

COUNCIL MINUTES

August 6, 2018

Council Chambers

7:00 P.M.

7:00 P.M. - President Ellington called the Monday August 6, 2018 Newark City Council Meeting to order.

ROLL CALL- Mr. Marmie, Mr. Rath, Mr. Bubb, Mr. Cost, Mr. Fennell, Mr. Fraizer, Mr. Labutis

INVOCATION – Mr. Labutis

PLEDGE OF ALLEGIANCE

CAUCUS- Motion by Mr. Cost to excuse Mr. Lang, Ms. Hall and Mr. Blake, second by Mr. Marmie. Motion was carried by acclamation.

Mr. Bubb- announced that he would be abstaining from any discussions and voting on Ordinance 18-14.

MINUTES of July 16, 2018- Motion by Mr. Labutis to approve the July 16, 2018 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, second by Mr. Cost. **Motion carried by acclamation.**

REPORTS OF STANDING COMMITTEES

Finance- **Received & Filed**

Service- **Received & Filed**

Safety- **Received & Filed**

REPORTS FROM CITY OFFICIALS

Barb Jobes, City Income Tax Administrator- income tax revenue report for the period ending July 15, 2018. - **Received & Filed**

COMMUNICATIONS

Roger Loomis, Water Administrator- liens in the amount of \$15,738.64 for past due water, sewer and storm water bills. **Received & Filed**

Ohio Division of Liquor Control- new application for liquor license for Russos Wood Fire LLC at 1450 N 21st Street. **Received & Filed**

Kim Beem- email regarding jurisdiction of NPD in county buildings- **Received & Filed**

PUBLIC HEARING

By: Rath, Cost, Marmie, Fraizer

18-14 AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY GENERALLY DESCRIBED AS 2250 HORNS HILL ROAD, CITY OF NEWARK, LICKING COUNTY, OHIO FROM THAT OF SINGLE FAMILY RESIDENCE ZONING DISTRICT TO PLANNED UNIT DEVELOPMENT ZONING DISTRICT

President Ellington opened the public hearing

Jeremy King, Licking Land Trust- this is not a comment either for nor against what is being proposed but more perhaps of a heads up that the Licking Land Trust owns a protected easement on the Hughes property and it appears from the engineer's office drawings and what has been planned that there will be a sewer extension that would go through the southern edge of the Hughes property and we are not sure that is allowable under the easement. I think that is something I think people need to be aware of. It is unclear to us in the current state of things if that will create a problem. We would ask that Council take that into consideration because I don't think anybody wants to have a legal battle over something like this. The Land Trust is not in objection to development in that particular area at all we just want to make sure the terms of the easement aren't being violated.

Ryan Badger, ADR & Associates- what you were looking at was a very early drawing; we have since removed those utilities. The utility items haven't been worked out yet and we would make sure that we look into any easement and make sure we are not in violation.

President Ellington closed the public hearing

Motion by Mr. Rath to adopt Ordinance 18-14, second by Mr. Marmie
Motion passed by a vote of 6-0-1 (Mr. Bubba abstaining)

COMMENTS FROM CITIZENS

Don Lyons, 88 Grant St- told Council of an incident recently where he was walking his puppy and two Pit bulls came charging him and the pup in the alley. They injured the pup's hip and he pulled out his gun which he stated he has a concealed carry for and shot one of the dogs. Both dogs fled and he called the Police. His complaint is that the two officers and the dog warden never asked about his pup or to see the injury. He stated that when he went to the Police Department today to get a copy of the report there was only a three word report written by the Dog Warden.

Rita Shell, 52 Columbia St- she discussed the article in the Advocate regarding St. Vincent possibly losing funds for alleged discrimination. She stated that she was very upset about the article and she felt St. Vincent was being discriminated against and that it was not right or fair. She stated that she didn't think Council people should be making statements that make it look like St. Vincent is in the wrong when it is an alleged fact.

ORDINANCES ON FIRST READING

By: Marmie, Cost, Rath, Fraizer

18-19 AN ORDINANCE TO PROVIDE FOR THE ISSUANCE OF \$1,120,000 OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING LOT IMPROVEMENTS, SIDEWALK CONSTRUCTION AND LIGHTING IMPROVEMENTS AND ALL NECESSARY APPURTENANCES THERETO AND DECLARING AN EMERGENCY

Motion by Mr. Marmie to adopt Ordinance No. 18-19, second by Mr. Fraizer
Motion passed by a vote of 7-0.

By: Lang,

18-22 AN ORDINANCE AMENDING CHAPTER 1870 OF THE CODIFIED ORDINANCES OF THE CITY OF NEWARK, OHIO RELATIVE TO ELECTRONIC SMOKING DEVICES WITHIN THE MUNICIPAL CORPORATION

Held for a Second Reading

RESOLUTIONS ON SECOND READING

By: Marmie, Lang, Cost, Rath, Fraizer

18-55 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (**100 General Fund: 750.00- Recruiting materials; 100 General Fund: \$11,878.52**)

Motion by Mr. Marmie to adopt Resolution No. 18-55, second by Mr. Fraizer
Motion passed by a vote of 7-0.

RESOLUTIONS ON FIRST READING

By: Rath, Marmie, Cost, Fraizer

18-56 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ACCEPT BIDS AND SELL CERTAIN SURPLUS PERSONAL PROPERTY NOW OWNED BY THE CITY OF NEWARK, OHIO, AND DECLARING THAT SUCH PROPERTY IS NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE, AND DECLARING AN EMERGENCY.

Motion by Mr. Rath to adopt Resolution No. 18-56, second by Mr. Cost
Mr. Rath- the reason for the emergency clause on this is to meet advertising deadlines
Motion passed by a vote of 7-0.

Motion to adopt Resolution No. 18-58 by Mr. Marmie, second by Mr. Fraizer
Motion passed by a vote of 7-0.

By: Marmie, Cost, Rath, Fraizer

18-57 A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF NEWARK TO ENTER INTO A COMMUNITY DEVELOPMENT BLOCK GRANT FUNDED SUBRECIPIENT AGREEMENT WITH THE HEREINAFTER NAMED ORGANIZATIONS

TO CARRY OUT ACTIVITIES INCLUDED WITHIN NEWARK'S FY 2018 COMMUNITY DEVELOPMENT BLOCK GRANT ONE YEAR ACTION PLAN.

Held for a second reading

By: Marmie, Cost, Rath, Fraizer

18-58 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION- Expedite (100 General Fund-\$6,800.00: Wells Park)

Motion by Mr. Marmie to waive the two day reading rule on Resolution No. 18-58, second by Mr. Fraizer

Mr. Marmie- there are some items that need to be expedited on this so we need to waive the two day reading rule.

Motion passed by a vote of 7-0.

Motion by Mr. Marmie to adopt Resolution No. 18-58, second by Mr. Fraizer

Motion passed by a vote of 7-0.

By: Marmie, Cost, Rath, Fraizer

18-61 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (297 Fire Safety Grant Fund-\$665.00: EMS Grant Award)

Held for a second reading

By: Rath, Cost, Marmie, Fraizer

18-62 A RESOLUTION APPROVING AND RATIFYING AN UPDATED SOLID WASTE MANAGEMENT PLAN

Held for a second reading

COMMENTS FROM CITIZENS

Callie Rucker, 130 Delmar Ave- she stated that she is part of the Think Tank on Poverty in Newark that deals with addiction, homelessness and the Veterans. She encouraged Council to get involved and that we as a community need to give them a second chance. She invited everyone to the BBQ that the Think Tank is having on Saturday from 2-4 across from the Sherriff's Office on East Main Street

Laura Cambie, 1120 Wintermute- she invited Council to the 4th Annual Overdose Awareness Rally August 31st at the Canal Market Place from 4-7 P.M. there will be speakers, music and candle lighting. She would also like to see the gazebo return to the square.

MISCELLANEOUS

Director Mauter- we are going to do our third city cleanup day on Saturday August 18th from 8-noon and we are going to concentrate on the south part of the city this time. The south being defined as south of Walnut Street, north of National Drive, east end of Fleek and Ohio Street and as far west as the Western Ave and 6th Street area.

Director Baum- I would like to thank Chief Connell and Chief Connor for the outstanding job during the Mike Pence visit last Monday. Things went as smooth as they could have gone, we were well prepared and I would also like to thank the surrounding communities and surrounding Chiefs that lent us people. They all contributed as much as they could and we took people from just about everybody. We are going to have a promotion ceremony at the Police Department August 13th and two promotions at the Fire Department on the 23rd. I would also like to thank Faith Life Church they helped clean up Fire Station 2 a few weeks ago and it looks great. Thank you for making us your community service project.

Mr. Marmie- called a Finance Committee meeting. If you didn't see the press release that went out today there are going to be bricks available for Veterans I think it would be good if we pass the word on that. They are only \$50.00 and they will email you an application and I think it is good for Veterans who were born or lived in our community.

Mr. Rath- called a Service Committee meeting.

Mr. Cost- I would like to thank the citizens who came in tonight and let us know about things that have taken place in their lives and things we need to know about in the city. I would also like to congratulate Steve Layman on the Old School Apartments; we got a chance to go through that open house. It is an incredible facility. I think that it is going to be very successful. I also had a meeting today concerning Fory Park. The 21st Street bike park is going to open on Saturday morning at 10:00. This is going to be an incredible facility for the City of Newark and the kids are going to love it.

Mr. Fraizer- I would like to congratulate Newark City Schools for another success with Rally in the Alley. There is another school supply rally going on by the Newark Naz August 11th from 10-noon. If you have kids in Newark City schools or know of kids in the area that need school supplies please go out there and pick some up. Fory Park opening is great news and Church Street opening back up means Moe's BBQ is opening back up which is a great thing to occur. Pelotonia was a great success. Huntington Bank is always a large sponsor and to see people who have been touched by cancer who want to raise funds and do something greater than themselves is always great to see. Please go out tomorrow and exercise your right to vote. Three grant development block grants are due August 17th so if you know of non-profits or community organizations that are eligible. Don thank you for coming in today and making us aware. I hope that we can talk to the Chief and the Safety Director to try to iron out what actually occurred and hopefully find a remedy for you. Rita thank you for coming in as well, once again this is the United Way that has those funds and I am interested to see what their investigation turns up. I hope that we can continue to support St. Vincent and all the good work they do. Callie thank you for coming in and I appreciate you raising awareness. When it comes to kids in this community that are in poverty or marginalized I think that we all have the same objective in order to try to provide more opportunity and a better way of life for the next generation.

President Ellington- thank you for coming tonight and expressing your opinion you are always welcome. Next meetings are Monday August 20th committees at 5:45 P.M. and Council at 7:00 P.M.

ADJOURNMENT- Motion by Mr. Cost, second by Mr. Labutis. Motion carried by acclamation.