

COUNCIL MINUTES

May 2, 2022
Council Chambers
7:00 P.M.

President Ellington called the meeting to order

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

INVOCATION – Mark Labutis

PLEDGE OF ALLEGIANCE - Paxton Hill, 4th grade Ben Franklin Elementary

CAUCUS

Mr. Marmie – Motion to excuse Mr. Rath and Mr. Harris, second by Ms. Hottinger, passed by acclamation

Ms. Hottinger – I need to abstain on Resolution No. 22-34

MINUTES of April 18 , 2022 - Motion by to approve the April 18, 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. Labutis , second by Mr. Barker, passed by acclamation**

APPOINTMENTS

There were none this evening.

REPORTS OF STANDING COMMITTEES

Finance **Received & Filed without objection**

Service **Received & Filed without objection**

REPORTS FROM CITY OFFICIALS

There were none this evening.

COMMUNICATIONS

Ohio Division of Liquor Control –Transfer Liquor permit application from David W. Kittle dba Yesterday's Pub to Yesterday's Pub & Lounge LLC 78 Wilson St., Newark, Oh

Newark Development Partners – 2021 Annual Report

COMMENTS FROM CITIZENS

Jeri Good, 12 N. Park Place – I was here two years ago to talk about parking and my feelings about parking for residents. At the time I had a four hour parking permit, which meant I had to move my car at least two hours off the square. I wanted to talk about getting that changed

because in everything I've seen, locally, Ohio, across the country, once you're a resident, you get those time restrictions waived. So, I wanted to talk about that again because last year actually when I renewed, I got a pass that was good all day. So I thought it had been resolved, I was happy because I had slipped on the ice and fallen once moving my car. So this year when I went to renew, I was told it would be a four hour pass again, I said no, I want the all day pass and I got that just fine, but I know, having gone through that, and now I'm hearing from other tenants that I've met that this's not the case. No all day passes are given anymore. I really wanted to see, who I would, you said no questions, but I'm trying to figure out who to work with on that, because again, I don't see the point of it. I understand it's probably the businesses that want that particular two hour or four hour restriction, however, I can't find any other city that restricts their residents like that once they prove residency. In a commercial area, in a mixed use area, so I don't understand why it's that way here. I'm really disappointed that every year it seems like it's going to come up. I did look at downtown parking your audit, some of those other things that were done in 2012, 2013 and there was a discussion about having permits for people who were here on a daily basis like Courts plus residents, I don't know how that was determined or how that ended up, so trying to understand how that was determined and how I would go about getting it changed, so I know it's not a question and answer, but I kind of wanted to let you know how I felt on that. I just don't understand. It seems like, how can Newark be an outlier, how can this be the one place in the whole country that's worried about their residents taking away their business, whereas other places are welcoming them. I've even got something I can leave with you, I don't know if you would take anything like that, but it's from the Short North and that's just one example, it shows what their permit process is. Once you're a resident, you get a permit. Usually it's anywhere from \$25 to \$30. I'm telling you for an all day or four hour, we pay \$100, so it's another thing that's out of line, but that's not the main reason I'm here. I wanted that entered into the minutes, and see where I go from here. I'm not quite sure who I talk to, but put out some feelers and got in touch with a Commissioner to get some directions, I don't know a lot of people because I just moved here two years ago. I grew up here, but moved back two years ago.

President Ellington – Actually, that has been a discussion this evening, now that you bring it up and I believe Mr. Barker is going to say something in Miscellaneous about that.

Rochelle Volen-Smith, 237 Violet Ct. - I was really glad that you brought that up, it's sort of interesting, I wasn't aware of that and I've noticed that the downtown area has been trying to become more and more residential like a lot of other cities in the country, it's a trend, so it does seem odd that parking wouldn't be a part of the package. What I had primarily planned on discussing was about the designated beverage stations downtown. It seems like in the downtown area there are designated beverage stations on just about every block and I think that's possibly excessive. I don't think that should be the focus of the downtown area, I think it should be more family oriented and this is straying away from that, family activities were some of the things I like most about Newark when I came here. Now are there not only going to be more bars and that sort of thing that are very similar to each other and not terribly health oriented, they are not focused toward family dining and now they are taking over the sidewalks. We used to bicycle downtown all the time with groups of people and there is a lovely bicycle shop next door to several designated beverage stations. I'm wondering whether that's

going to affect their business, whether people will actually be able to go into the bicycle shop which has a very creative bicycle stand on the sidewalk. Again Newark is trending towards being perhaps a bit too trended and losing some of its focus. Some years ago I met with a group of people we were discussing options for summer activities for kids and it's always been my thing to create summer activities and see the city as a school essentially as a community, it's part of their education and it seems like in this focus, we are trending away from that and losing more and more interesting stores and interesting architecture and it's done in favor of adults only entertainment.

ORDINANCES ON SECOND READING

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

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

Motion to adopt by Mr. Labutis, second by Mr. Barker, motion passed 8-0

ORDINANCES ON FIRST READING

There are none this meeting

RESOLUTIONS ON SECOND READING

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

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

Motion to adopt by Mr. Marmie, second by Mr. Labutis, motion passed 8-0

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

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.

Motion to adopt by Mr. Barker, second by Mr. Lang, motion passed 7-0 with Ms. Hottinger abstaining

RESOLUTIONS ON FIRST READING

By: Mr. Marmie, Mr. Barker

22-37 APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

Held two weeks until 5-16-22

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

22-38 Exp APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

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

Mr. Marmie – We have some things that need to be expedited, one due to time constraint and the other is a payout.

Motion passed 8-0

Motion by Mr. Marmie to adopt, second by Mr. Lang, motion passed 8-0

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

22-39 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO TO PROCEED WITH THE STEPS NECESSARY TO DESIGNATE A PORTION OF LOCUST STREET IN THE DOWNTOWN AREA AS GERALD K. MCCLAIN WAY

Held two weeks until 5-16-22

By: Mr. Marmie, Mr.; Barker, Ms. Bline

22-40 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 2023 OHIO TRAFFIC SAFETY GRANTS PROGRAMS: SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) AND THE IMPAIRED DRIVING ENFORCMENT PROGRAM (IDEP).

Held 2 weeks until 5-16-22

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

22-41 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 2022 AMERICAN RESCUE PLAN ACT (ARPA) LAW ENFORCEMENT VIOLENCE REDUCTION & STAFFING GRANT.

Held two weeks until 5-16-22

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

22-42 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO PARTICIPATE IN THE ODOT WINTER CONTRACT (018-23) FOR ROAD SALT AND DECLARING AN EMERGENCY.

Motion to adopt by Mr. Barker, second by Mr. Labutis, motion passed 8-0

By: Mr. Barker, Ms. Bline

22-43 Project scope includes pavement reconstruction, vertical profile improvement, installation of turn lanes, and reconstruction of intersection at Thornwood Drive and West Main Street.

Held two weeks until 5-16-22

COMMENTS FROM CITIZENS

Hensel T. Southern, 191 S. Sixth – Right across from The yard. I want to invite you all down when they play music so you can hear my windows bang for 8 hours, now if you'd like that to be across from you on your street just let me know. I'm speaking for my Mom too.

Linda Mossholder, 224 Green Meadow Dr. – First of all I would like to thank the City for their participation in the South Newark Civic Association and spring cleanup. It was our 10th Annual cleanup, the city provided us with gloves, trash bags and had a place in the former Little Bear [parking lot where people could bring their large items. I'd also like to thank Council person Ms. Bline and Mr. Houser for participating in that cleanup. We weren't able to get all the areas that we wanted to get cleaned up but we did make quite a bit of an impact in getting the areas cleaned up. The second thing I would like to thank, on behalf of my neighbor, some of you may know my neighbor, Charlie Franks. Charlie lives by Raccoon Creek and is very protective of the creek and I will pass around a picture. They were dislodging some logs that were caught under the bridge on Cherry Valley road and in the process of doing that they dislodged several timbers. Two were pulled out of the creek by one of Charlie's friends, we don't know how many other timbers went down, but Charlie called the Engineers Office and got an immediate response, they came out and looked at it and that kind of alleviated Charlie's concerns about what damage these logs could do. I'll just give you a little idea of the size and this is from the hundred year old bridge. Another thing I wanted to talk about is to give you an update, I'm also on the Licking County Housing Initiative Group and this is a group that looks at homeless situations and housing situation in Newark. At our last meeting, the Licking County Coalition for Housing reported they have been unable to use some of their Rapid Re-housing money because they could not find places for people to rent. People are being given vouchers and they cannot use the vouchers, so they cannot basically be housed. This is also true of Behavioral Health Partners who works with housing people who have some mental health issues, they are also not able to find housing. The housing coalition has reported there has been an increase in the number of evictions. What seems to be occurring is that when somebody's lease is up, the rent has been sometimes doubled and tripled and that forces people who cannot pay that to eventually be evicted. I know the city is not in the job of finding housing, but I think we do need to consider how low income people are going to afford housing. Not everybody who is going to be moving into the area due to the Intel process is going to receive high wages, where is somebody who is going to make minimum wage going to live. I think we're going to see an increase in the number of people who are not going to be able to be housed and I think we just need to be aware of that. The last thing I would like to do is invite you all again, I did it

about a month ago to the STEPS of Change Event which will occur on the 14th. This recognizes people and their families who have lost someone due to overdose and it also emphasizes the number of homeless youths in the County. It's on the Courthouse Steps from 10-noon, the steps will have a pair of shoes to represent anybody who has lost their life and a pair of childrens shoes for each homeless youth.

Kim Blaney, 1407 Misty Glen – I guess for public record or continuity my previous name was Ken, so there's a lot of documentation that refers to me in the previous name. Okay so today I feel it's necessary to come down here just to share little things that I've noticed that don't seem right to me. At this point I'm not sure how far I want to push it, but I thought I would bring this attention. I recently had a productive meeting with Joe Paul from Property maintenance, I thought we'd finally worked out some really good details and plans. So anyway, I also shared the financials of where we're at to be able to payoff maybe 8-10 houses and tear them down. So, to my surprise the next day there was a letter, I better not use the full name, I know there are some other people here who share, I think the first name is Toby. So anyway I don't want to point fingers, but that individual sent me all these letters and all the complaints and the point is we had the meeting the day before, we came to an agreement, Joyce was aware of it and again I'm not going to throw Joe under the bus, but you know I shouldn't have gotten another green envelope and fines that I thought I was in the process of requesting more time, so, it's very stressful when you receive these letters and they are going to eventually place a tax lien on your property, that's one of the reason I talk to this council, because ultimately you decide to put a tax lien and I would like to solve these issues before we get to that point or at a minimum attend the sub-committee meetings before because look there's 20 properties, there's 3 acres, I just want to tear it all down and I think I'm in apposition to tear down 5 more properties. We've torn down 3 this year, I'm proud of that, I think we're moving on. Okay, next page. I use the pun, I transitioned to this next page because I understand what it's like to be discriminated against. I get discriminated as a transgender person almost on a daily basis. I just don't think that, it is the case that there is one individual for whatever reason is not treating me fairly, I'd like to meet with some other people and discuss to keep that from happening. Okay, I'm very concerned and so is my wife and my children, they are business partners with me on that. Real quick since I have this soapbox to stand on, I guess I'm not nervous, I served on the Parks Board for 20 years, seven in these chambers, so I guess I'm confident to be able to speak, just since I have this soapbox to step on we represent about .2% of the population, that means if there's 1,000 people in White's Field Stadium that there is only 4 of us. I don't know what society's problem with going after trans people is, so anyway I had that opportunity, it is very difficult, I can tell you, I struggle with how society does it. Okay, back to what I came here to talk about, page three. We've torn down 3 structure, I believe we'll be able to tear down 5 more, I shared the financials with Joe, I don't really want to see those as public record, if he sees the properties, I'd rather, we've paid off 5 properties and we can't tear them down until we pay them off, so that's some of the hold up. So as soon as we pay them off and we get the person who tears down houses down there. The next really good point that I thought was important to bring up, I was going to say where he works, he

works at a home improvements store, he works for Property maintenance in Columbus, I believe he has the same name as my grandfather, Cliff and we were discussing about how in Columbus if somebody is proactive and is not ignoring the City as I haven't, I've torn down 3 buildings and I plan to tear down 5 more, you would think that, and there process is if people are ignoring them, then you place hefty fines on a persons tax lien and then you go foreclose on them and take their property and tear it down. That is not the case, I was over there cutting grass, so, somebody please I'm so close to making a 40 year project happen. So I guess I need to maybe meet with the Safety Director, I didn't mean to throw anybody under the bus in that department. Maybe the Safety Director and I can sit down and at least we can see if there are fines that I wasn't aware of, I would really hate to get to that point where there was fines that I was aware of and you guys are ready to vote on it. There's 3 acres over there, it's both city blocks north and south, just work with me that's all I'm asking and I ;m hoping to meet with someone else, nice to talk with everyone here. It went well, I hope, so thank you.

President Ellington – Again, I think you are moving in the right direction by meeting with Joe Paul. I'm going to say this, I know it's not a question and answer period, but, I'm going to break the rule a minute. I think you're moving in the right direction by meeting with joe Paul, you've got to meet with him and get a plan with him, that's what makes it work, and you've got to do what you say you're going to do. Which on occasion before you have not done that. We're not going to go there. But, you're moving in the right direction by meeting with Joe Paul and maybe those letters were already in the mail when you were meeting with him.

Ms. Blaney – I'll smile and walk away with that, but maybe if there's an issue with an employee, since we're having that discussion that we weren't really going to have, maybe the Safety Director could at least see if this paranoia, there's a lot of documents that support that, I wouldn't come down here until I had documents. I don't like being treated differently because I'm this person, I don't want to be treated differently by one city employee, that's my point.

President Ellington – And I would hope that would not be the case.

Tim Waldren, 167 S. Second Street – Thank you for putting me on the Charter, this is the first time I've asked you. The reason why I'm here, we're going to have one of the last Charter meetings the 12th, next week at 4pm, it's going to be in the little cubby, I guess, she told me tonight. Anybody that has anything that you want to change, you guys are all new people here, Cheri was on the original one, if you've got anything in that book that you want to change, even a little word, bring it up, come to the meeting ,or write it down and give it to one of the other 4 people. I don't speak for those people, just for myself, I wanted to say we've got a meeting. Anybody, even in TV land or out here, if you've got something you want to change in the Charter bring it to our attention because this is probably going to be the last meeting, or one of the last meetings. Thank you.

President Ellington – And I appreciate you doing that.

MISCELLANEOUS

Mr. Houser – I'd just like to say I was glad I got to participate in the South Newark Civic Association cleanup, I had a good time out there and thought we had a good turn out.

Mr. Labutis – I would like to thank Director Rhodes for some help he provided.

Mr. Lang – I wanted to compliment Director Rhodes and the Parks department, I finally had the opportunity to go play a round of disc golf for the first time in about 10 years and it's very beautiful down there and well maintained and it was a lot of fun, keep up the good work.

Mr. Marmie – I need to call a Finance Committee Meeting, I appreciate everything that went on with the spring cleanup and those that were involved in that. I also want to put a shout out, there were a lot of schools, during Earth Day, I saw them out just cleaning up in the community, no particular area, just anywhere that they could find that they could clean up trash, they were out there doing it, so I like seeing our young students doing that, I thought it was noteworthy. I'm going to comment a little bit about something that was said about the downtown area. For one thing, the bicycles downtown, Ordinance 22-14-A we just said that they are not allowed downtown on the sidewalks. I just want to comment that the downtown area is doing a fabulous job of attracting different groups to the downtown area. I love what they are doing. We do focus on families in the City of Newark, we have The Works, Don Edwards Park, the YMCA, the Midland, the bike paths are phenomenal, the greenspace of OSU and COTC. I love what we do for our youth. The downtown area with the restaurants and the establishments with the DORA are fantastic to being people into our community that not only live, worship and work here, but also those that don't. They come here, they look at Newark and they see fantastic progress and I'm proud of it and I'm proud of what the downtown area has done.

Mr. Rine – The spring cleanup was awesome. I was down on Hudson last Saturday and we cleaned up Hudson and Elmwood and a little bit of 13, so the spring cleanup was great.

Mr. Barker – I need to call a Service Committee meeting. Then I also want to thank Director Rhodes and the Street Department for handling a sudden tree issue last night before anyone could get hurt last night over in the fifth ward, thanks for that. As you had mentioned President Ellington, we did have some discussion, I started getting some phone calls on Saturday as well as have received some calls today, I'm sure some other members have as well regarding the downtown parking and so I actually have here the Ordinance from 2018, 18-04 that I have already discussed with the Law Director and we're going to be discussing that I'm sure with the Safety Director as well and looking at revisiting that and is there a way to improve on that legislation that we already have for the residents of downtown Newark. We're going to be working on that and we'll have updates here in the coming future as well, I know the Law Director is already aware and has some ideas. We're also going to be working with NDP on that as they have a very good grasp of the downtown living situation. So we're looking forward to making some progress and making the ordinance even better.

Ms. Bline – I would also like to thank Dave Rhodes for the lights under the underpasses. There have been so many compliments on those and you know we're getting ready to start a painting program and it's really great to see citizens adopting their blocks, they're willing to take things not just as a once a year volunteer thing which is fabulous, but every day going how can I make it better. So, that's what we need and we're gaining momentum and I appreciate it, it's the smallest things that scream loudest sometimes. I'd like to thank the street crews for going

around and filling those potholes, they're doing fantastic and Property maintenance as well and South Newark Cleanup, I'll tell you that was a ball. We had a great time. I don't think I've laughed so much with people that I never met before, it was a blast, we had a great time. I'm going to talk a little bit about the summer program for south Newark, please don't despise small beginnings, it's starting pout small but we're gaining momentum with sponsors and ways to pay for things. That way no one has to pay out of their pocket to have a great time. Again, these kids are going to have something to do. I was the beneficiary of that when I lived on Second Street as a kid. I know the gentleman spoke to the noise and no but, we are working hard on that. I see another resident here very concerned about it and rightly so, because you know it's a shame that we have to create an ordinance for common courtesy, but that's what we're working on and so I thank you.

Ms. Hottinger – I want to say thank you to the Law Director for working with me on the downtown truck traffic, you remember from last council meeting we had someone that was complaining about that, plus we had some property damage in the downtown area, so thank you for that. We're making progress. Tim, thank you sir for serving on the Charter Review Commission, I have done it more than one time and it's important, it's time consuming, but it's important. So, he does have a very good point if we have any things we need changed, it's a good time to do that, so thank you for your service. On the parking, can you also make sure there is someone from the SID Board included in that meeting, because we pay for off duty officers for parking tickets, so we'd like to have some input in that. Lastly, I'd like to remind everybody, tomorrow is Primary Day so if you have not voted, please exercise your right to vote, it's very important and it's a privilege that we should not take lightly.

President Ellington – Our next meeting will be May16th, Committees start at 5:45 and full council starts at 7:00pm, As always, I'd like to thank everyone for coming. If anyone wants to make a little comment, after we adjourn, please come up here and we will chat about it.

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

Don Ellington , President of Council