

COUNCIL MINUTES

October 3, 2022
Council Chambers
7:00 P.M.

President Ellington called the meeting to order

ROLL CALL - Mr. Rine, Mr. Barker, Ms. Bline, Mr. Harris, Ms. Hottinger, Mr. Labutis, Mr. Lang, Mr. Marmie, Mr. Rath

INVOCATION – Ms. Bline

PLEDGE OF ALLEGIANCE - Jacob & Vivienne Lang from Legend Elementary

CAUCUS – Mr. Marmie, motion to excuse Mr. Houser, Second by Mr. Lang passed by acclamation

Mr. Barker – I need to abstain from 22-84 this evening

MINUTES of September 19 , 2022 - Motion to approve the September 19, 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 Labutis , Second by Mr. Harris , passed by acclamation**

APPOINTMENTS

Mayor Jeff Hall – Appointing Adreinne Eskins (alternate) and reappointing Kandee Engle, Chris Harkness and Mark Mauter to the Etna Corporate Park Joint Economic Development Zone 2 Board. Two year terms begin October 20,2022 and expire October 19, 2024.

Mayor Hall – These are 2 year appointments this year we do JEDZ2 next year JEDZ1, we alternate back and forth, Southwest Licking Schools are the recipient of this and the School Board would like Kandee Engle to stay on.

Passed by acclamation

REPORTS OF STANDING COMMITTEES

Finance **Received & Filed without objection**

Service **Received & Filed without objection**

Capital Improvements **Received & Filed without objection**

REPORTS FROM CITY OFFICIALS

There were none this meeting

COMMUNICATIONS

Trish Perry – OhioCAN/Newark Homeless Outreach Ribbon Cutting and Dedication, 184 E. Main

Street, October 8th at 1:00pm

PUBLIC HEARING

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

22-80 A RESOLUTION APPROVING THE EXECUTION OF A FIRST AMENDMENT TO THE PATASKALA CORPORATE PARK JOINT ECONOMIC DEVELOPMENT DISTRICT CONTRACT WITH THE CITY OF PATASKALA AND THE TOWNSHIP OF HARRISON.

Motion to adopt by Mr. Marmie, second by Mr. Rath, motion passed 9-0

COMMENTS FROM CITIZENS

There were none this evening

ORDINANCES ON SECOND READING

By: Mr. Lang, Mr. Barker, Mr. Marmie, Mr. Rath

22-35-A AN ORDINANCE AMENDING THE DEPARTMENT AUTHORIZATION TABLES OF THE CITY OF NEWARK DEPARTMENT OF ENGINEERING AND ZONING AND CREATING THE POSITION OF DEVELOPMENT ENGINEER AND SETTING THE COMPENSATION THEREFORE

Motion to adopt by Mr. Lang, second by Mr. Barker, motion passed 9-0

ORDINANCES ON FIRST READING

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

22-39 AN ORDINANCE ACCEPTING THE DEDICATION TO PUBLIC USE OF THE STREETS IN CONOR'S PASS SUBDIVISION, PHASE 2.

Held until 10-17-22

RESOLUTIONS ON SECOND READING

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

22-83 A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

Motion to adopt by Mr. Marmie, second by Mr. Barker, motion passed 9-0

By: Mr. Rath, Mr. Marmie

22-84 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE FOR THE CITY OF NEWARK, OHIO, TO ADVERTISE FOR BIDS AND ENTER INTO A COOPERATIVE AGREEMENT WITH THE DEVELOPERS OF THE LANDING AT NEWARK STATION APARTMENT DEVELOPMENT, SUBJECT TO THE APPROPRIATION OF FUNDS, FOR ROADWAY IMPROVEMENTS TO WEST MAIN STREET AND SOUTH 11th STREET.

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

Ms. Bline – Citizens that were supposed to be here tonight have questions about payment as far

as the improvements on the streets and how far they will go, to my understanding Newark Station is paying for improvements to their side of the caution line and the City is paying for the other side of the caution line. I would ask that the improvements to Jefferson Street be made sooner rather than later because the citizens there have endured much while the traffic has been rerouted on that street I would just ask that it be much sooner than later.

Motion passed 8-0 with Mr. Barker abstaining

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

22-85 A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO PREPARE AND SUBMIT APPLICATIONS TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENTS PROGRAM AND TO EXECUTE CONTRACTS AS REQUIRED.

Motion to adopt by Mr. Rath, second by Mr. Lang, motion passed 9-0

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

22-86 Bridge maintenance work on various structures on LIC SR 16/SR 79 Coordination note with PID 98279 (LIC-79-13.30). ODOT will complete maintenance and rehabilitation on 22 structures along State Routes 16 and 79 within City of Newark.

Motion to adopt by Mr. Rath, second by Mr. Barker, motion passed 9-0

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

22-87 Resurfacing with related work. ODOT will complete resurfacing (mill and fill) along State Routes 16 and 79 in cities of Heath and Newark.

Motion to adopt by Mr. Rath, second by Mr. Lang, motion passed 9-0

RESOLUTIONS ON FIRST READING

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

22-88 Exp. A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$40,000.00 -Reappropriate Funds into the Fuel Account) (\$40,000.00 -Fuel acct will soon be depleted for the year and the account needs supplemented)(\$47,000.00 -Anticipated extra money- disappropriate and use for fuel) (\$47,000.00 -To cover cost of rising fuel prices)(\$5,200.00 -Payout for Cory Conrad resigning 9.25.22) (\$4,500.00 -Payout for Tristan Shoults resignation 9.23.22)(\$2513.00 money rec'd from Mental Health & Recovery Board for Licking & Knox Counties; \$875.00 Money rec'd from defendant Earon Davis for damaged SCRAM equip.; \$2,000 from unappropriated fund to pay for interpreters for defendants, Spanish and Nepali speaking)

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

Mr. Marmie – We have a fund that need to be replenished, our fuel fund and we need to make a payout for an employee we always expedite those to get them their money as quick as possible

Two day reading rule has been waived

Motion to adopt by Mr. Marmie, second by Mr. Lang, motion passed 9-0

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

22-89 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO PREPARE AND SUMIT TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) A ONE YEAR USE OF FUNDS/ACTION PLAN ALONG WITH AN APPLICATION FOR FY 2023 FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS (CDBG), AS REQUIRED BY 24 CFR PART 91.220, FOR VARIOUS PROGRAMS RELATED TO HOUSING AND COMMUNITY DEVELOPMENT.

Held until 10-17-22

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

22-90 A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$20,000.00 -monies from renter in Chase Building)(\$400,000.00 -Building maintenance/Grounds Improvements)

Held until 10-17-22

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

22-91 CI A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$100,000.00 -Building Improvements and Main. Bldg. Grounds Chase Bldg.)

Held until 10-17-22

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

22-92 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE FOR THE CITY OF NEWARK, OHIO, TO ENTER INTO A LEASE AGREEMENT WITH PARK NATIONAL BANK FOR THE LEASE-PURCHASE OF ONE (1) MEDIC UNIT FOR THE DIVISION OF FIRE

Held until 10-17-22

COMMENTS FROM CITIZENS

Desiree Blake, 125 S. Second St. – I was a safety person so all my safety stuff comes out when I'm riding around. Does the railroad own the underpass or does the City because I was noticing how much rust was on the bottom of those beams, on Second Street, and when was the last time they were checked.

MISCELLANEOUS

Mr. Rine – I just want to say I appreciate all of your opinions during the committees.

Mr. Barker – I was fortunate enough last Friday to attend two events, one was the pickle ball opening which I know Council members Hottinger, Labutis, Rath, Harris, Houser were all there along with the

Administration team and it was a great turn out it was nice to see Lou Reese there and see the Reese family that helped build those courts. I would be remiss if I didn't say we missed you Mr. Ellington, you were mentioned a couple times. That evening I attended the ground breaking over on Main and 11th of The Landing at Newark Station. Which as everyone is aware is 103 apartment complex that is very exciting, great crowd there, it's truly a family project over there with those developers, their entire families came into town to see them as this is their first large project. It's good to see new development going here in the City. I think everybody got to see it tonight, when you came in you saw paving over on the roundabout on West Main, it was very good to see that and smell the fresh asphalt. Hopefully that opens soon, we've had a lot of great comments from citizens during the installation of roundabouts and the traffic flow and I'm just very proud of our administration and departments who have instituted those and made the community safer by having them.

Ms. Bline – To address Ms. Blake's comment, it's very timely, I just spoke with a contact that is on the railroad, they're going to be able to get some traction on some improvements, it won't happen overnight. But there is a connection being made and they will hopefully have some discussion. I would like to thank Tectum they've been very helpful lately and at their own expense. I'd like to thank Councilman Rine for helping me with a tree that had fallen. I'd like to thank the citizens they have been very proactive in their communities with crime watches and standing crossed arms on their porch and saying not here, take that somewhere else and they've been very good. I really appreciate them and the network they've formed in different portions of the south end.

Mr. Harris – I want to echo Mr. Barker about the roundabout here it's nice to see the paving and I'm getting excited to get that open and get traffic flowing and more people downtown.

Mr. Labutis – I just want to echo Mr. Barker on the pickle ball court dedication it was fantastic, a great turn out that day and great to see everyone there and excited to play pickle ball.

Mr. Lang – I'm glad to see the pickle ball courts open and glad to see they've been packed, I think it's been a good investment for the City.

President Ellington – What Ward is that in?

Mr. Lang – The best Ward in the City. I would like to say the discussion of Resolution No. 22-95, I appreciated everyone's thought on that, I certainly appreciate the collaboration from Director Moore and Director Hickman and Chief McKee, all the inputs everybody had. It was disappointing we couldn't continue the conversation and at least bring it to full council, have a more robust conversation I think there were a lot of different perspective we could've discussed. It was disappointing, that's how things work from time to time. I guess I would say it was good to hear about the FLOCK grant money coming in, I think they just got news of that this afternoon oddly enough. I do have concerns about how we're going to move forward, hopefully we can collaborate more and be transparent about how we look at implementing that process. Policy may be in place to help cover some of the things I was trying to do with the legislation. Disappointing but hopefully we'll figure out another way to get through it.

Mr. Marmie – I need to call a Finance Committee meeting. I will say there was a race fundraiser at Horns Hill Park that was very well attended this past weekend. I couldn't stay for the whole thing I had

another engagement I had to attend, but was just a great turn out a great day. I'm very pleased with what's happening out there at the park. Although I think there's been some confusion with the work on the power lines, I think some of the newer riders think the roads they're building for power lines are their roads to ride on and they're not. I think they're getting the gist of it now. I want to echo about the roundabouts and my thing about the roundabouts is the fact that long term it's a huge savings for the City not having to maintain traffic signals and I'm always all about saving money for the citizens and long term those will save tons of money for the City, so I'm really happy about that. Last I want to thank our safety forces and in particular our Police Department who was here this evening with the discussions on 22-95, just the fact they are so open and also our Safety Director, they're so easy to work with and communicate with and even if the opinions are different it's just refreshing that they at least listen and understand and so great to work with no matter what it is. I think the best thing is we all have the same agenda, the safety of the citizens, we may want to take a different path here and there but we are all on the same focus and I really appreciate them. I appreciate our Safety Director and the Chief coming forward with what their opinions were and I think it's great we can have that cooperation.

Mr. Rath – I'll call a Service Committee meeting for the 17th and I want to thank Mr. Rhodes and Chance from the Parks Department for making some improvements to the dog park and making the third ward even more desirable to live in. I'm excited to see the intersection of West main and 4th improving, looking forward to that opening up again. Like to thank Detective Logan and Chief McKee for being here tonight offering their input, incredibly valuable and I also wanted to say thank you to the Lang clan here to lead us in the pledge.

President Ellington – Mayor refresh my memory, I know the railroad has the railroad tracks, but is all that on the bottom the City's or is that theirs?

Mayor Hall – That's theirs, but we'll make them aware of that. They do inspect and look at the concrete and technically we aren't supposed to come within 15 feet of the rail, that's more of an overpass instead of underpass, but I noted about the rust.

President Ellington – Our next meeting is October 17th, which will be two weeks from tonight, committees at 5:45 and full council at 7:00pm. Once again we appreciate everyone coming and appreciate your opinions and your attention. It is 7:29pm

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

Don Ellington, President of Council