

COUNCIL MINUTES

October 6, 2025
Council Chambers
7:00 P.M.

President Harris called the meeting to order

ROLL CALL – Mr. Marmie, Mr. Rath, Mr. Rine, Mr. Barker, Ms. Bline, Mr. Chute, Mr. Cost, Mr. Houser, Mr. Labutis

INVOCATION – Mr. Labutis

PLEDGE OF ALLEGIANCE - McKenna Hughes, 5th grade, Ben Franklin Elementary

CAUCUS – Motion by Mr. Marmie to excuse Mr. Neely, Second by Mr. Houser, Passed by acclamation

MINUTES of September 15, 2025, Motion to accept by Mr. Labutis, Second by Mr. Houser, Passed by acclamation

APPOINTMENTS

There are none this meeting.

REPORTS OF STANDING COMMITTEES

Finance – **Received and Filed without objection**

Service - **Received and Filed without objection**

REPORTS FROM CITY OFFICIALS

Ryan Bubb, City Auditor – Operating report for the period ending September 30, 2025 - **Received and Filed without objection**

Brandon Fox, Water Administrator - A list of properties being sent to county property tax lien for delinquent water, sewer, and stormwater bills, totaling \$6,714.16 - **Received and Filed without objection**

COMMUNICATIONS

There are none this meeting.

PUBLIC HEARING

Mr. Cost, Mr. Marmie, Mr. Barker, Mr. Labutis, Mr. Rath, Ms. Bline

25-18 AN ORDINANCE AMENDING PORTIONS OF THE CURRENT ARTICLES OF THE ZONING CODE OF THE CITY OF NEWARK, OHIO ADOPTED MAY 5, 2009 BY ORDINANCE 08-33A AND SEPTEMBER 5, 2023, BY ORDINANCE 23-22A AND SEPTEMBER 16, 2024, BY ORDINANCE 24-18A IMPLEMENTING ADDITIONAL ARTICLES OF THE ZONING CODE OF THE CITY OF NEWARK, OHIO.

Motion to adopt by Mr. Cost, Second by Mr. Rath, Motion passed 9-0

Mr. Rath, Mr. Cost, Mr. Barker, Mr. Marmie, Mr. Labutis

25-23 AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 15 VOGEL STREET, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX

ID #054-204468-00.000, FROM THAT OF CD – CONSERVATION ZONING DISTRICT TO CSI – CHURCH SCHOOL INSTITUTIONAL ZONING DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO.

Rochelle Volen-Smith, 237 Violet Ct. - According to the map, this area is right by a river area and conserved for a purpose. I don't want to see this being changed from public land, personally. I think being put up, especially with some of the problems that have been going on in that vicinity, I think it would not be in the city's best interest to develop that. Thank you.

Motion to adopt by Mr. Rath, Second by Mr. Rine

Mr. Rath - Mr. President. This has gone through the Planning Commission, and the Planning Commission is recommending that we do not pass this, that it remains a Conservation District. For that reason, I'll be voting no on this, and I want to encourage the rest of my council members to do the same.

Motion failed by a vote of 0 Yes – 9 No (Marmie, Rath, Rine, Barker, Bline, Chute, Cost, Houser, Labutis)

COMMENTS FROM CITIZENS

Jody Sullivan, 356 W. Main St. - Thanks for letting me speak. I stand before you yet again asking the Council do something regarding the obnoxious noise coming from across the street from Newark Station. We are seriously fed up with the excessive loud music, the beating of the drums, etc. Shaking our windows, pulsating our walls. There is absolutely no reason that when playing to an audience of 50 foot in front of you that you have to have it at the level of music to be so excessive that we can't even be outside and invades our privacy of our homes. We can't even open our windows, sit on the porch, enjoy our domain, not to mention having to turn up the TV so loud that you can't have a conversation. Our dogs can't go to the bathroom outside to go to the bathroom because of the obsessive barking from trying to figure out where all the noise is coming from. We understand that they are trying to have a business there, but to disregard all of the residences just to have music play at such a loud level, there's no call for it. We ask that you guys take into consideration that if it was you, would you expect to be able to have a weekend, an evening to be able to open your doors or sit on your porch without having to listen to it. When we call the police to get a decibel reading it takes up to two hours, and they shouldn't have to keep coming out playing babysitter. I mean even while they were there they got called to a very serious call and I felt bad for calling because that's not their job and it's not like they don't know, you know, they've been told, warned, they get a \$250 fine and slapped on the wrist. That's nothing to them. It's no big deal to them. So, we just pay the fine, keep going, you know, and everybody else suffers for it. And I know that a lot of them are intimidated to even call. They're scared. I'm not intimidated. I'll tell you right now, I'm not. I'll go face to face with any of them because I feel I pay my taxes. I should be able to have my peace, you know, but to play so loud to where you can hear several streets and even the officer said they were clear up on a call way up and they couldn't believe the sound was coming from down there. So please I ask you guys to consider if it were you, you know, wouldn't you appreciate you guys considering doing something about it, you know? And again, thank you for your time.

ORDINANCES ON SECOND READING

Mr. Rath, Mr. Cost, Mr. Barker, Mr. Marmie, Ms. Bline, Mr. Labutis

25-27 AN ORDINANCE PERMITTING THE PUBLIC BUILDING LOCATED AT 33 WEST MAIN STREET, NEWARK, OHIO, (“PROPERTY”) CURRENTLY OWNED BY THE CITY OF NEWARK (“CITY”), TO BE LEASED TO PRIVATE BUISNESSES PURSUANT TO OHIO REVISED CODE 721.23 UNTIL SUCH TIME AS THE CITY

COMPLETES AND IMPLEMENTS PLANS FOR THE EXPANSION OF THE CITY ADMINISTRATION OFFICES AND SUCH OTHER PUBLIC PURPOSES AS DEEMED SUITABLE

Motion to adopt by Mr. Rath, Second by Ms. Bline, Motion passed 9-0

ORDINANCES ON FIRST READING

There are none this meeting.

RESOLUTIONS ON SECOND READING

Mr. Rath, Mr. Cost, Mr. Barker, Ms. Bline, Mr. Marmie, Mr. Labutis

25-59 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO NEGOTIATE AND ENTER INTO A NEW MANAGEMENT AGREEMENT WITH 33 WEST MAIN, LLC TO OPERATE THE PROPERTY LOCATED AT 33 WEST MAINS STREET, NEWARK, OHIO, ("PROPERTY") SUBJECT TO THE APPROPRIATION OF FUNDS

Motion to adopt by Mr. Rath, Second by Mr. Cost, Motion passed 9-0

RESOLUTIONS ON FIRST READING

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

25-60 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 2026 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 10.20.25

Mr. Marmie, Mr. Cost, Mr. Barker, Ms. Bline, Mr. Labutis, Mr. Rath

25-61 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO APPLY FOR FINANCIAL SUPPORT FROM THE STATE OF OHIO 2025 LAND AND WATER CONSERVATION FUND GRANT.

Held until 10.20.25

Mr. Marmie, Mr. Cost, Mr. Barker, Ms. Bline, Mr. Labutis, Mr. Rath

25-62 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO APPLY FOR FINANCIAL SUPPORT FROM THE STATE OF OHIO BUREAU OF WORKERS' COMPENSATION FIREFIGHTER EXPOSURE TO ENVIRONMENTAL ELEMENTS GRANT (FEEG).

Held until 10.20.25

Mr. Rath, Mr. Cost, Mr. Barker, Mr. Marmie, Ms. Bline, Mr. Labutis

25-63 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS, AND ENTER INTO A CONTRACT/CONTRACTS, SUBJECT TO THE APPROPRIATION OF FUNDS, FOR THE PURCHASE AND INSTALLATION OF PLAYGROUND EQUIPMENT AT WELLS PARK.

Held until 10.20.25

Mr. Marmie, Mr. Cost, Mr. Barker, Ms. Bline, Mr. Labutis, Mr. Rath

25-64 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION.

Held until 10.20.25

COMMENTS FROM CITIZENS

Rochelle Volen-Smith, 237 Violet Ct. - I noticed last week that the highway department had tip cards available, as well as other information about sharing the road. It's a project they worked on, I think it was last year, right after I first started talking about that. I personally was thinking of handing them out, because they're downloadable, for Halloween. I'd like to see the City endorsing tip cards for, again, sharing the road, bicycling, and that sort of thing to make it more accessible to the public. Then also, it was up for a discussion about West Main Street having pickleball and possibly having a park.

Considering that Westinghouse had been in that vicinity, it doesn't seem like a safe place for a children's park, especially since there're so many bars around there. I personally don't want to see it, neither a children's park, by at least three, four bars in the vicinity. It seems like an accident waiting to happen. Thank you.

Brandon Fox, Water Administrator - Good evening. Just want to speak really quickly to the lien report that you saw. You've probably seen the last two months we've submitted those. We've kind of made some change on how we're doing that. We're going to be submitting those every month to the county now to try to reclaim some of those past due balances that people have not paid. We're trying to collect on some funds a little quicker so folks don't sell properties and get out of their water bills. So, if you see those reports more often, that's what's happening. Thanks.

MISCELLANEOUS

Tricia Moore, Law Director – Thank you, Mr. President. I would say keep calling the police on Newark Station. Don't quit. The squeaky wheel gets the grease, right? So, keep calling the police. That's their job. Don't feel bad about that. If there's something more important going on, I'm glad you understand that. Also, thank you, President Harris, for coming to Home Court this past Wednesday. I appreciate everyone that shows up to see what we're doing in that program. I encourage anyone. It's every Wednesday at 11 a.m.

Mr. Marmie – Thank you, Mr. President. I need to call a Finance Committee meeting for October the 20th. Also, I want to give out condolences. We had a citizen of the city pass away this week and she would come down here to city council. Her name is Peg Jones. She was a firecracker and the thing about Peg is you could be on the complete opposite side of an issue but yet she would still be smiling at the end of it and she'd still be your best friend at the end of it and just was passionate about what she had to say. She's going to be missed and I appreciated her tremendously just being somebody in our community and my condolences again. God bless her and may her soul rest. Noise ordinance, I will state that here the City Council has done the legislative part in putting legislation in place and it's just a matter of enforcement, we need to enforce it. You're doing the right thing in calling the police. You're doing the right thing in being understanding that sometimes the police have higher priorities. We appreciate that, we all know that. It is their job, but yet sometimes other priorities take precedence over that and just like the law director indicated, keep saying it, keep doing what you need to be doing and calling the police. Our safety forces are stretched and so I'm going to segue into a conversation. We have a half percent income tax that is being voted on and I am just going to share information that I know. There's not a whole lot of communication about it and I want to be fair to the citizens of

Newark and communicate. This is not to increase any of the things that we're currently doing. We're looking at over a million-dollar deficit if this does not pass. What happens? Well, already we didn't have paving this year and if it doesn't pass we won't have paving next year. That's just a downward spiral to our infrastructure in the City of Newark and it is going to be devastating. You miss two years of paving and it is going to be devastating. So, if we lose our paving and then we're talking about cuts, 25% in every department. Some departments have nowhere to cut. Over 50% of our budget goes to our safety forces. We're talking about our safety forces being stressed already. We put hiring freezes on because we can't afford to hire anybody because of the deficit that we're in and that we're going to be facing. You think that it's bad now with safety and response times and things like that. Don't pass this half percent increase and it's just going to get worse. The safety of our citizens and our infrastructure are the two highest priorities for having government. This city has done a great job of making sure that those priorities are recognized, but it's also the largest part of the budget and those are the two parts that are going to get impacted the most. Our administration needs to get out there and tell folks what's going to happen. This is not going to be a good situation. I am going to speak and I'm going to speak loudly. I'm as conservative as it comes. I was talking to someone just this evening about saving dimes on things. Do we have to raise it that dime? But yet we need this half percent. It is not a matter of luxury. It's a matter of survival. Our community will start to deteriorate if this does not pass. We have not had an increase in years. The last increase that we did have went 100% to our safety forces. Get the word out. Make sure folks are aware that this is not something that is going to just pad the City or that the administration is just wanting to spend money, you know, frivolously. No, it's not to pay for the parking garage either. I've heard that one. This is to take care of the men and women in our city that are employed here because we have cut everywhere else and we want to make sure that we still employ the best and then we have sufficient members to take care of police and fire. Now there's other things that I'm going to be pounding my drum on as far as things that can be done in the future as far as trying to help out, but we can't do it quick enough. We need to look at every single model that we have within the entire city and how we are structured and how can we be more efficient and those need to be looked at. But even if we started looking at them today, it would not be done in time to take care of what we're about ready to face and it's just going to get worse as the years go on. So, I urge all of you to educate yourself on what actually is going to happen and what this is going towards and with that I will pass.

Mr. Rath – Tomorrow evening there is going to be a viewing of a movie called Beyond the Bridge. It's going to be at Midland Theatre at 6 o'clock I believe is the time. Nonetheless, it will be tomorrow evening. It's a viewing of a movie about how some other much larger cities than ours have addressed the homeless issue. There's some good stuff in there, a lot of stuff that we're not able to do, but nonetheless they are having some success. It is free to attend. I've been involved in the steering committee on bringing that movie to Newark. So, I want to extend an invitation out to everybody within hearing distance to come on over and attend. I would love to get the word out about the income tax increase and I can tell as many people as I can, but it would be nice if we had some signs. There was some sort of campaign. I have not heard anybody talking about it at all. So, if there are any signs out, feel free to put them in my yard. Mr. Marmie talked an awful lot about safety and we do have some safety issues going on in the 3rd Ward. It's not a significant concern right now, but it absolutely will be in the future and that's traffic with the addition of all of the units that are being built. I strongly encourage the administration to seriously look at opening up the Cherry Valley Bridge. I know we have a business that's going to be coming in that area and a business that may quite possibly be willing to invest monies into opening that bridge. I think there's a lot of call for it. I think there's a lot of need for it. I think first responders would also agree that it's an issue. So please open the bridge at

Cherry Valley. Mr. Mayor, I know you're not here, but I'm sure you'll hear this. I'll call a Service Committee meeting for the 20th, and with that I will pass.

Mr. Rine – Thank you, Mr. President. I'd just like to echo Mr. Marmie on the income tax. I'm not for raising taxes either. I believe our income tax is 1.75%, which is considerably lower than really any other city our size. So, it'll only be about 2.25% if it passes. I think Columbus is like 2.75%. So, it'll be considerably less, and I know we're not the size of Columbus, but we are the lowest income tax rate on the list that I've seen of cities. So, with that I support it, and with that I pass.

Mr. Barker – Thank you, Mr. President. Just a couple things. You know, as Mr. Marmie said, he's one of the most conservative ones on here, and as I spoke with someone probably a month ago about the income tax, they said to me, there's no way Newark's doing an income tax because Doug Marmie wouldn't let that happen. I said no, Doug understands. Doug is on board, and yes, he is the most conservative member. He watches the finances like a hawk, but at the same time when over 50% of your budget goes to two different departments, you've got to have additional revenue coming in to support those because the same fire truck that we buy today doesn't cost the same as it did ten years ago. I think some of us have run some numbers, I think the impact of the additional half percent is around twelve dollars a month to the average Newark taxpayer additional. So, I do hope as well that the administration, including the mayor, will hopefully start talking about this more. I know I've started talking about it to my constituents of my ward. Mr. Marmie has as well. I know he and I attend a watch group together and we both talked about it the last two times at that with those people, and they've started talking to the people in their neighborhood about it, and when you start talking about it and understand what the actual ramifications are, people who were a no become a yes. So, communicate, communicate, communicate. One other thing I want to mention is one thing that Mr. Marmie and I actually spoke about earlier before the meeting started, is we still unfortunately have not seen any of the tax dollars from the marijuana dispensaries here in the city. We have three. Back in 2023, the state voters passed issue two which mandated a percentage of the taxes they collect go back to the municipalities. The state house seems to be holding that up. I know I've met and I've written to both of our local state representatives. I would encourage my fellow members of council to do that as well. I encourage people in the community to do that as well. That's a lot of money that could be coming to Newark. Specifically having three of them, that could help. Every dollar helps. So, that is something desperately that needs to be changed but at the state level. One other thing, I know Mr. Marmie mentioned the parking garage and I forgot to mention it last month, but Lite the Nite cruise in, we had a great turnout for that event here in downtown and I was happy to see that when I came down probably around 11:30- noon, two and a half floors of the parking garage were utilized and people were just pouring in from the side streets. Every parking spot I think on Church Street was full. So, it was a great, great day for downtown and hopefully the businesses in the Arcade got some business as well. I know we've got to work through some parking for those tenants next year. We'll work through that. So, with that I will stop rambling and I'll pass.

Ms. Bline – Thank you, Mr. President. Mr. Marmie, thank you for speaking with clarity to such an important issue. There is, sadly, misinformation going on about this possible tax increase and we need plain, straight talk to be communicated to the public to combat misinformation. So please, I just encourage our administration, however you would do it to get the word out of just the absolute necessity that this passes. I want to thank our officers. They have been spot-on and to think if the residents who called and they said, well they can't come and another response would be, well we don't have anybody. What would they do? What would people do? There's been significant activity in the south end where the officers have been doing a great job. We need them to keep doing a great job. I appreciate them. Thank you, Miss Sullivan, for coming. I was there and, you know, she was very

patient. A great person. I have to say, much more than I was because I was trying to listen to her speak to me, and I couldn't hear her because it was so loud, and when the officers were able to arrive, the decibel meter was over 70 and that was probably nearly two football fields away from the concert venue. Speaking with the residents behind the venue that were 50 feet away, I know that they were really going through difficulty as well. I would like to thank our officers for coming. Sadly, they weren't able to complete the visit just because there was a horrible crisis that had taken place. So, God bless them. They went off. They did what they were supposed to do and we understood that there probably wouldn't be the opportunity for another call because all the officers were doing what they needed to do. Looking at the sound ordinance itself, there are some opportunities to revisit it and to build it from the front. People have done a great job with great integrity to get where we are, but we need to bring greater accountability to the venues themselves and not put it on the backs of the citizens or police officers. They're doing what they need to do. So, with that, I thank you sir.

Mr. Chute – Thank you, Mr. President. I will pass.

Mr. Cost – I would like to encourage people to attend the movie tomorrow night at the Midland. It is about the homeless issue and about how different cities, different areas have been working to solve the issue, and I think it will be a worthwhile evening. With that, I will pass.

Mr. Houser – Thank you, Mr. President. I just want to thank Mr. Marmie for bringing attention to the fact that in absence of the tax increase passing, we are going to see reductions. Whether that's budget cuts, we've already seen an impact on our paving budgets for this year, and next year and he's right about that being a significant setback. You can make the argument beforehand, what are you saving all the time? Wow, the City's behind in paving and we have a lot of streets that need to be paved and that's before two full years of not really seeing that. We're going to put ourselves in a hole. I appreciate him highlighting that because I could not agree more. You're going to see cuts and reductions and that needs to be highlighted. With that, I will pass.

Mr. Labutis – Mr. President, thank you. I will echo what some of my other counterparts have said. It is vital that we pass the tax increase in the fall. As I mentioned before when we passed legislation to actually get this on to the ballot, I said no one wants to be in this position. No one wants to ask for additional tax money, but we're there. We're at that point. I think we've tasked each of our unit budget managers to be responsible with their budgets and make their cuts before we've gotten to this point to have to ask, so as far as the internal cuts have gone and tried to spend responsibly, that's already happened. We've already done that. So, talk to your neighbors, talk to your loved ones and support it in November. With that, I will pass.

President Harris - I want to encourage everyone, if you haven't gone to Home Court, you should at least go one time. It wasn't what I thought it was going to be. Actually, it was a lot better than I thought it was going to be. It was encouraging to see them help get people on their feet and moving forward. It was interesting. Our next meeting is October 20th. Early voting starts tomorrow, so start voting.

ADJOURNMENT - Motion to adjourn by Mr. Cost, Second by Mr. Houser, passed by acclamation

Jeff Harris, President of Council