nd grade St. Francis

CAUCUS – Mr. Marmie – Motion to excuse President Ellington, second by Mr. Lang, passed by acclamation

Mr. Marmie – I would like to invoke Rule 11 on Resolution No. 22-44, seconded

By: Mr. Rath, Mr. Marmie

22-44 A RESOLUTION AUTHORIZING THE GRANTING OF AN EASEMENT OVER CERTAIN REAL PROPERTY CONTROLLED BY THE CITY OF NEWARK, OHIO AND DECLARING AN EMERGENCY

Mr. Marmie, Motion to adopt, second by Mr. Rath

Mr. Marmie- This is something we were just made aware of, we have a sale of a property in our community and this is an 18 inch encroachment where a permanent garage has sat for over 50 years. It was one of those things that wasn't found out until the last minute prior to closing and it will cause a huge financial burden to the purchaser if it is not voted on. The Law Director did a great job making sure all the I's were dotted and the t's crossed in this legislation so they could go ahead and go forward with the closing so, I would strongly encourage everyone to support this.

Motion passed 10-0

MINUTES of April 4 , 2022 - Motion by to approve the April 4, 2022 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 **Motion by Mr. Barker , second by Mr. Labutis, passed by acclamation**

APPOINTMENTS

Mayor Hall – Reappointing Bob Klingensmith to the Heath-Newark-Licking County Port Authority Board of Directors. Four year term beginning June 1, 2022 and expiring May 31, 2026.
Received & Filed without objection

REPORTS OF STANDING COMMITTEES

Finance **Received & Filed without objection**

Service Received & Filed without objection
Safety Received & Filed without objection

REPORTS FROM CITY OFFICIALS

City Auditor, Ryan T. Bubb – Operating report for period ending March 31, 2022

Brenda Cooper, Tax Administrator's Office – Income Tax Revenue Reports for period ending March 31, 2022

COMMUNICATIONS

Ohio Division of Liquor Control – Transfer Liquor permit application from Lee Bendick dba Somewhere Else Lounge to Somewhere Else On Main LLC, 382-386 W. Main St., Newark, Oh

Ohio Public Utilities Commission – Staff Report of Investigation, Columbia Gas of Ohio Inc. Case nos. 21-637-GA-AIR, et al.

COMMENTS FROM CITIZENS

Brad Feightner Jr., 2389 Turnberry Ct., City Treasurer – It's April 18th, It's a happy day in our office. Happy evening I should say. I just want to publicly recognize the folks in the Treasurer's Office, they've been working very, very hard and they deserve that recognition, we're making a lot of strides. So, I just wanted to come before Council and make sure they were recognized.

Rochelle Volen-Smith, 237 Violet Ct. - I wanted to thank the Tax Department for making it so easy and pleasant to pay our taxes this year. I would also like to say thank you for the improvements in the streets lately, they've been very nice. People are not aware they can take the signs down, we're not sure if they're finished. I'd like to say thank you to Jeremy Blake who was one of the people that spearheaded that project.

ORDINANCES ON SECOND READING

There were none this meeting

ORDINANCES ON FIRST READING

By: Mr. Labutis, Mr. Barker, Ms. Hottinger, Mr. Marmie, Ms. Bline, Mr. Rath

22-14-A AN ORDINANCE AMENDING CHAPTER 475 OF THE CODIFIED ORDINANCES OF THE CITY OF NEWARK, OHIO RELATIVE TO BICYCLES, SKATEBOARDS, TRICYCLES AND TOY VEHICLES WITHIN PORTIONS OF THE MUNICIPAL CORPORATION

Held 2 weeks until May 2, 2022

RESOLUTIONS ON SECOND READING

By: Mr. Marmie, Mr. Barker, Mr. Labutis, Ms. Hottinger, Mr. Rath, Ms. Bline

22-24 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO APPLY FOR FINANCIAL SUPPORT FROM THE STATE OF OHIO 2022 NATUREWORKS GRANT.

Motion to adopt by Mr. Marmie, second by Mr. Labutis, motion passed 10-0

By: Mr. Rath, Mr. Barker, Mr. Labutis, Mr. Marmie, Ms. Hottinger, Ms. Bline

22-26 A RESOLUTION APPROVING AND RATIFYING AN UPDATED SOLID WASTE MANAGEMENT PLAN

Motion to adopt by Mr. Rath, second by Mr. Barker, motion passed 10-0

By: Mr. Marmie, Mr. Barker, Mr. Labutis, Ms. Bline, Mr. Rath

22-28 APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$60,000.0-(Drainage work at pathways and other misc drainage work)

Motion to adopt by Mr. Marmie, second by Mr. Houser, motion passed 10-0

By: Ms. Hottinger, Mr. Marmie, Mr. Barker, Mr. Labutis, Ms. Bline, Mr. Rath

22-29 CI APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$29,500.00 -Dump Truck for Cemetery)

Motion to adopt by Ms. Hottinger, second by Barker, motion passed 10-0

RESOLUTIONS ON FIRST READING

By: Mr. Marmie, Mr. Barker, Mr. Labutis, Ms. Bline, Mr. Rath

22-30 APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION(\$ 275,000.00 - Repayment for Operating Account from Emergency Repairs)

Held 2 weeks until May 2

By: Mr. Marmie, Mr. Barker, Mr. Labutis, Ms. Hottinger, Mr. Rath Ms. Bline

22-31 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO NEGOTIATE AND ENTER INTO CONTRACT WITHOUT COMPETITIVE BIDDING FOR THE PURCHASE OF BODY-WORN CAMERAS WITHIN THE DIVISION OF POLICE AND DECLARING AN EMERGENCY.

Motion to adopt by Mr. Marmie, second by Mr. Barker, motion passed 10-0

By: Mr. Marmie. Mr. Barker, Mr. Labutis, Ms. Bline, Mr. Rath

22-32 A RESOLUTION AUTHORIZING THE CITY OF NEWARK TO FILE AN APPLICATION AND TO PARTICIPATE IN THE STATE OF OHIO BROWNFIELD REMEDIATION PROGRAM FUND AND DECLARING AN EMERGENCY.

Motion to adopt by Mr. Marmie, second by Mr. Barker, motion passed 10-0

By: Mr. Marmie, Mr. Barker, Mr. Rath, Ms. Bline, Mr. Labutis

22-33 Exp APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$1,500.00 -Unexpected revenue from the East Main St TIF (Longaberger) 25% to be paid to Licking Valley Schools (doubled in case we receive the same amount for 2nd half of year) (\$270,000.00 -OPT) (\$270,000.00 -Land Purchase)

Motion to waive 2 day reading rule by Mr. Marmie, second by Mr. Barker, motion passed 10-0

Motion to adopt by Mr. Marmie, second by Mr. Barker, motion passed 10-0

By: Mr. Rath, Mr. Barker, Mr. Marmie. Mr. Labutis, Ms. Bline

22-34 A RESOLUTION AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY NOW OWNED BY THE CITY OF NEWARK, OHIO TO NEWARK DEVELOPMENT PARTNERS AS ITS AGENT FOR INDUSTRIAL, COMMERCIAL, DISTRIBUTION AND RESEARCH.

Held 2 weeks until May 2, 2022

COMMENTS FROM CITIZENS

Rochelle Volen-Smith, 237 Violet Ct. – On Ordinance 22-14 I'd like to remind the City that if you're going to put restrictions on the streets there, I see several options, either you can close off those streets so they are pedestrian only, or you can educate the public as to how to work together between bicycles and other vehicles, so that it's safer. I realize that having food in the sidewalk areas does impede the sidewalks and the space, but I think before you institute this that we need to have some sort of education system.

MISCELLANEOUS

Mark Mauter, Director of Community Development – Thank you all for passing Resolution 22-32, that's going to allow me to make the deadline with the State of Ohio's Department of Development for the Brownfield Remediation Funds on April 30th, so that is very important, thank you again. The second reason I come before you tonight is because we are going to conduct the first of several Newark City Clean-up Days. This particular one will be happening this Saturday from 8am – noon. We are partnering with the Hudson Avenue Historical Society, as always it's a collaborative effort between the Department of Development which uses our CDGB Funds to pay for expenses, we partner with Joe Paul and his Property Maintenance Office and we also use Jeff Hotchkiss' team to help us collect the items for disposal. We're going to be set up at 191 Hudson Ave. in the gravel lot north of the Church. As always we sent out 1300 letters to the residents this year telling and reminding them this is coming and telling them they can call in and make a preset appointment for large items and we'll get that taken care of for them. It's been a great program, we've partnered with Shackelford disposal and it's been very successful. The area that we're going to outline is Eddy St. to the west, Shields to the north, Clinton St. to the east and basically route 16 to the south.

Mayor Jeff Hall – Three quick things, first I'll echo the words of Treasurer Feightner, while serving in the a couple of years, it is wild and crazy. Now everyone is wiping their brow that they've submitted their taxes, now they've got to process all of those returns. So, it isn't like the work's all done. That's when the work really starts for them, but they will shut down for a couple weeks, process thousands of returns and then reopen to any citizens who might have missed that deadline. We appreciate all the hard work they do, they bring in great income tax. Yesterday morning started with kind of a tough time with a fire at Newark Station. While many people at 8am were getting ready for Easter breakfast we had firefighters and police already on the scene for nearly 4 hours. They did an outstanding job and we've met a few times since then, I was on scene for a bit, Councilman Barker was there, it was tough for the overall, but on the other side it was in a building where they had not done any work yet and the intentions were to

probably remove the building ultimately, so there are parts that could've been worse I want to thank Joe Paul, Jim Smith and Bruce Gossett, Asst. Chief Doug Vermaaten and his entire team, the Police Department and the mutual assist, any type of fires like this we help them, they help us. We sign agreements for that and it's just outstanding. I will tell you that the \$1.4 million we spent on the bucket truck came into play yesterday. Very important. We had both ladder trucks up that have both been purchased since my administration, but with that one they were even able to go in and look at some things, not just put the fire out. They pumped probably literally millions of gallons of water on that fire. It is contained, there is a wall that remains challenging so we'll work on that. West Main Street will remain closed, there are alternate routes obviously, but at this time we have to keep it closed for pedestrian and vehicle traffic. Finally, the Newark Police Department was founded in 1870. Why do I say that, because today a monumental occurrence happened we promoted our first female into the position of Sgt. So, we have our first female Sgt. in over 150 year history of a department. April Fleming, Officer Fleming, what a phenomenal story, she told a little of her story, she started in the Heath Police Department and listened to the radio and said I could never handle that kind of call volume. Well, she came in as a dispatcher first and then said a few years later I think I'll go for to be a Patrol Officer and I think that's a cool story and now she's a Sgt. Kudos to April Fleming, she's a go getter, a hard worker, she's determined to accomplish her goals and we're real happy to have her on board. She was just a pinch nervous today, which I told her was important because it was an important day, but we got her to smile a little bit. She has a great team down there and will do a phenomenal job.

Law Director Tricia Moore – First I want to echo the Mayor's sentiments about the Police Department and Fire Department on their work on that fire downtown it really was a very large fire and they did an amazing job getting that under control. I also wanted to thank Engineer Morehead and Caroline Clippinger in my office who diligently worked hard on that easement this past week and were able to make that happen for that home buyer, so thank you. I also had the privilege of attend coalition for care Fashion for Compassion Show, Mrs. Hottinger was one of the models, she did a great job, our waiter was Senator Hottinger, so it was a fun event, I learned a lot about that organization and am looking forward to working with them on our Domestic Violence Task Force to help victims find emergency housing and things like that, so if you missed it look for it next year. I also want to thank Director Rhodes for his assistance on a project we are working on, we appreciate his help. I was also able to attend April Fleming's swearing in as well, a great day for the City of Newark. April is a phenomenal Officer as well as a wonderful person and she'll do a great job for the Newark Police Department.

Ms. Hottinger – Just three quick things. I want to thank Mr. Mauter for telling us about the neighborhood cleanups, twenty years ago when I was on this Council that was a big deal for neighborhoods to be able to get their neighbor hoods cleaned up, so I hope we continue to do that. I wanted to tank Mrs. Smith on your positive comments tonight in your first go-round, that's nice when we can give recognition when it's well deserved, so thank you for that. I also want to say kudos to Sgt. Fleming, I was not able to attend that today, but certainly it's a great day for Newark.

Mr. Houser – I just want to send a shout out to the Licking County Library, they put together a film on the 1942 Hudson Avenue bomber crash and obviously I'm one of the youngest Councilmen here and should probably know about that, but honestly I had never heard that

story before until Mr. Harris said I should definitely check that out. Well worth the watch. Fantastic job by the Library and I certainly learned a lot. The Horizon presentation was really good and I am excited to see what that will look like through committees. Also, a shout out to the Treasurer's Office, fantastic job as always I appreciate all their work. Thank you to the Law Director and her team for that easement legislation for a resident on my street, I appreciate that.

Mr. Labutis – Just a couple thank you's. A couple of weeks ago GCA had their auction and it was very successful. I don't have a final number, but I would like to thank my colleague that were able to attend that evening. I would also like to congratulate Dr. John Berry and his team at COTC who celebrated their 50th Anniversary providing education in the community and I would like to thank Director Rhodes for his help on a problem.

Mr. Lang – I just want to thank all of my colleague who've reached out on the passing of my mom, it's been a hard few weeks. Hers was the first campaign I worked on in the Village where we grew up in Chagrin Falls and I was about 8 years old knocking on doors with her was my first foray into politics, so it's kind of hard coming back here tonight, but just thanks to everybody who has reached out.

Mr. Marmie – I will call a Finance Committee Meeting for May 2nd. I want to really thank the Law Director's Office on that easement, by the time I reached out to our Law Director and asked her if she would get it done in time for us to have on last Thursday, I was astonished when she said it was already down there, so that's fantastic service, I really appreciate that. You and your team did a really great job of helping those folks out. Congratulations to April, I'm sure that she's got even bigger and better things ahead of her. I'm really happy for her and for the department. I'm really pleased with our Safety Services right now, the Fire Department has been busy, our Police have been busy, it's just been unbelievable. I don't know but we hear a lot of sirens out in my house and we have this neighborhood chat with all the guys and it's like what's going on, what's going on and Sunday morning I got a text at about 4:30am and it's just a sad situation, but fortunately it's not one of the buildings that is an immediate improvement that is going to be happening and it's not going to slow down progress on that. That is very good to hear about that. The last thing I'm going to mention is that on Mya 7th at TJ Evans there is going to be a trout derby and for kids 8am-10am and adults 10am-noon. We've had this in the past and it's going to happen again this year, so I welcome anybody to come out and join the trout derby.

Mr. Rath – I want to call a Service Committee Meeting for May 2nd. I just want to say I'm really happy to see 22-31 go through, that was the legislation that provided funding for body worn cameras for our Police Department, after several months after mentioning that initially, I'm glad to see we're getting around to that and that's going to come to fruition.

Mr. Rine – I'd just like to echo what Mr. Mauter said, this Saturday 8am – noon we'll be cleaning up. I'm a member of the HCA so I'll be there, the 7th ward definitely needs it, where we're going to be needs cleaning up, I've done a little bit, but there's just so many. SO, if we can get kind of like how they deer hunt, if we can get in a line and just go down the road, I think it will look a lot better Sunday morning.

Mr. Barker – I would just echo the comments of the Mayor earlier in regards to our Newark Fire Department and our mutual aid team. AS the Mayor said I was down there Sunday morning with the owner as well as the Mayor and the entire staff there. One of the comments made to

me was everything today went right. Now the fire wasn't right, but everything with mutual aid, with our fire department with our street department, everything went right for them. I think we should be very thankful for that. As the Mayor said there is still work to be done and everyone is working very diligently on that. Congratulations to Sgt. Fleming, I think that's fantastic, it definitely is a great thing for us here in Newark and should be seen as a great thing in central Ohio.

Ms. Bline – I too want to thank the Fire Department, I was there as well, checking on the residents and making sure they were not affected. I'll be honest with you I was trying to film this new piece of equipment that we just bought and finally I just put my phone down because it was amazing just to watch the agility of this bucket truck and I was thinking what would've happened had we not had that. It was just really amazing and so the citizens send their gratitude for that truck as well. I want to congratulate Officer Fleming and back to the Fire Department, so many residents were getting calls from people in other parts of the state complimenting the fire department on what a fantastic job they did. I just want to pivot here and thank John Hall of St Vincent De Paula and Jeff Vandyne of AEP. In November and December we started talking about the possibility of hanging lights down at the gardens on 6th Street. I don't know if anyone's ever been there but it's very or it was very dark at night. You really couldn't see your hand in front of your face in places, so gratefully we continued chatting and working things out and now, it looks like a baseball field down there, so I'm very grateful that St Vincent De Paul voted to hang those lights. I'd also like to congratulate Jeff Vandyne of AEP he has helped the City a lot in some projects. I'm looking forward to a community cleanup April 30th in south Newark, I'm excited about that. We've already started and so you all come, it's going to be fun.

Mr. Harris – I want to thank Mr. Loomis, I went to him about a month and a half ago about these people wanted sewer and their parents had an opportunity to get it years ago and when I went to him, he knew exactly where I was talking about. He told me tonight it was 2004, so Mr. Loomis has still got it. I want to thank BJ Varner, he helped mw with a couple street lights and I want to thank Brian Morehead for getting the paving started early this year, it's exciting. I want to than Jude for doing the pledge, that was the Law Director's son. May 14th is the east end clean up and then one more thing, on Thursday,, April 21st at 4pm, there will be a Charter Review Meeting in Council Chambers. Next meeting will be May 2nd.

ADJOURNMENT Motion to adjourn by Ms. Hottinger, second by Mr. Barker, passed by acclamation

Jeff Harris , President Pro-tem of Council