

COUNCIL MINUTES

January 5, 2015

Council Chambers

7:00 P.M.

7:00 P.M. - President Ellington called the January 5, 2015 Newark City Council meeting to order.

ROLL CALL-Mr. Cost, Mrs. Floyd, Mr. Guthrie, Ms. Hall, Mr. Johnson, Mr. Marmie, Mr. Rath, Mr. Rolletta, Mr. Blake, Mr. Bubb

INVOCATION – Mr. Johnson

PLEDGE OF ALLEGIANCE- President Ellington

CAUCUS

MINUTES- December 15, 2014 Motion by Mr. Rath, second by Mr. Johnson to approve the 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 carried by acclamation**

APPOINTMENTS

Mayor Hall- appointing Tony Fox to the Board of Zoning Appeals. His term began January 1, 2015 and will expire on December 31, 2018.

Mayor Hall asked Director Mauter to provide Council with some background information pertaining to Mr. Fox and his qualifications for being appointed to this board.

Director Mauter- Mayor asked for some recommendation and one of the names I gave him was Tony Fox. One of the reasons I gave him Mr. Fox's name is because he has been involved in the real estate and building industry since 1983. Tony lives in the City of Newark and his business KBI Construction is in the City of Newark and he has owned that business since 1986. He has a real estate license and sells commercial real estate. He is an experienced commercial developer, investor and owner. He is a past president of the Buckeye Valley Building Industry Association. Steve Layman who has been on the Board of Zoning Appeals for many years and is the Chair of the board also gave him a good recommendation.

No Objections, motion carried by acclamation.

REPORTS OF CITY OFFICIALS

Mayor Hall- State of the City Address:

Good evening and welcome to Newark City Hall Council Chambers for the 2015 State of the City Address.

2014 was a busy and productive year for the City of Newark with the expectations of this to continue for the next several years. I would like to thank City Council, along with the Newark City Auditor, the Treasurer, the Law Director, the Municipal Court Judges, the Clerk of Courts and our Directors for their hard work over this previous year. With their support and the support of talented department heads and dedicated hardworking employees, we are moving Newark forward. Many things could not be accomplished without the wonderful support of our citizens and community minded individuals, businesses and organizations that are providing help through various public/private partnerships. Thank you to all. We continue to achieve gains by operating in a teamwork environment with focus on strong communication, financial planning and due diligence through research and open dialogue.

We continue to focus in five keys areas to make Newark an even better city to live, work and raise our children. These five areas are; Safety, Neighborhood Improvement, Economic Development, Local School Support and Efficient and Effective Government Operations.

I will first talk about safety. I'm pleased to report our city was, is, and will continue to be a safe place to live, work, and raise a family. The number of fires continues to decrease in both frequency and severity, and our EMS save rate benchmarks well above similar agencies. Fire prevention services are being aggressively delivered as no fire is safer than the one that doesn't occur. Our city can take great pride as both divisions of police and fire/EMS are now nationally accredited. It is not a standard in many cities across America in many ways so it places them in the top 1-2% of all agencies in North America.

We now utilize the Multi Agency Radio Communications System (MARCS) radios and a new Computer Aided Dispatch (CAD) interface to provide better service. The MARCS radio is a new State delivered system that we subscribe to and through some good enhancements we acquired radios at a good cost that can transmit across even channels when all

the departments across the county have equal access to those services.

A new downtown fire station is being constructed with a commitment to safety, quality, and fiscal restraint to better serve our citizens.

Two firefighters were hired in 2014 along with three police officers. They are well on their way to becoming honorable public servants.

Blue Card Incident Command training was delivered to all NFD officers. The Blue Card Program is designed to train fire department officers who serve in the role of local Incident Commander. These officers supervise emergency and hazard zone operations events that may occur throughout the City as well as in mutual aid.

In 2014, we bid farewell to Chief Jack Stickradt who served as chief for 16 years and was a member of the Newark Fire Department for 35 years. We appreciate the knowledge and professionalism he shared with the department.

We were able to successfully mitigate an imminent community threat by demolishing 20-24 North 4th Street, the building that was behind City Hall. A unique public/private partnership was utilized in this project. All signs indicated that the building was not going to last another winter.

After several years of work encompassing numerous meetings of local and state officials, we are pleased that the project to improve the interchange at State Route 16 and Cherry Valley Road has been moved to a priority Tier 1 status. Upon its completion, the safety at that intersection will be greatly improved and will provide peace of mind to thousands of travelers and commuters that travel through it on a daily basis.

Neighborhood Improvement, we completed Phase 2 and are on course to complete Phase 3 of the State of Ohio Attorney General's Moving Ohio Forward Grant, also known as the Demo Grant. This project has removed blighted and unsafe structures from neighborhoods across our city. Through a more streamlined process in the Property Maintenance Department, we cut grass at more than 135 properties and cleaned up curb trash at 30 locations, resulting in a cleaner Newark. This was all done through enforcement channels with appropriate financial liens placed on those properties.

Our Department of Development has established a strong relationship with Habitat for Humanity and the private sector, working hand-in-hand to build homes to improve our neighborhoods and offer affordable housing to new owners that would not otherwise be available.

Using federal tax incentives, the private sector has stepped up and facilitated major housing rehabilitations on Weston Road and Glenbrook Drive in Newark without which these properties would have continued to decline. I personally visited and toured the properties witnessing first-hand the great improvements to those neighborhoods. Thank you to those developers for their investments in Newark.

Our Newark Police Department has enhanced our presence in the community by visiting with neighborhood block watch groups and providing guidance to them in their much appreciated volunteer efforts.

2014 saw additional renovations to Everett Park through the use of donated funds and volunteerism. Thank you to the Newark Advocate for their generous donations and their employees' hard work on Make a Difference Day in October. The park also added donated fencing at 2 baseball diamonds along with a wonderful community garden.

A water spray park was added at Holland Pool along with an expanded parking lot utilizing grant dollars received by the city.

Economic Development, Economic Development continues in Newark with the guidance of Newark Development Partners, our local Community Improvement Corporation. New businesses have located in our downtown district along with second and third floor loft apartments in anticipation of the upcoming renovation project, Re-Newark, transitioning our downtown into an improved destination and commercial district. This is all being done with the creative use of utility line improvement funds to not put any additional strain on our general fund dollars. The downtown hotel converted to a Hilton Doubletree in July with the beginning phase of the Canal Market District and Pavilion slated for the spring of 2015. Both of these projects are wonderful welcome venues to visitors to our great city.

State Farm once again chose Downtown Newark as the location for their employee holiday event, with over 700 employees enjoying downtown hospitality throughout the day on a Saturday this past December.

Our Don Edwards Park, with its four top-notch baseball fields, continues to draw people from out of town while pleasing our local baseball players and fans, hosting nearly 350 games this past season.

The Lou & Gib Reese Ice Arena had another successful year offering outstanding facilities for ice hockey. While serving as the home ice for our own Newark Generals team, it was once again the site of the CIHA-College Ice Hockey

Association tournament in April hosting 12 teams from across the country as far as the West Coast. Revitalization of the Trout Club on the City's north side is now in progress and will provide news jobs and a newly improved destination for golf and dining.

I'd like to congratulate the downtown law firm of Schaller, Campbell and Untied for celebrating 100 years in business this past October. Congratulation also goes out to Wilson, Shannon & Snow for their 60 years in business, also located in our downtown area. And finally, congratulations to Velvet Ice Cream, located just north of Newark, for serving wonderful ice cream for the past 100 years.

Local School Support, we continue to augment our relationship between Newark City Schools and our division of police by ensuring routine patrols of all facilities to help to provide a safe environment for our students. We regularly work on projects with the local schools to grow our relationships between schools and local governments. The Newark Schools' Graduation Rate Committee, a group of some 30 individuals and non-profit organizations, continues to meet on a regular basis to improve the graduation rate at Newark High School, which has increased by 20% over the past 5 years. Thank you to everyone involved.

A Safe Routes to School Grant that was awarded to us will materialize soon through the addition of a new walk bridge over the water ditch for students who attend Liberty Middle and Legend Elementary Schools along with improved sidewalks and pedestrian crossings near Wilson Middle School.

2014 saw the start-up of the Newark Youth Council, guided with input of Councilman Jeremy Blake and myself, along with teachers across the city. The Youth Council meets monthly here in Council Chambers and has members from Newark High School, C-Tec, Newark Catholic High School, and the YES Club. The interaction between the students is outstanding. The youth will one day guide the future of Newark. I appreciate their current involvement in government through this Council.

Efficient and Effective Government Operations, once again, we start this year with a balanced budget for operations within the city in 2015. We worked on our electricity bills this past year and created \$80,000 in savings through bidding out the services. We reorganized street and traffic departments saving thousands of dollars.

In the Fire Division, an entry level test was administered utilizing a consortium to gain an economy of scale with a 60% cost reduction from previous years. We collaborated with other communities to provide a uniform test and location. The transition to a paperless environment continues with a new records retention policy and SharePoint technology. The citizens will enjoy a cost savings of ink, paper, and time.

We added a cremation garden at Cedar Hill Cemetery in response to the demand for additional space.

Our Property Maintenance Department boosted revenue for the year by \$13,444.00 which represents a 48% increase, by organizing and streamlining services.

We continue cooperation with the County on Downtown Development, such as the County's purchase of the Elbow Lounge and property on First Street for expansion sites. The Courthouse also saw improvements with the addition of a privately funded Carillon to enhance the holiday music experience.

We are working closely with the new Licking County EMA Director, Shawn Grady, as he works to build on the already great emergency management system for our area.

We established great relationships with Denison University and its new President, Adam Weinberg, to help us guide Newark in a positive direction into the future, while proving great experience for the university's students.

In conclusion thank you for your wonderful support of our great city. Newark is poised to have a wonderful 2015 year. Have a nice evening and thank you.

Barb Jobs, City Tax Administrator - Income Tax Collection Reports ending December 15, 2014 - **Received and Filed**

COMMUNICATIONS

Chad & Chrissy Hale- email regarding fluoride in the city water- **Received and Filed**

Trustees of the Newark/Granville Community Authority- notice of a special organizational meeting of the Board of Trustees of the Newark/Granville Community Authority on January 12, 2015 at 5:30 P.M. at Granville Exempted Village School District Administration Building. - **Received and Filed**

Charles Moore- dvd that he made and shared a copy of with Council members regarding the code regarding goats. **Received and Filed**

Elizabeth Acord- a packet that she called a petition of signatures to remove the animal control officer from his position. **Received and Filed**

COMMENTS FROM CITIZENS

Daniel Crawford, 163 S 2nd St - A few weeks ago, we heard from a number of citizens about the issue of decriminalizing marijuana. Tonight, I want to contribute to this discussion. Let me begin by posing a question: what has prohibition done for us? What is the purpose of prohibition? Do we, as a society, aspire to protect the consumer? Is there a legitimate danger to the public that must be addressed? Or is this just a case wherein a taboo behavior is banned because it makes us feel better? Regardless of the answer to those questions, the one thing that is clear is that prohibition has not stopped anyone who wants to consume marijuana from doing so. If the objective is to protect the consumer, then let us examine why this is hardly a sufficient excuse to restrict the use of any substance. Assuming, for the sake of argument, that marijuana is harmful to the body; is not prohibition based on these grounds adequate for banning the personal consumption of other things? What about alcohol, cigarettes, sugar, salt, or fast food in general, need I go on? The list of harmful products that we humans regularly consume despite their effects on our health is long, but we aren't seriously prepared to start throwing people in jail for a charge as ridiculous as possessing the ingredients for making Kool-Aid, now are we? If the goal is to protect society, then I must challenge you to address what it is about a pot smoker that harms the rest of us. Is he or she any more likely to become violent or otherwise problematic under the influence of marijuana than an equally inebriated patron of your local bar? Why is the stereotypically lazy pothead more in need of a criminal record merely for possessing the plant they intend to consume than the alcoholic who carries a bottle home in a paper bag? If we are concerned about protecting our cultural image, then there too opens a potential floodgate for more needless prohibitions. Picking one's nose is considered unseemly as well, but it would be laughably absurd to lock a person up over mining for nose gold. Is it not time to dispense with arbitrary restrictions on relatively harmless personal behavior? We should not just be looking to decriminalize marijuana here in Newark; rather the goal ought to be a transition from the oppressive prohibition to a liberating legalization. By legalizing marijuana in the long-term, we can begin the process of allowing those most affected by prohibition to build a new life that isn't tainted with a nonsensical criminal record. Also, we can explore the best options for tapping into the potential tax revenue that such could produce, and stop wasting taxpayer money on waging a failed, endless war on drugs. Eventually, permitting the legal sale of marijuana via the same route that tobacco is sold can prove beneficial in undercutting the black market. Finally, legalization can enable us to regulate marijuana so as to ascertain that the product will at least be somewhat safe to consume. Ultimately, this debate will have to be settled nationally, but we have a chance to lead Ohio and probably even the region by taking action now. The prohibition of marijuana has not succeeded in preventing the use thereof. Actually, its illegality has contributed to its appeal in some respects and the only harm that has come from such has been to the lives of the men and women ruined by this aimless experiment of the nanny state. So, please consider your options, and if you don't want to vote on it, then give us citizens a chance to determine whether this is the course we want. Thank you.

Victoria Conn, 24 Jefferson St – I was here last time and spoke to you about the driver's license issue for those who have been convicted of possession of marijuana or even none driving offenses related to marijuana. I hope someone has had the chance to look into it a little bit. I am here to ask if we could have a committee that we could work together with trying to get the language more in line with the State. We are in the top 1/3 of the areas in the entire state for being one that takes people's driver's license for this. The other 2/3 doesn't do it. I am asking that we formally look into this and see about getting that language changed.

Dennis Cauchon, 327 E Broadway Granville, I was here last time and I wanted to update you. I have completed a survey on what all the local marijuana laws are in Ohio and the 360 home rule communities. Essentially 8.8% of home rule communities based on population criminalize marijuana, so 91% don't, 9% do. People in the 8% are penalizing their residents for seeking employment. Secondly, Victoria is essentially correct, what I have found is that 38% never suspend, 35% always suspend and you are in an always suspend, and 27% are discretionary suspensions. I would encourage you to refer it to one of your committees to see if there is anything that Newark should do to optimize how it handles marijuana.

RESOLUTIONS ON THE SECOND READING

By: Mr. Cost, Mrs. Floyd, Mr. Marmie, Mr. Rath

14-95 A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO EXECUTE A CONTRACT FOR REIMBURSEMENT OF LEGAL REPRESENTATION OF INDIGENT PERSONS FOR CALENDAR YEAR 2015 WITH THE LICKING COUNTY BOARD OF COMMISSIONERS FOR THE CITY OF NEWARK, LICKING COUNTY, OHIO.

Motion by Mr. Cost to adopt Resolution 14-95, second by Mrs. Floyd

Motion passed by a vote of 10-0.

By: Mr. Cost, Mrs. Floyd, Mr. Marmie, Mr. Rath

14-96 A RESOLUTION AFFIRMING THE BASE RATE FOR THE STORM WATER UTILITY SERVICE CHARGE AS AUTHORIZED BY THE CODIFIED ORDINANCE OF THE CITY OF NEWARK, OHIO.

Motion by Mr. Cost to adopt Resolution 14-95, second by Mrs. Floyd

Motion passed by a vote of 10-0.

By: Mr. Cost, Mrs. Floyd, Mr. Marmie, Mr. Rath

14-98 A RESOLUTION ADOPTING THE UPDATED COUNTYWIDE ALL NATURAL HAZARDS MITIGATION PLAN (CANHMP) FOR LICKING COUNTY, OHIO.

Motion by Mr. Cost to adopt Resolution 14-95, second by Mrs. Floyd

Motion passed by a vote of 10-0.

By: Mr. Cost, Mrs. Floyd, Mr. Marmie, Mr. Rath

14-99 PRELIMINARY LEGISLATION FOR STATE ROUTE16 OFF RAMP AT CHURCH STREET EXIT

Motion by Mr. Cost to adopt Resolution 14-95, second by Mrs. Floyd

Motion passed by a vote of 10-0.

COMMENTS FROM CITIZENS

ADMINISTRATION

Director Sassen- I did have one comment to make to put Daniel's, Mr. Cauchon and Ms. Conn's comments into context. As you know we have a set of Newark laws and we have a set of Ohio laws, the Ohio Revised Code and we have no control directly over those provisions of the Ohio Revised Code. When we have marijuana, or a substance abuse case or a paraphernalia case come into our office we have the option of filing that under the local code or the state code. Under the state code if a person is charged and convicted of the offense of possession of marijuana that is a minor misdemeanor, it is a criminal offense but it is not a jail able offense. It carries a mandatory 6 month operator's license suspension. So just as a point of clarification we are not in any unique situation here in the City of Newark with our marijuana possession law. The state law is that if you possess marijuana that is a minor misdemeanor and if you are convicted that is a mandatory 6 month license suspension. I just wanted that context to be added to the discussion.

Mayor Hall- Happy New Year to everyone and "Go Bucks"

MISCELLANEOUS

Mrs. Floyd- Happy New Year everybody. I think with all of the changes going on around downtown I look forward to 2015 to things getting started. Things will get worse before they get better but they will get better. I live in an area where things will get a lot worse before it gets better. She called for a Personnel Committee meeting for next Monday. Last Council meeting I passed out cards to everyone about a Historic Hudson Community Association chicken noodle dinner on Saturday January 17th at the Central Christian Church from 4-6 P.M. I have tickets if anyone is interested. "Go Bucks"

Mr. Cost- called for a Service Committee meeting Monday January 12th.

Mr. Johnson- "Go Bucks" Happy New Year everyone

Mr. Rath- Happy New Year everyone. Great job Mr. Mayor on the State of the City Address. I too am excited about the development going on downtown but I am most excited about the announcement regarding the Cherry Valley Rd interchange. It has been a long time coming; it should have been a part of the 4 lane project that was completed 10 years ago unfortunately it wasn't but I am very excited about what it is going to do to the west side of Newark. Now that it is moving forward I don't want to forget or let anyone else forget about phase 2 of that project and that is the Thornwood interchange. I am always talking about deer hunting and hunting season so I just wanted to remind everyone from now until next Monday is duck season. "Go Bucks"

Mr. Rolletta- called the Safety Committee meeting

Mr. Blake- I want to thank you, the Mayor and Director Mauter for giving us some background information on Tony Fox. The President and I have had some conversations about these appointments. This puzzles me sometimes that we find out on a particular night that an individual has been appointed and we are expected to vote on it. So getting some background information on that individual is helpful. I want to thank the Director Mauter and the Mayor for doing that but I do think that we should look at that appointment process a little bit; not just the appointee but what is the full impact of this vote that we are expected to do. We see it on our agenda then we are expected to vote on it, I would like to have some further conversions about formalizing something there.

Regarding the folks that discussed the marijuana issue if you have read the Columbus Dispatch or other news outlets it seems as though it is going to be on the ballot possibly this year. My recommendation is that you put your efforts towards that campaign if you are so inclined to do so.

I want to thank the Mayor for the State of the City, we heard some good things about the demo grants and Property Maintenance but we know that the need is even greater out there within our neighborhoods. We still have a lot of property concerns and block watch groups that want more attention from our Police Department. Those are things we will need to address in the future. I also want to thank the Mayor for his participation on the Youth Council. It is a great thing that we started. He called for a Finance Committee meeting for next week and announced that Mr. Marmie would be running the meeting since he will be out of town that day.

President Ellington- next Monday January 12th Committees will meet in this room at 5:30 and due to the Martin Luther King Jr. holiday Monday January 19th City Hall will be closed therefore City Council will meet on Tuesday January 20th at 7:00 P.M. Thank you for coming out tonight and your participating in your city government.

ADJOURNMENT- Motion by Mr. Rath to adjourn, second by Mr. Johnson. Motion carried by acclamation. 7:37 P.M.