

Safety Committee Minutes

Honorable Council
City of Newark, Ohio
September 16, 2024

The Safety Committee met in Council Chambers on September 16, 2024 following the Service Committee meeting with these members present:

Mark Labutis, Chair
Bill Cost, Vice Chair
Beth Bline
Michael Houser
Jeff Rath

We wish to report:

1. Ordinance No. 24-36 AN ORDINANCE AMENDING CHAPTER 660 OF THE CODIFIED ORDINANCES OF THE CITY OF NEWARK, OHIO WITH REGARD TO CAMPING ON PUBLIC PROPERTY

Mr. Labutis - Good evening everyone, welcome to this Safety Committee meeting. I'm going to try to project as best I can. I know once we get past the walls it gets a little bit difficult, but I will try to project as best I can. We had a discussion a little less than two weeks ago and one of the things, before we get to public comment, I will kind of go over the rules of what we covered last time so we're in the same spot. I have asked our city Safety Director, Mr. Tim Hickman, to address what this legislation would look like in real world. We know what it says on paper, but if it were to pass and if it were to be enacted, what would that actually look like in a real practical sense? So, Director Hickman, you have the floor, sir. Make sure you project to the crowd as well. I would ask that I know that there will be differing opinions this evening and I would ask that everyone be respectful of those differing opinions, just how you would hope someone would be respectful of your opinion as well. Okay, and please mute your phones if you could. Please and thank you. Mr. Hickman, you have the floor, sir.

Tim Hickman, Safety Director - Thank you, Mr. Chairman. For the benefit of everybody in the room, my name is Tim Hickman. I'm the Director of Public Safety for the City of Newark and part of my responsibilities is to oversee the police, fire, and property maintenance divisions. Chairman Labutis asked me to address the Committee and inform them on how our safety forces respond to calls regarding encampments, so I will try to limit my comments to that topic. A few things to keep in mind. When responding to calls at encampments, it is primarily property maintenance that responds to those calls. Our property maintenance officers are not law enfor- they do not have law enforcement power. Most responses are the result of an external complaint. We don't have- we have very little self-initiated activity when it comes to those type

of calls. In other words, we're not actively seeking out encampments. Calls are handled as a rubbish and garbage complaint, which is terminology within the property maintenance code. So basically, there are two different types of complaints. There're complaints that involve private property and there're complaints that are for property that's open to the public and that can include parks, sidewalks, bike paths, and some vacant land. The initial response to both of those calls is identical. In either case, if violations are present, number one, the responding personnel always seek voluntary compliance. So, what- and that occurs in the vast majority of the cases. People voluntarily leave when they're asked to do so. Number two, we always allow time for removal of personal possessions. Typically, that's 48 hours, which is also in the property maintenance code. And then number three, we clean up the site. So in regards to private property, it's pretty straightforward. The property owner is responsible for any violations on that property. Most property owners, like everyone else, they are compliant with the request because A, they don't want the activity taking place on their property, or B, they don't want to face the consequences of any property maintenance violations. Public property is a little bit of a different animal. The same procedures are followed. We always seek voluntary compliance. We always allow time for removal of personal property. Complaints are, in the majority, from an external source. And then we clean the site up. The complications when it comes to public property or land open to the public is the law is ambiguous in many cases. As far as what authority law enforcement has to deal with this. So, the intended purpose of this law is to remove that ambiguity and to provide some direction and authority to our first responders. It's for those rare situations where individuals refuse to cooperate. And again, this is the exception and not the rule and passage of this ordinance will not change the way that we respond to those calls. We will still seek voluntary compliance. We will still allow for time of removal of personal property and we will clean the site up. Our safety forces, police department, property maintenance, and fire department constantly respond to these types of calls. If we as a community expect them to respond to those calls, we need to give them the direction and the authority to properly handle the situation. Thank you for the opportunity to speak and I'm available to answer any questions if you'd like.

Mr. Labutis - Thank you, Mr. Hickman, for that. Are there any questions for Mr. Hickman from the committee?

Mr. Houser - In those circumstances, do the officers, or I guess you mentioned that property maintenance is usually the ones involved, but do officers ever make attempts to connect them with services when possible?

Director Hickman - I can't answer that because I don't directly respond to those calls.

Mr. Houser - Sure.

Mr. Rath - So when we respond to a private property complaint, that, if I'm correct, that complaint can come from the owner of that property or a neighbor of that property.

Director Hickman - Correct.

Mr. Rath - And when you are responding to that, it's property maintenance responding, not police. Typically. You're giving them, you're showing discretion and giving them an opportunity to voluntarily comply.

Director Hickman - Correct.

Mr. Rath - That's not just get lost or get arrested. You have a time frame with that.

Director Hickman - I cannot recall a situation where that was ever the case.

Mr. Rath - What typically is the time frame to voluntarily comply?

Director Hickman - Typically we give 48 hours. There are elements of the property maintenance code that apply to high grass, and trash, and rubbish is a 48-hour timeline to get it cleaned up. So, we thought that was fair to give somebody at least 48 hours. Typically, it's more, usually it's more than that.

Mr. Rath - Would it be the same on public property? Are you still giving them 48 hours? So, it's all... So, they have time to comply.

Director Hickman - Correct. Yeah. The way that both calls are handled are basically identical. The problem is in the ambiguity in the law. That what authority does law enforcement have if we get to that situation where someone is non-compliant and they're refusing to vacate the area.

Mr. Rath - So if a property maintenance official responds to a call, they have the discretion as to whether to levy a fine or not based on compliance. Is that correct?

Director Hickman - Usually the first time they're given a notice of violation, and then they are given time to correct that violation. And then if they don't meet that timeline, they are then subject to being fined.

Mr. Rath - So that's the third strike where they actually get a fine. Okay. What about public property? How would that... Seems like it's still going to be property maintenance responding initially, at least primarily.

Director Hickman - Correct.

Mr. Rath - They're still going to give a timeline.

Director Hickman - So we're still going to seek voluntary compliance and we're still going to give them an opportunity to remove their personal belongings.

Mr. Rath - At what point in time would you anticipate... I know you can't make a blanket statement. I know we can't hold you to a specific because I know every situation is different. But at what point in time would you anticipate law enforcement getting involved should this pass in a situation like that?

Director Hickman - Typically, I would say in a situation where there is a risk of harm or violence, that's kind of where we want to get the police department involved to make sure it's safe for everyone. Not only our people, but for the people that are at that location. You know, as you know, our first responders are slammed. They're really busy and they don't always have the latitude to respond when needed on these calls. So, we're, you know, a lot of times we respond on them with no law enforcement response.

Mr. Rath - Okay. If the law enforcement does respond, do they, are they obligated are they compelled to make an arrest or do they have the ability to use discretion?

Director Hickman - They absolutely have the ability to use discretion. It would be akin to a traffic violation. You run a red light and for whatever reason I decide not to cite you that's my personal discretion, the officer's personal discretion.

Mr. Rath - I know there's people recording out there and taking video and stuff like that. I just for your own concern, a hundred percent of this, every single word, every dot, every period is all recorded and it's all available on YouTube. So, if you miss something, if you can't hear something that somebody's saying, watch it again on YouTube, you'll be able to get accurate interpretation of that. I'm done, I think.

Ms. Bline - Mr. Hickman, I received comments about targeting from police officers, that officers are targeting those camping and so if I understand you correctly, most of the complaints are coming from external sources.

Director Hickman – Correct.

Ms. Bline - And that those responding initially are not police officers but property maintenance and that if there are any non-compliance issues, it's then and only then NPD is involved.

Director Hickman - That's typically the fashion in which it occurs.

Ms. Bline - Okay, thank you.

Mr. Labutis - Any other questions from the committee? Are there any questions from the audience for Mr. Hickman on what he just shared? Sir, if you would please come to the podium, state your name and address for the record please, and then address your question. Thank you.

Charles Kearns, 770 Columbia St. apt 306 - You made the statement that when it comes to private property, that if you get a phone call, you guys come out and give that person a 48-hour notice or whatever to remove whatever needed to be removed, correct?

Director Hickman - To correct whatever the violation may be.

Mr. Kearns - Well, I'm going to tell you now, I used to own some property. That property was taken away from me, condemned, and shut down. I had four tents on my private property. Toby Wells, I'm not even going to say anything else, I'm just going to say his name, Mr. Wells come to my property, told me that I had to pay \$500 per tent that was on my property without giving me a 48-hour warning. How was that possible?

Director Hickman - Well, I can't speak to your particular case because I don't have it in front of me, but are you saying that you were actually issued a fine upon his first appearance?

Mr. Kearns – Yes.

Director Hickman - Okay, well that would be a matter of record that we could look into and see what the call history was there, how many times he went out. What I can tell you is that any property maintenance violation, not just rubbish or garbage, but high grass, whatever it may be, anybody has the right to appeal that, okay?

Mr. Kearns – Okay.

Director Hickman - And so that's what you have. If you feel that you have been fined in an error or the violation doesn't exist, then you need to file an appeal and go through the appeals process. And one other thing too, if I could just add this, just because a fine has been issued doesn't mean that we can't address it. So, the code official has the authority to abate fines, whether to eliminate them completely, or reduce them. And a lot of that's going to depend upon the cooperation that we received from the property owner. The problem that we get into is a lot of times people ignore it for whatever reason and then it gets a lien against the property. That's a whole different thing. Once the violations are lien against the property, then it becomes an act of Council to remove that lien. It's out of the code official's hand at that point.

Mr. Kearns - Okay, that makes sense. It's just, I'm just trying to figure out why on the first time around.

Director Hickman - Yeah, I would suggest, my suggestion to you would be to make an appointment to see our code official, Joe Paul. He's very open, he's very easy to work with. He would be glad to sit down with you and go over your case and explain everything to you, okay?

Mr. Kearns - All right, thank you.

Director Hickman - You're welcome.

Roger Kirk, homeless - We were homeless because our landlord wouldn't fix our stuff and the property maintenance guy he would come by my house and say my motorcycle was junk, saying I had to get rid of my motorcycle this and that because I didn't have it covered up and he kept on sending me fines and all kinds of stuff. Now the cops harassed me out. Now I'm homeless. Now I ain't got nowhere to go because my landlord didn't fix stuff and we got thrown off metro. So, the cops harass you because you got thrown out of your house now you're homeless what are you supposed to do?

Director Hickman - Well I again, have you address that with the property maintenance?

Mr. Kirk - Yeah, the new guy he just comes around and harasses you.

Director Hickman - No I'm not talking about the inspector I'm talking about the code official.

Mr. Kirk - The guy in the white shirt, the older guy in the glasses? Is that who you're talking about?

Director Hickman - No. I'm talking about Joe Paul. Is the gentleman's name. So, if I could equate it to like in law enforcement, you have a patrolman on the street. He would be like the equivalent of a sergeant or a captain. He would be the supervisor of the person.

Mr. Kirk - And like when we was camping at we was we wasn't hurt nobody. It was on private property and uh the guy he came here and got something signed by, he made the owner sign a piece of paper saying we couldn't camp there. He never came there and told us we couldn't camp. He didn't come there and say we wasn't allowed or nothing like that. They knew it, but he didn't say that but they made him sign that paper to say we can't camp there.

Mr. Labutis - Sir, it may be best if you address this privately with Mr. Hickman. I know there's a lot of people that would like to speak here. So, I'm just saying if you would speak privately with him.

Mr. Kirk - I mean, we was there two and a half weeks no problems. We cleaned up our trash everything. Then the new property (inaudible) oh you guys got to leave out of here. But where's the owner of the property? He never said nothing about it.

Director Hickman - Well if I could just address that. A lot of property owners around the city have filed trespass letters with the police department, and basically those letters saying that they're the owner, they don't want people on the property. Anybody on the property whose found there is to be considered trespassing.

Mr. Kirk - So, they could go to them nicely and say hey, could you guys leave my property or we're going to call the police on you. There was none of that at all.

Director Hickman - Was anybody arrested?

Mr. Kirk - No, but the cops was harassing me. But the property owner never came. Hey, could you guys leave off the property, clean up your mess? No, that was not one word.

Mr. Labutis - Mr. Hickman, could you take it off to the side and just finish the conversation, please? Thank you. I know we have a lot of people that would like to speak this evening. I'm going to go over the ground rules. Same as what we did two weeks ago. Just so everyone knows what to expect. It is currently 6:31. Council will start at 7 p.m., so we will take a few minutes break before that. Okay? Everyone will have three minutes, each speaker will have three minutes to speak. At two and a half minutes, I'm going to raise my hand. That means you have 30 seconds left. If everyone could remain as quiet as possible so we can hear what everyone, what each person has to say and be respectful of each other's opinion.

Mr. Rath – Mr. Chairman, I know we have a lot of people here to speak and I'm very interested in hearing what people have to say. I know that we've got, if this moves forward, we have at least two more readings of this. We'll have plenty of other opportunity to speak as well, but there is still business yet to be done so, just in light of that I'll make a motion to send this on to full Council. I do believe that all 10 of us on Council need to vote on this. So, I'll make a motion to move this on.

Mr. Houser - I will second that.

Mr. Labutis - I have a motion from Mr. Rath. I have a second by Mr. Houser.

(interjections from the crowd)

Mr. Labutis - We just made a motion. We just made a motion for this to go to full Council. We want to hear what you have to say. I just ask everyone to be respectful.

(interjections from the crowd)

Mr. Labutis - You'll have three minutes each. At two and a half minutes I'm going to raise my hand. You got 30 seconds left. Okay? We have a motion and a second. At some point, we will probably vote on this for this to go to full Council. That does not mean it is law yet. If it is passed out of this committee, it goes on to full Council where it is read twice. Those dates would be October 7th, it would be read one time. Nothing would happen. It would just be read. October 21st, is when it would be read a second time and voted on to become law. We are not passing any legislation for this this evening. This just would be getting it out of Committee for full Council to vote on. Okay? I just want to make sure we clearly understand where we're at. Does everybody understand?

(discussions in the crowd)

Mr. Labutis – I will run the meeting. I'm sorry. We will make it through. I want to make sure everyone understands where we're at, and don't think that we're passing this into law this evening. We're not. Okay? I'm opening it up for public comments. Three minutes per person. At two and a half, I will raise my hand to the speaker. When I call you up, I would like your name and address for the record. I also want to hear from Newark residents first. And politely, if you spoke two weeks ago, I would like you to let others speak this time. Okay? If you spoke on the 3rd, I'd like you to refrain and let others speak. Again, this is an issue we're all passionate about. I understand that. With that being said, you have the floor. Please state your name and address for the record, please.

Marlene Hunt, 1116 Sunrise Dr. – Where I live, my backyard extends into the woods. On the other side of the woods is the back of Kroger. The people come into the woods behind Kroger. They go clear down around into the big circle that's open, they're in and out of there all times day and night. In the past three years I've had all kinds of things taken out of my yard. I've had lots and lots of trash put in my trashcan for me to take away. I don't know the answer to the homeless, but I just feel unsafe. Thank you.

Janine Paul, 1435 Amesbury Lane - I'm here this evening to speak on behalf of my neighbors who couldn't be here and myself. We are in complete support of Council adopting this legislation. Without it, the security forces' hands are tied when it comes to dealing with situations that arise from people camping on public property. The citizens of Newark shouldn't have to wait until someone is assaulted or something terrible happens before the security forces can act. This is absolutely a safety issue. While I realize there are individuals who find themselves homeless from some catastrophic event in their lives, unfortunately I do not believe

they are in the majority. The majority are homeless for a reason whether it be drug or alcohol use or mental health issues. There is normally a reason why family members will not take them in. I know this from personal experience. These individuals present a clear safety hazard to the citizens who have a right to feel safe on their sidewalks, bike paths or in the parks just as the NPD deserve to be given the tools necessary to protect the citizens of this City. It was stated at the last meeting that they are not afraid of the homeless. I'm not here to say that you should be afraid, but you should be cautious around them because if someone is on drugs or has mental health issues you cannot know from one minute to the next what they might do. For that reason, many people who would love to use our beautiful bike paths don't use them. They do not feel safe. In addition, it is not the government's responsibility whether it be Federal, State or City to "take care" of these individuals. They are adults and as such are responsible for themselves. There are multiple organizations in our City that do provide services for people and I'm all for giving people a hand up when they fall on hard times, but the unfortunate thing about that, is those valuable resources tend to be used as "hand-outs", not as a hand up. The individuals on the receiving end of those resources have to want to change their situations and sadly, many of them do not want to change. Until that occurs, by continually giving them things they are not being "helped" only enabled to continue to live the self-destructive lives they've chosen. So, I am asking the Safety Committee and City Council to please adopt this legislation so the citizens of our City can safely utilize the resources that our tax dollars pay for. Thank you.

Tom Brunner, 419 S. 2nd St. - The other night, we were sitting on our porch. And we sit out there a lot. Ms. Blin knows, she goes by all the time. We counted 16 homeless people come up the street, go to apartment 437, apartment A, with empty backpacks. They come back with full backpacks. We have watched this for a long time. We have had, I'm speaking for other neighbors in our neighborhood that can't come out and talk. We've had neighbors have packages stolen off their porches. We've had neighbors have items stolen out of their yard. The other night, and this is just petty, my granddaughter got one of the new Coca-Colas out that's Oreo. She called and said she left it in the house, so we brought it out, set it on the porch, and we went back in the house for a second. I think I went in to get a glass of water. I come back out, the Coke was gone. Now, I mean, come on, I'm disabled, but I've worked hard all my life from the time I was 14 years old to get what I've got. Why should I have to put up with somebody stealing it? I shouldn't, nobody should. If they want something, get a job, go out and buy it. That's all there is to it. I'm all for this legislation, because the way I see it, if I see people laying around all day long, up through the Salvation Army, behind the church, behind TrueCore Credit Union, and stuff like that, then they can get up and go out and find a job. They're not doing nothing but laying around. I mean, I've had people at TrueCore, ladies, ask me to watch them go into the credit union, because they felt unsafe getting out of their car at the credit union, because the ones behind the church are at the corner of First and East Main. They shouldn't feel unsafe going into their banking institution or whatever. It's just uncalled for. So, I would like to see, since the bridge is closed, an officer in our neighborhood. We haven't seen one since the bridge has been closed. I'd like to see them patrol that area more. That's it. Thank you.

Damon Noble, homeless – I used to live at 47 S. William Street until I was forced to retire because of health issues. That's not the issue, but now being homeless, I understand the issue that the Councilmen have, what the Mayor has, with the homeless. Not all of us who are on the

street would like to be there, but one, there is resources, but there's a process for that resource. And there's no help for us other than a few places that we have to go. For what we have here in a city and around the city, outside the city, why can't we use some of that for extra resources to help those who want help, who need the help, to make it better for all of us? We are all constituents of Newark. I've been here for 56 years, all my life. It's just unfortunate I got in a situation now. We get looked upon like we're trouble. Like we shouldn't even be here. I pay taxes. I worked since I was 14. It's unfortunate for my health. It's unfortunate for a lot of people's health. I get stuck here waiting on the system to help and I know there's means to be able to help us. That's all I wanted to say.

Tom Cummins, 1352 Londondale Pkwy - My wife and I volunteer with Champions Network and they are actively, and they're not the only one here that's, as you can tell by the turnout, that's actively involved in trying to help deal with the real problem. The one thing that I wanted to speak on behalf of Champions, I'm just a volunteer there, is they're asking if it's possible to table this until we can come up with an amendment that will allow for services for people rather than a citation, rather than jail. My concern is that the ordinance itself says that anyone who camps, just kind of paraphrasing, is guilty of that misdemeanor. It doesn't say that they have the opportunity to voluntarily vacate. It doesn't say that they have 48 hours as was said. So, what's in the law is what's in the ordinance is what can be enforced. So, we're looking for opportunity to provide the services for the people to get out of the situation they're in, and I know one of the ladies here that spoke before had a summary of 19 strategies for communities to address encampments humanely and effectively. It's put out by the United States Center Agency Council on Homelessness. I don't know how much red tape is in this. I don't know if people who want to talk about Jesus are having their hands tied. I would certainly want the opportunity to give people the answer that they need, which is ultimately Jesus, and to give them help to not be homeless. And so, I don't know if this is something that's already been passed on before, but there's other cities that are having success, I believe, with getting people into homes, getting people into rehab if needed. I know Champions helps with transportation, getting people into rehab, getting people transportation to their various appointments, getting them work. I'm sure there's other organizations here. I know there are. I would love it if there's opportunity for the Council to work with all these faith-based and other volunteer organizations where we come up together. I know Mr. Marmie had said before it didn't work before. Let's, oh, here's more. Let's try again to work together to solve the problem. Thank you.

Kurt Harden, 935 Granville Rd - I appreciate the comments we've had so far and individual situations. I came this evening to support this legislation because of three specific experiences that I think are, that I've heard them repeated by a number of individuals. Two involved encampments that were behind our house on Granville Road. There's an ODNR property back there. The neighbors have contacted me before and said, hey, there's some tents up back there. Kids ride on the paths back there, and we really, one of the tents was actually on the path. Called the police. One of them had a warrant, so they were taken away immediately. The others were given an opportunity, given 48 hours to leave. They left, and they left their tent, and so I took my trash can, my rolling trash can back. What I found both times were pipes, not for smoking tobacco. There were needles, multiple needles. There were five-gallon buckets filled with feces. Someone was using it as a toilet back in this property. So, if kids are riding bikes back there, they're going to come across this and the needles were scattered on the

ground. So, they were not, first they weren't taken when they were given an opportunity to take them with them. So that's happened twice that I've gone back there and cleaned that up. The police officers have been very helpful and very responsive. But the third situation is something that I've noticed very recently that has been even more concerning to me and I have personally talked to multiple members of this Council about passing legislation related to this. I live right by the bike path and as you come from OSU heading south on the bike path, you end up going through the ODNR woods, those areas, and over and then you can go over to the YMCA. And what I'll notice is women walking and they'll get down right to there and then they turn around. And I've talked to a number of them, they said I'm afraid to go back there because they're homeless people and I've seen them right off of the thing. I get very nervous about walking back there, the items that they leave, there have been condoms left back there, a number of stories that I've heard from people who are intimidated and they're not using our bike paths in the city of Newark for their intended use because they're concerned. I feel like the citizens of Newark ought to be able to use our resources and we should not have these taken over. I'm all for shelters, I'm all for taking care, I don't think anything in this legislation will prohibit people from opening their homes, people who are concerned from opening their homes and taking in homeless people and that way they wouldn't be on the streets doing that. Nothing in this legislation I've read prohibits that, so why couldn't, if individuals want to act and create a solution at the individual level, they ought to do that. Thank you.

Carol Floyd, 198 Mt. Vernon Rd. - I spent 11 years sitting up there. I'm really concerned about this piece of legislation because I don't want to be ashamed that I live in Newark, Ohio. That does not, that in effect criminalizes being homeless. There was an article in today's paper. I volunteer at United Way. United Way works a lot with the homeless and with all the agencies that are involved. This gentleman two back who had some suggestions, he's got some paperwork on it. It seems to me that if as a community we can come together and fix up downtown Newark and fix up the Arcade and fix up a lot of the community and make this a very nice-looking community, we ought to be able to just get together and take care of our citizens. There are enough people from agencies, from homeless groups, from some of these individual groups that are working, from council members and the administration. If people got together and work collaboratively, I can't even say it, together to try to work out a solution, we would not have to criminalize being homeless, especially with the housing crisis as it is. It's fine to say get a job, but if you get a job and you cannot afford to pay the rent, then that becomes a problem. And with rents as they are, it becomes a very serious problem. So I think it's something that you ought to table and see if you can't work to set up a committee of, I'm sure there are a number of agencies that would work together to not just build a homeless shelter, but, and I know homelessness is a very complex thing, and some people are homeless, as was said before, because of drugs and other kinds of issues, but a lot of people are because they get sick and they get evicted or whatever. I just think there is a better solution to the problem. I think you all got an email from Marsha Phelps about what happens if somebody goes through the court system and then they get mail, but they don't have an address, so they're not going to get that mail, and it becomes a very serious situation for a homeless person. I think there's a lot more to consider than that. Okay, thank you.

Mr. Labutis – The time is 6:53. I'm going to take Safety Committee to recess until after our Council meeting which starts in seven minutes. So, we are going to take a recess for Safety.

Safety will reconvene for a bit after Council. You can stay around if you'd like to. We're going to take a break. Council meeting will start at 7p.m. sharp. Thank you.

(The Safety Committee reconvened after Council.)

Mr. Labutis - I'm going to call the Safety Committee back to order. Present are Mr. Labutis, Mr. Cost, Mr. Houser, Ms. Bline, and Mr. Rath. Some of you spoke earlier, a lot of you spoke during Council meeting as well. Is there anyone else that wanted to speak this evening? State your name and address for the record, please.

Ann Roach, Westerville - I've been practicing as an attorney in this community for the last going on six years, and Newark is my hometown. I was not planning on speaking today, but I did want to just reiterate a few things. We heard from a lot of scared and or angry homeowners talking about people being on their property. This ordinance has nothing to do with that. This ordinance only talks about public property. So, people's feeling of safety, which I will note is different than safety, a feeling of sense of safety is a lot different than actual safety, has nothing to do with this ordinance. They have every right, and can, and do call and press criminal trespass charges if people are on their property. What this ordinance seems to be about, how it is written currently, is getting rid of the site of the quote-unquote problem of homeless people. As it is written, it is literally criminalizing a state of being in deep poverty. Council keeps talking about how sending people to jail will give them resources. I would love for them to name some resources because they do not exist. The only thing this ordinance will do, even if it's usually used with discretion, the only thing it will do is send people to jail. They will definitely lose a job if they somehow had one. They will come out still homeless, still jobless, with a criminal record, and a barrier, a further barrier, from getting housing in the future. We see this for what this is. Please, if you really want to help people or at least reduce homelessness, you will seek input from people on the ground and experiencing homelessness to make this work. Thank you.

Steven Smith, 237 Violet Ct. - I may have missed it or misunderstood something here, but Mr. Hickman talked about a 48-hour notice for this. It's nowhere in the ordinance that I see. Specifically, the ordinance says that any after the penalty is for fourth-degree misdemeanor for a minor misdemeanor. The first offense and a fourth degree for each subsequent offense with the penalties listed in this section of the code, which does allow for jail time after the first offense. First offense is after that is each day. So, I'm having trouble squaring that with that 48 hours thing. As a number of people have said, it's not only inhumane, it's expensive. It doesn't make sense from a monetary standpoint alone. It's not going to solve the problem. It's going to probably won't even sweep it out of sight. At the last meeting, Mr. Cost gave a list of a number of things that relate to this problem and cause it to be a problem. One of the things that I don't think, maybe I missed it, but I don't think he said was simply the fact that there is not enough housing. And this is something that was brought up in the task force meeting, which I participated in. The fact is that there just isn't the resources available at the moment. There doesn't seem to be any will among the City Council to work toward that. And until that happens, the problem is going to continue. Now, I just want to finish by saying every one of us here, every single one of us here is just one health emergency from being homeless. The whatever has been going on to address the problem so far is not working. It's getting worse. Thank you very much.

Dustin Williams, 7853 Jug St., Alexandria - I also am in Newark at 371 O'Bannon Avenue working. There're a few challenges here, and I've heard so much, you know, back and forth. And I have family that are addicts as well. And, you know, I've come to Beth. I've worked with Beth side by side, and I hear a lot about what the police are going to do in this and that. But a lot of people don't understand that, you know, actually, let me go back. I'm retired military. The guy that was actually back here was my recruiter. I didn't come up and tell him anything until I spoke to him out there. I also joined the fire service. And the thing is, is people don't understand that we, as first responders, are taking away from other folks that are going through a life emergency because of the drugs, because of the, you know, the addiction that these guys are going through. And that's a big thing. And when they start getting police involved and everything else, they're understaffed. Let's be real. You know, you have maybe, you know, the chief's back there, and I'm not going to point, you know, ask him or anything like that, but, you know, five to eight officers with a community that's probably 40 or 50,000. That's the population here to officers is tremendous. So, I have a challenge for you guys up here, you know, is to seek your ward, go out, and just take a gander, take a walk through a bike path or through a facility that people have complained about and get your eyes on something that not only myself, not only Beth Blaine, and I'm not saying none of you guys have done this. What I'm saying is there's a lot of folk that haven't come here today because, A, they're afraid to speak on podium or, B, the backlash and everything else. But take a look and see what we see as individuals out here on the outside. And I'm not saying, again, I'm not saying you guys haven't done it, but ask yourselves, if you have children, do you want your child walking the bike path at, you know, 12, 13, 14, because that's what kids are doing now, or going and playing in somebody's backyard with their friends and then, bam, there's a needle in the ground. What's the first thing that they're going to try to do as a kid? They're going to, little boys, they're picking up rocks and slinging rocks. What's to say they pick up a needle? It's unacceptable. Challenge yourselves and think about that. Because A, if it was my child and I had to deal with that, I'm looking at you guys because I'm holding you guys accountable to run the city, the county, and everything else. But B, I'm holding the individuals that we are giving sympathy for, I should say, access for everything free. I shouldn't have to go out every day and work my butt off for these folks that get everything, or steal everything, or do anything they want in their passion to take from me. That's all I've got to say.

Renee Smith, 25 N. 31st St. - I wasn't going to talk, but then I was invited to talk. So here I am. I'm going to talk. Forgive me if I stutter, because I'm hungry. And God bless you guys for sitting here through dinner. So, I grew up in a hardworking middle-class family. My stepdad raised me, and my mom raised me with ethical views of you work hard for what you get, and that's what you get. You get what you get. So, when I became an addict and I put a needle in my arm, my mom and dad were very sad. They were very upset. They did not know what to do. It is because of criminal charges that I came here to lift court. And it saved my life. And I have been clean for almost five years on October 18th. It'll be five years. In saying all of that, my criminal record is from stealing. It is from drug utensil instruments. It is from stealing a friend's car, and wrecking it, and totaling it. It is not because I was homeless. So, I get the privilege to help those on the streets with my church. We go out and we help, and we are some of those that do hand out. And then we do pick up trash. There is a problem. There absolutely is a problem. I don't know that I ever would have got clean had I not gotten in trouble. But I do know that a lot of people

that we serve, they don't get high. They don't use. They really are hard up. And this ordinance, I think, is maybe our city trying to go in the right direction of cleaning up the streets and all of that. I definitely applaud all of the homeowners coming out. And I can imagine how, I know how scary it is. I pay extra for rent because I don't want to live out east where I used to live. I don't want to live where I used to live. I applaud our Council people for going out and walking and putting boots on the streets to help clean up. But I don't see, from an addict standpoint, from a mother's standpoint, from a citizen of Newark standpoint, I don't feel that this ordinance is the step in the right direction.

Melissa Anderson, 196 Fairfield Ave. - Once again, I was not planning to say anything. I tried to be quiet. But I wanted to say first, thank you, Ms. Bline, for calling me last week. I'm sorry we haven't had a chance to connect yet. But I look forward to talking with you. I think that we would all agree that more than one thing can be true at once, right? And we've got two different issues here. We want to keep people safe. Homeowners deserve to be safe. Our children deserve to be safe on the bike path and in parks. That's one issue. And then we have an issue of homelessness in Licking County. And I think that anybody that works for a nonprofit like I do would be able to tell you that the faces of homelessness are vast and different. There's not a cookie-cutter answer. There are the people that you see on the street with a needle in their arm. And then there are families that are displaced because their property owner sold their home. We're working with a family right now. A property owner sold their home. And they're paying \$1,200 a month. And now they can't find anything in their price range because we don't have enough affordable housing in Licking County. So, this family is essentially homeless and living in a hotel until we can help them get connected with the right resources. One of the things that I love about our 501c3 is I know that we've heard a lot tonight about how we are contributing to the problem. But I love that we collaborate. Our agency collaborates with every nonprofit in Licking County that's working with this population. And we are seeing good results. I could tell you success story after success story of how these collaborative efforts are working. So, I just would like to issue the challenge to you guys that maybe we have a roundtable...

Mr. Labutis – Can you please identify your organization?

Ms. Anderson - Licking County Coalition of Care. I'm sorry. I would like to issue a challenge that perhaps we have a roundtable discussion with City Council that we bring together the agencies that are collaborating to become part of this solution and come up with an answer, because this ordinance is not going to get rid of homelessness in Licking County. There are still going to be homeless in Licking County. That's not good. They can't leave. They don't have the resources to leave, and contrary to popular belief, there are no buses coming into the county and dropping off homeless people. I hear this all the time. There are no buses. Because if there were buses, why aren't we busing them out? There are no buses. But I would like to just extend an invitation. I know that I could speak for many nonprofit directors like myself in Licking County that we would love to have conversations to look for a solution to this problem that actually makes sense. And I'm not even saying that the legislation is good or bad. I just don't think it's the answer Thank you.

Mr. Rath - We talked about a lot of different things tonight. We know that we have an officer shortage, and we know that our police officers are extremely overworked. We are working on a solution for that issue as well. Different issues, but we are working on a solution for that issue

as well. Hopefully, we'll have some type of resolution in the near future. You said this legislation was not the answer. I'd agree with you on that. It's absolutely not the answer. I would absolutely agree with you on that. If nothing else this legislation should have sparked enough or created a spark to regenerate discussion amongst city officials as well as all the social services that are out there helping these people. I hope that if nothing else, it did that. We do have a problem with housing. We do have a problem with affordable housing. We do have a problem with drugs, and we do have a problem with mental issues. We're very well aware of that. The city is not going to provide affordable housing. It's not our role. That's not what city government does. It's just not our role. Somebody earlier said something about the basket. Why don't we put them in the Longaberger basket? Awesome. Go buy it, set it up as a motel, put people in there. It's that simple, right? We're not going to buy it. Somebody wants to do that, go buy it. Set up as a motel, put people in there. That's an awesome idea. I just don't think anybody's going to fund that. It's just not realistic. Maybe it is, who knows. Jackson Hollis, the young boy that came up here to speak, said not everybody's bad. I would agree with him wholeheartedly on that. The two things that, the big word that I've got written here... Oh, before going further, we were talking about... It's been a lot of people come up and said well we want to do this service, and we want to do that service, and we're providing this, and we should be providing this, and we should be providing that. One guy even came up and said, is this going to prevent me from preaching the gospel to people? That's ridiculous, I'm, sorry, but that's just ridiculous. Nobody's going to stop him from doing that. If he wants to do that, great. If he has a problem with somebody trying to stop him from doing that, let me know I'll come and take care of it because I wouldn't want that stopped either. This issue, this legislation is not going to prevent that from happening in any way shape or form, but like Mr. Hollis said, not everybody's bad, but some are. We can help a lot of people, some we can't. There are people out there that are taking advantage of services and getting the help they need and moving on. We've helped a lot of people and we're going to continue to help a lot of people. There are some that we can't. Discretion is the biggest word that I wrote down here. When there's somebody camping on public land, first off, we're not going to respond to that. The City, in any way shape or form would it be property maintenance or the law, the police officers are not going to respond to that until there's a complaint. When there's a complaint Property Maintenance is probably first to go out there. They don't have arrest capabilities. They're going to go out there and say you gotta go. You can't camp here. You gotta go. We want you to be compliant. If they're not compliant, then they're going to issue a warning and say look, we're going to come in here and since you haven't left, we're going to come in here in 48 hours, and we're going to clean this place up. You gotta go. If there's issues there with drugs or mental illness or there seems to be a threat of safety to either our officers or the tenants there, they're going to call the police department. The police department's going to come in and they're going to insist on compliance. But they still have discretion. If they insist upon the compliance, and I'm telling you there's a big difference between somebody out there in jeans and a t-shirt for property maintenance saying you got to go, and a law enforcement officer standing there in a uniform with a gun on his hip. That tends to get a little bit more compliance when faced with that. If there's somebody that needs to be brought in for whatever reason because they're a threat, because they're a threat to themselves, or a hazard to themselves, or a threat to those around that person, they can bring them in and our Law Director has discretion. She may or may not,

her department may or may not decide to press charges against that person if you can get them to a place where they can get their mental health under control or their drug addiction at least starting to be treated. Then she may choose not to press charges. If she does decide to press charges, you still have to go to a judge before a judge would have judged could say I'm going to dismiss these charges. I know that you had this problem. You've come this far. You've improved. You've become compliant. I'm going to dismiss your charges because I don't want you to have a criminal record. Or that judge may say, I want you to go to a rehab clinic and I want you to get dry. I want you to get sober. Come back to me 30 days. I get a report, whatever the days are, I get a report says that you've been compliant, I'll dismiss the charges. It's a tool that allows us to work with those who need more than just somebody walking up and saying look you can't be here. Go away. It's just another tool to work with. It does not mean that it's an end-all be-all. It's not the answer to homelessness. It's not criminalizing homelessness as a one-fail swoop. It's not. It doesn't mean that the services that are available today, and additional services that could be available tomorrow, are going to go away. It doesn't mean that at all. It's just another tool that we could use. Because of that, I believe that we should pass this and I will call the question.

Mr. Labutis - Mr. Rath has called the question. We will take this to a vote. Just as a reminder, this is a vote to take this in front of full Council. If this were to pass it would be read twice. October 7th would be the first reading where the legislation would just be read, and then October 21st, if this passes on is where the legislation would be voted on to become law at that time. So again, this is just a vote to take this in front of full Council for a vote in four or five weeks. October 21st.

Motion to send to full Council by Mr. Rath, Second by Mr. Houser, passed 4-1 with Mr. Cost voting no

Mr. Labutis - So that will pass out of this Committee, and it'll go before Council. The first reading will be October 7th. The final, second reading, where we will take a vote, will be October 21st. Both of those are Mondays. With that, that closes this Safety Committee meeting. I appreciate all your time and effort and input.

Safety Committee stands adjourned

Mark Labutis, Chair