

COUNCIL MINUTES

April 1, 2024
Council Chambers
7:00 P.M.

President Harris called the meeting to order

ROLL CALL -Mr. Neely, Mr. Rath, Mr. Rine, Ms. Bline, Mr. Chute, Mr. Cost, Mr. Houser, Mr. Labutis, Mr. Lang, Mr. Marmie

INVOCATION – Mr. Labutis

PLEDGE OF ALLEGIANCE

CAUCUS – I want to introduce Amy Vensel who will be our new Council Clerk here in a couple of weeks.

MINUTES of March 18, 2024, Motion to accept by Mr. Labutis , Second by Mr. Rath, passed by acclamation

APPOINTMENTS

Newark City Council per Director Mauter’s request – appointing Julio Vallardes to a vacated position on Community Reinvestment Area Housing Council term to begin immediately and expiring Dec. 31, 2024.

Passed 9-0

REPORTS OF STANDING COMMITTEES

Finance - **Received and Filed without objection**

Service - **Received and Filed without objection**

Capital Improvements - **Received and Filed without objection**

REPORTS FROM CITY OFFICIALS

There were none this meeting

COMMUNICATIONS

Dave Froelich – Email regarding civil lawsuit

Dan Scheinman TFG Housing Resources - Regarding Terrace Gardens

COMMENTS FROM CITIZENS

Brandon Metzger, Fire Chief City of Newark, 75 S. Fourth St. – Good evening everybody. I appreciate the opportunity to be here. This morning at 10:00 we had the luxury of swearing in 3 new firefighters. We’re super lucky to have them on board. Currently brings our staffing model to 81. So we’re right

back to work in terms of recruiting and retention efforts for the next group of new hires. So we appreciate the support of Mayor Hall and his administration and also everything that you guys do as well for us as a legislative body. For those of you that took the time to be there this morning, we appreciate that from you as well. Second point of operation, we brought with us one of our newest additions to our fleet. A brand new medic unit that we hope to have in service here within a week. So, we brought that up here tonight to put it on display. We appreciate each and every one of you that not only took an opportunity to support the purchase of that unit, but ask any questions, and frankly, just come out and take a look to see what it's all about. We appreciate that we have a new truck running around town, and we're grateful for the continued investment in terms of what we're doing to serve the community. Last point Fire Department wise, I spoke earlier about the new hires we have. Within the next three or four days, we are going to be interviewing 22 candidates. All of them want to be members of what we've got going on in the Fire Department. They want to be members of this city, but specifically, work for us on the fire and ems side. That speaks to what not only we in the Fire Department are doing, but what everyone else here in terms of the enterprise and agency are doing. So, the last thing I wanted to bring up real quick is that you all tonight have legislation in front of you in regards to compensation packages for certain elected officials of the city. On behalf of the Fire Department, I would ask that you support that measure. It's not only a matter of fact that these individuals are hard working, and they are doing a lot of good things here, but it's also speaks to what we are trying to do as an enterprise. We're trying to talk to people not only to live here, but to come to this city to work. Regardless of what bureau or division, etc. We're fulfilling these roles. That's extremely important. It speaks to what we're trying to do. We're not only trying to recruit people, but we're trying to retain them. So again, I appreciate your time, and I ask for your support of the legislation. Thank you, Mr. President.

ORDINANCES ON SECOND READING

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

24-11 AN ORDINANCE AMENDING SECTION 890.13(A) OF THE CODIFIED ORDINANCES OF THE CITY OF NEWARK, OHIO, PROVIDING FOR THE ALLOCATION OF INCOME TAX REVENUES.

Motion to Adopt by Mr. Marmie, Second by Mr. Lang. Passed 10-0

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

24-12 AN ORDINANCE SETTING THE COMPENSATION WITH RESPECT TO CERTAIN ELECTED OFFICIALS OF THE CITY OF NEWARK, OHIO FOR THE TERMS BEGINNING JANUARY 1, 2026 AND JANUARY 1, 2028 AND REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT HEREWITH UPON THE EFFECTIVE DATE

Motion to Adopt by Mr. Lang, Second by Mr. Rine, Passed 6-5

Mr. Harris – 5 and 5. As President, I get to break the tie, and I vote yes.

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

24-13 AN ORDINANCE AMENDING THE POSITION CLASSIFICATION, PAY RANGE AND DEPARTMENT AUTHORIZATION TABLES OF THE CITY OF NEWARK, DEPARTMENT OF PUBLIC SERVICE, DIVISION OF WATER ADMINISTRATION BY THE RE-CLASSIFICATION OF ACCOUNT CLERK PART-TIME, AND SETTING THE COMPENSATION THEREFORE

Motion to Adopt by Mr. Lang, Second by Mr. Rine, Passed 10-0

ORDINANCES ON FIRST READING

There are none this meeting

RESOLUTIONS ON SECOND READING

By: Mr. Chute, Mr. Cost, Mr. Marmie, Mr. Rath

24- 20-A CI APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$25,727.99 -Continuous mower replacement)

Mr. Chute – I think we’re going to let this die.

By: Mr. Rath, Mr. Chute, Mr. Marmie, Ms. Bline, Mr. Cost

24-21 A RESOLUTION AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY NOW OWNED BY THE CITY OF NEWARK, OHIO TO NEWARK DEVELOPMENT PARTNERS AS ITS AGENT FOR INDUSTRIAL, COMMERCIAL, DISTRIBUTION, AND RESEARCH

Motion to Adopt by Mr. Rath, Second by Mr. Lang, Passed 10-0

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

24-23 APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$2,500.00-Training for Clerk of Council Position

Motion to Adopt by Mr. Marmie, Second by Mr. Cost, Passed 10-0

RESOLUTIONS ON FIRST READING

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

24-24 EXP APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

Motion to waive the 2 day reading rule by Mr. Marmie, Second by Mr. Lang, Passed 10-0

Motion to Adopt by Mr. Marmie, Second by Mr. Lang, Passed 10-0

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

24-25 APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

Motion to waive the 2 day reading rule by Mr. Marmie, Second by Mr. Lang, Passed 10-0

Mr. Marmie – Thank you, Mr. President. The first item in section one was for machinery and equipment. That appropriation did not need to be made. They’re not actually purchasing the vehicle, so that’s why they were just appropriating money. Well, as soon as Jackie deleted the PO, it did away with the money, so therefore there was no need for any disappropriation or

appropriation. So, I'm going to make a motion for an amendment to remove section one for the \$8035 for machinery and equipment.

Motion to Adopt Amendment by Mr. Marmie, Second by Mr. Lang, Passed 10-0

Motion to Adopt by Mr. Marmie, Second by Mr. Lang, Passed 10-0

By: Mr. Chute, Ms. Bline, Mr. Rath, Mr. Cost

24-26 CI APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

Held until April 15th

By: Mr. Rath

24-27 A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE FOR THE CITY OF NEWARK, OHIO, TO ENTER INTO A COOPERATIVE AGREEMENT WITH JOSH GREER, ALAINA GREER, CAILEIGH HUGHES, AND SPENCER BARKER, SUBJECT TO THE APPROPRIATION OF FUNDS, FOR CONSTRUCTION OF A DRAINAGE SYSTEM

Held until April 15th

By: Mr. Rath

24-28 A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE FOR THE CITY OF NEWARK, OHIO, TO ENTER INTO COOPERATIVE AGREEMENTS WITH JASON DALE HOTTINGER, CHERI LYNN HOTTINGER, AND VARIOUS PROPERTY OWNERS ON STONEWALL DRIVE SUBJECT TO THE APPROPRIATION OF FUNDS, FOR CONSTRUCTION OF A DRAINAGE SYSTEM

Held until April 15th

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

24-29 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO APPLY FOR FINANCIAL SUPPORT FROM THE STATE OF OHIO 2024 NATUREWORKS GRANT.

Held until April 15th

COMMENTS FROM CITIZENS

Mark Mauter, Director of Development – Thank you, Mr. President. Just a real quick note to Council, once again, community development is partnering with property maintenance and also the Southside Committee to do a clean up day on Saturday, April 13th, from 8-12. This has been a really successful program for cleaning up various areas of the city. Typically, the south side. The Hudson Ave area is actually going to do the following Saturday on April 20th, and then we'll do other clean up for I believe it's the west side. No the east side on May 4th. It's very successful. It allows property maintenance to go out and do what they call kind of a push through the neighborhoods and get some people informed that this is coming up. This is a good opportunity for them to get their items that they need to get rid of. We partner with Shackelford Disposable. They use one of their compactor trucks. To give you an idea of how much we are collecting, one of those compactor trucks will hold the equivalent of 3 30 yard

dumpsters. So, it really makes quite an impact on the neighborhood. Again, we are proud to take care of this, and sponsor this, and working on the south side on April 13th. Thank you.

MISCELLANEOUS

Tricia Moore, Law Director – I want to give a shout out to the Newark Fire Department. The Avalon building, as you know, had a fire, and the Fire Department, with the blessing of the structural engineer, went in and saved, was it 9 cats that were left by owners in the building? So, in conjunction with property maintenance and the Humane Society, so thank you for making that a priority. And then a little birdie told me that someone has a birthday tomorrow. Happy birthday, Janine!

Mayor Hall – Just to expand on the Avalon building a little bit. Kudos to both teams. Police and fire worker together wonderfully that day on such a tough situation. Knock on wood, no injuries, no loss of life. Through Council's blessing here a couple of years ago, we created a nice relationship with the Humane Society, and surely that was a great role. I think 9 or 10 cats, a dog, and as I said, that's amazing because at times when people are displaced, that's a very personal thing to them. They're working now to try to get a few personal effects out. Property maintenance, Joe, and Tim, and everybody involved did a real nice job with that, and make it safe, and yet try to access some of those needed items. We got some real good room footage from up in there to see and the police did that working with fire to see what the situation was without risking life up in there. So, in a bad situation, kudos to our safety forces and departments in the city that came up and stepped up and worked with that. Engineers are assessing it by the owners to see what the future of it is. Yes, we lost a notable citizen, Skip Salome, this past week. Quite a story if you read the obit. The gentleman that came in and brought business to Newark for decades, grew it, and then turned around and gave it back in such a wonderful way. Just a note, on Christmas Day, the entire Sloan family and friends would get together and distribute up to 2100 meals this past Christmas. Just phenomenal. I talked to Todd the other day, his son. He served an unbelievable life. And I mean, really kind of neat. So, thanks to his whole family, and Skip, as he sits above us in the right place, for all he did for this community in many ways. Condolences. There will be an amazing turn out I'm sure to honor him. The tax office. I don't want to forget them this time of year. We're getting close to deadline. Our April tax deadline. The tax office is working diligently, very hard. That's not a, it's a cyclical business that really peaks right at this time. An amazing amount of work, they work hard, and they continue to work hard. They encourage everyone to not forget to get their taxes in. You can either come in person, or you can drop through the nice drop that we put in the west side of the building years ago. Finally, I would wish Janine a happy birthday. I'm sure she's real happy that we talked about it.

Mr. Neely – I was fortunate enough this morning to attend the swearing in of 3 new Newark firefighters. It was Oleg, Jeremy, and Isaac. I want to welcome them to the Fire Department, and thank them for their service. I hope they have a long career here.

Mr. Rath- Kudos to the Fire Department as well as the Police Department for what you did with the Avalon building. Great to hear about the 3 new recruits. Sorry I was not able to come to the ceremony this morning, but I was there in heart. Congratulations on your new squad outside. On the raises that we offered tonight, that we voted on tonight for the top level executives of our city, I think that's an awesome step forward. It shows incredible foresight. We are going to grow significantly as a city. We are going to recruit top level candidates for those executive positions, and we're wanting to keep those that we have for a very long time, and I'm sure those raises will play a large part in that. With that said, we live a very small radius of this building, we're well over 100 applicants that were binded into law enforcement industry as new employees. Of those well over 100 applicants, only a very small handful were wanting to join us here in Newark. It's time that that issue got addressed, and addressed sharply with targeted attention. We certainly need to make some significant changes. Most primarily, in what we are paying our police officers. We need to make sure that department grows as well. Condolences to the Salome family. Skip was an incredible influence on a lot of different aspects of the City of Newark. I'm sure his family will continue to be as well. I spoke with Todd tonight, he said he didn't want to replicate his father because he didn't think he could ever do that, but he certainly would like to follow in his footsteps. I'm sure he will as well. Janine, happy birthday. I will call a Service Committee on April 13th.

Mr. Rine – I'd like to echo what Mr. Rath said about why I voted yes. I think that we need to recruit and then retain talent. So it starts from the top and I know people don't like the trickle down analogy and I find that easier. We need to attract good talent, and then retain them. So, we have to pay them. I was having a conversation with Gina Ethergy, and that's our problem, is retaining people. So, we need to start here, and yeah, deal with police and fire retaining issue.

Ms. Bline – There's so much to be thankful for. Our Fire Department, congratulations on new recruits and that great, new medic unit. That's amazing. It really is. The technology that we have at our disposal here is fantastic. I'd like to thank NPD as well for their quick response to a local incident. I already messaged Chief about it. An elderly person called. She was very concerned, and officers came within minutes. It's not often I hear back from a resident after an emergency, and she said they were fantastic and did a wonderful job. So I want to thank you for that. Happy birthday Janine. Congratulations. After the Avalon fire, I reached out to Rod Cook at the Red Cross, we talked several times throughout the week, and what do you need? How can we help? The people of Newark are fantastic. They were calling saying, I have this this this. How can I donate it. Mr. Cook said even today, the best thing you can do is donate cash. Because their going to need it. People lost medical equipment. They're going to need that replaced. He said, this is going to drain their resources largely at this point because of everything that was

lost. So please bring your donations to the 30th St. volunteer location. Also, I agree with the loss of Mr. Salome. They have done so much for Newark. I'm just sorry to hear this great loss. We do have an Eagle Scout candidate in our midst. Mr. Barch. He's looking to speak with some representatives as part of his badge. He's in the final steps of getting it. So, that would mean a lot to him. Welcome for that. I voted no on the legislation, not because it was bad legislation, was for the point that Mr. Rath made. I want to make sure the foundation of our city is met with the officers that we need, and that's why I voted no. Thank you everyone. And also, to partner with Mr. Mauter's discussion, we will also be cleaning up Raccoon Creek that day as well. So, bring your hip waders. Lindsey Brighten from Storm Water will be bringing her crew, and it's going to be cold, but it'll be an adventure.

Mr. Chute – Thank you, Mr. President. I would like to bring up again Resolution No. 24-20-ACI.

RESOLUTIONS ON SECOND READING

By: Mr. Chute, Mr. Cost, Mr. Marmie, Mr. Rath

24- 20-A CI APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$25,727.99 -Continuous mower replacement)

Motion to Adopt by Mr. Chute, Second by Mr. Marmie, Passed 10-0

Mr. Chute – I'll just echo everybody's comments. I'm glad to see the good work and things happen at the Fire Department. We got great 3 new guys, I'm really encouraged. (*Inaudible*) Thank you to you. Appreciate all you're doing. I'll also extend my sympathies to the Salome family. They're a wonderful family. And happy birthday to Janine. And since it's, I don't normally comment on Resolutions, but since it's kind of been the theme tonight, I will say, I'm not opposed to raises in general, and I'm happy the city is moving forward, I just don't think that this should be a priority at this point in time. I think we should be prioritizing our safety forces first, and take care of others later. I do differentiate between elected officials and our other career public servants, and I think the elected officials, I'm not sure, in my estimation, that salaries alone are a recruitment tool or an incentive for an elected servant. So, that is why I was opposed to this legislation at this time.

Mr. Cost – After doing about 50 years of weddings, I spent a lot of Saturdays with Skip Salome. He and Jay Campolo I probably spent most Saturdays with than anybody else throughout my career. They were hard working, descent men who have just done a great deal for this community. Skip will be greatly missed. I was honored to be there this morning for the 3 new firefighters. It's exciting to hear you have so many interviews. That's incredible. Janine, happy birthday. Also, will welcome our new Clerk of Council in training. I wish you luck. I wanted to thank members of Council a beautiful floral arrangement for my mother's funeral. It came from all of you. I appreciate it very much. You've all been very kind and very supportive, and I just want to thank you for that.

Mr. Houser – I want to thank Director Mauter for coming in and talking about the clean ups. I think those are great for both the south and east end of Newark. I will be at both of those. I know Newark Civic Association is always looking for more volunteers, so if anybody wants to come and help with that, that would be terrific. There's never enough people, it seems like, to get as much that they wanted. Multiple Council Members have commented on the raises, so I

will as well. As multiple people have said, I don't think there is anything wrong with giving out raises. I think my position on this is that there are other priorities in the city that should be taken care of first. Safety forces being one of those. Like I said before, I think that should take priority. I also think that elected officials are different than certain command positions that have also been mentioned. So, that is one of the reasons I voted no. In addition to that, I'd like to say happy birthday, Janine. Thank you for your service to us. You've done an awesome job. We're certainly going to miss you.

Mr. Labutis – I wanted to thank the 3 new firefighters that were sworn in this morning. I'm glad they're here. I want to thank you for bringing the medic by so that we could see it. It looks like a fantastic piece of equipment to help you serve our community well. I also wanted to thank the Board of Development and Disabilities they invited myself and Mayor Hall this past week for a proclamation and they were very welcoming and invited us to their meeting. So, I want to thank them for that. I also want to wish a happy birthday to Janine.

Mr. Lang – So Ordinance 24-12 was an interesting vote without any discussion tonight. I would encourage my colleagues to speak up and let's have those debates while we're actually voting on things. I think it's great to hear everyone's opinions after the fact, but we just passed the raises, so the debate is over at that point. I think we owe it to our constituents to be upfront, transparent, and I would have liked to have more of a discussion on it if there were issues with timing, could table it for a year or two years. We can have those discussions, there are ways we can modify things in the moment to make sure everybody is happy. I don't really like passing something 6-5 when we probably could have worked towards something we all could feel a little better. So, that's my 2 cents on 24-12. Janine, happy birthday.

Mr. Marmie – I need to call a Finance Committee Meeting for the next meeting. I want to welcome Amy. I hope you're soaking it all in. Mr. Mayor, I turned in my taxes before the meeting. I want to talk about the raises. I agree with Mr. Lang. I would have liked a little more debate on it. I disagree with some of the comments in the back that. First of all, a year ago when they proposed and we were too late in getting legislation through, to have raises for these positions for the current 4 year term. We at that time promised that we would address it as soon as the election was over. I'm a man of my word. I'm going to do what I can, when I can, as soon as I can when I give my word that I'm going to do that. It's a little bit delayed as far as just making sure of certain things, but it did come forward. Just because I voted for these pay raises doesn't mean safety is not my number one priority, and that police and fire are not my number one priority. I'm still fighting, I'm still pounding my hand on the desk making sure we are going in the right direction. I appreciate both Chiefs, and the leadership that they are demonstrating. Our Safety Director in that same leadership and our Mayor, I think we're all on the same page. We believe in the same thing and it will happen in the near future. We want to make sure our safety forces are the best in Licking County, and we are doing our best to make sure that happens. Just because I voted yes for these raises doesn't mean that my priority has waived one bit. These raises are 4 years away. If we can't get done what we want done in the

next 4 years, by the time these raises take place, we should all be fired. So, just take care of business, do what you can when you can, and when you said you were going to do it. I say what I am going to do, and I do what I said. That's what I did tonight. I made sure that I put, and they were even less than what was proposed a year ago. So, I made sure we stood up to that, and that we take care of the leadership and elected officials whether they're staffing is 300, where they have 300 folks under them, or they have 30, or they have 10. These are key positions within our organization that need strong leadership. Some of them require a certain degree, a law degree. And we need to make sure we are taking care of folks we have professionals, and I'm not even talking about the current folks. This is not just about the current people in the positions. This is about the future of these positions, and that's what I believe we need to do. Our population is going to grow. That means we are going to have more issues. We're going to have more folks underneath us. Our budget is going to increase. We need strong leadership in those positions. I'm not using it as a recruitment tool. I'm using it as a way to maintain professionals in those positions, and we need to make sure that we have the best that we can. I'm not talking CEO pay. If we want to go that route that we need to go to a City Planner, I don't want to go in that direction because it's going to cost the city a lot more, and the citizens no longer have control over who is running their city. So, therefore, I chose this as the direction to go, and that's why I supported these raises. And if anybody wants to talk about it, I put spreadsheets out there, I did all the numbers, it was supported. It's a slight adjustment, but based upon the 8 years that these elected positions went without pay raises, when other positions in the city had pay raises, this is just a catch up, is all that it really is. So, if you want to see the numbers, I would be happy to share them. Janine, I would like to wish you a very happy birthday tomorrow. Skip Salome was a legend. Some would say he was a legend for what he did for the community, and how he supported the community, and what he did for businesses in our community. But he was also a legend because he was a blast. He was so much fun. He was so funny. He had such a great sense of humor. What he did for the Quartermasters Association, most folks don't even know. He was just a leader there. A leader in our community, well known. He was just unbelievable what he did for this community, what he did for his family, and everybody that knew him knew that Skip was always there to help. He rolled up his sleeves when somebody needed a ditch that needed dug, he was there helping out. He wasn't afraid to do anything. My condolences to the family, a fantastic family. I know Todd is going to carry on the tradition of the business within our community. The Diazs, I know them very well. Kelly, his daughter, does phenomenal things for the community and also for Quartermasters. So, my condolences to them.

President Harris – Happy birthday, Janine. It's also my son's birthday.

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

Jeff Harris, President of Council