

COUNCIL MINUTES

July 15, 2024
Council Chambers
7:00 P.M.

President Harris called the meeting to order

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

INVOCATION – Mr. Houser

PLEDGE OF ALLEGIANCE

CAUCUS – Motion by Mr. Marmie to excuse Mr. Rine, Second by Mr. Lang, passed by acclamation

MINUTES of July 1, 2024, Motion to accept by Mr. Houser, Second by Mr. Labutis, passed by acclamation

APPOINTMENTS

There are none this meeting.

REPORTS OF STANDING COMMITTEES

Finance - **Received and Filed without objection**

Service - **Received and Filed without objection**

Personnel – **Received and Filed without objection**

REPORTS FROM CITY OFFICIALS

Ryan Bubb, City Auditor – The Operating Report for the period ending June 30, 2024.

Brandon Fox, Water Administrator – The Division of Water and Wastewater Annual Report for 2023.

Brenda Cooper, Tax Administrator – Income Tax Revenue Reports for the period ending June 30, 2024.

COMMUNICATIONS

Ohio Division of Liquor Control – New Liquor Permit Application for Archive Newark LLC, 35 N. 3rd St., Unit 14, Newark, OH 43055

Received and Filed without objection

COMMENTS FROM CITIZENS

Doug Rothert, VP/Manager of Modern Welding Company – Thank you very much. We are located off of 79 by Grant and Union St. We have been in Newark since 1944. I've personally been with the company 35 years. I've been here in Newark 22 years. For many years we have struggled with some issues around our property. We had a large community of homeless that were starting fires. We've had numerous break-ins to our office and our shop. We've had to put security cameras up in order to catch these people. We've had personal vehicles broken into. We've had company vehicles broken into. I fought that for many years. It was kind of overwhelming what we had to deal with. I had kind of given up because even though we made numerous calls to police and fire, they came out to put these fires out, take care of it, it was just such an overwhelming situation. They always responded in kind, and took care of the situation at the time, but it kept growing. It was due to the overgrown woods between 79 and our property. There was too much room for them to hide. Several months ago, I had pretty much given up on this. I received a call and a visit from Miss Beth Bline. She came to my office and she had some concerns regarding the activity going on in that area. Her and I began speaking about that. I told her my concern, my issue with my property. Fences being cut, broken into. I will be honest, I'm not a public speaker, I'm not a political person. My first thought was, what is her agenda? I realized quickly she had no agenda. Her main concerns were the victims of the people, the kids, the female trafficking, the drug use going on in this property. After speaking with her a short period of time, I started receiving calls from ODOT who owned the cul de sac area, also the Ohio Historic Society which owned the woods. Within a couple of months, we stood outside in that field where the mounds are right now, with ODOT, Historic Connection, State Representative Claggett had been there before, and the Newark Fire Marshall Smith. We stood there for probably two hours talking about the situation, what the problem was, what needed to be done. We talked it out within a couple of hours. It was three days later ODOT and the Historic Society decided that the woods needed to go. ODOT came in and tore those woods down. Historic Society will now be taking that over. They're going to turn it into a green space. I then still had an issue with the property behind me which was owned by the railroad. Beth got me in contact with the correct person there. We now have permission to go back there and clean that area out to keep the homeless from being back there. Again, I know this is not the end all be all solution to this problem, but it was a tremendous help to us. It's made the area look a lot better, and I felt it was important to come in and recognize this woman. She did not have any agenda other than taking care of the people of this community. She wanted to take care of our company. We've been here since 1944. She wanted to make sure we were taken care of and the people of this community were taken care of. I just wanted to come and recognize and thank her for that. Thank you for your time.

Amy Shaw, 215 Elmwood Ave. – I would like to show you guys a few pictures. My husband's truck was stolen on October 31st, and this is what happened to it. (Ms. Shaw presented on her phone a picture of a wrecked truck.) This is what happened to my husband's truck after they stole it. It just messed everything up. The next picture I want to show you is a fire. They caught a truck on fire outside the front of my house. Not my husband's. I got a picture on there showing you what my street looks like. It

is totally dark. One street light on the whole street. There's another one, but it never works. That's just ridiculous. It's so dark that I do not feel safe outside my home in the dark. I've been begging for 30 years for more street lights. This guy said he was going to help us. He was one of the detectives. We have security cameras, but you can't see these people because it's so dark. I want street lights. That's all I'm asking for. Before the pandemic, we got this. The person that brought this paper to our house said that we were going to curbs. We don't have curbs. We get three feet of water in heavy rain. Said we were going to get drainage. We haven't got that. This is what my street looks like sanding in front of my house. (Ms. Shaw presented a picture on her phone of a dark street.) What can I do to get street lights? I've been begging for 30 years. We've lived in our home for 35. There're all kinds of stuff being stolen.

President Harris – See the gentleman back there, Dave, talking to the police officer?

Ms. Shaw – Yes.

President Harris – Talk to him about street lights. He can help you. Ok?

Ms. Shaw – It's going to get worse and worse. The police officers that came for the fire said they were going to try to do something, but we haven't heard anything.

President Harris – Get with him after the meeting and see if he can get some help, ok?

Ms. Shaw – Ok.

Sandra Hooker, Grove City – I am a State of Ohio Ambassador for change against distracted driving. I am advocating to change the culture of our state beginning at the local level, and to promote a more preventative measure to reduce distracted driving. I also want to advocate for harsher penalties and more rigid enforcement against distracted driving to make the motorist more responsible for the action behind the wheel while driving. I am here to raise awareness to our citizens and our pedestrians of the danger of distracted driving. Everyone has to understand, taking your eyes off the road, for whatever reason, can cause you to drive distracted. There is no justice for the injured person, and it's wrong. The driver should pay a hard penalty for their action. Distracted driving is dangerous and can cause catastrophic injuries. These types of injuries can be long-lasting, and you may never heal from them. Drivers need to slow down and be accountable for their actions when driving. Those who drive distracted and cause bodily injuries to others should be prosecuted to the fullest degree of the law. The law needs to change to benefit the injured person, not the motorist. I propose to City Council to raise your penalties at a local level from \$150 to \$750, a second-degree misdemeanor, and a first-degree misdemeanor to \$1,000 if the injury results in a death or permanent paralyzation. Taking care of a paralyzed person hard, forever, time consuming, and exhausting. We don't need an apology from the distracted driver. We need accountability. This is a serious issue. Crosswalk crashes are at an alarming high, and people need to slow down and pay attention when they are driving behind the wheel. This dangerous issue needs all tools available to prevent and reduce this bad behavior and habits of distracted driving. I really want to make it a criminal crime. The current penalty is nothing but a slap on the wrist for drivers who cause bodily injuries to a human being. The motorist is charged only \$150, and no justice to their actions. This is not acceptable for the good of our citizens and pedestrians.

Please help and support my effort to change the local level of penalties and laws in distracted driving and crosswalk crashes. This is not enough of accountability for their distractive driving. I'm here because my son got hit in the crosswalk, and he was handicapped. Nothing like this came in my family, and it hurt my heart. It turned me to be an advocate against distracted driving. I'm traveling from city to city talking to the City Council trying to raise the fees. You don't even have to raise it to 750 like Grove City did. I just feel that unless you do something about changing the penalties and make them pay for what they do, I'm going through so many changes because my son lost his ability to pay his bills because all his money got to go towards his rehab center. He don't get but \$950, and then the creditors are coming and begging for their money. I keep saying my son is sick. He's on disability. I don't think \$150 is enough. So, I'm out to campaign to change all of that, and I think every city should take notice about what the families have to go through when their family gets hurt or killed. The injuries can be catastrophic. The victims should get justice. Thank you.

ORDINANCES ON SECOND READING

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

24-22 AN ORDINANCE VACATING A PORTION OF IRON AVENUE, RUNNING WEST FROM VANVOORHIS STREET; SAID STREET RIGHT-OF-WAY IS LOCATED NORTH OF 383 IRON AVENUE.

Motion to Adopt by Mr. Houser, Second by Ms. Bline, Passed 9-0

ORDINANCES ON FIRST READING

By: Mr. Rath, Ms. Bline

24-24 AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 203 NORTH GAY STREET, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID #054-193776-00.000 FROM THAT OF SINGLE-FAMILY RESIDENCE - RH - HIGH DENSITY DISTRICT TO TFR - TWO-FAMILY RESIDENCE DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO. **Referred to Planning Commission for Public Hearing.**

By: Mr. Lang, Mr. Cost, Mr. Rath

24-25 AN ORDINANCE CREATING THE POSITION OF Assistant Director IN THE CITY OF NEWARK, DEPARTMENT OF Community/Economic Development, AND AMENDING THE DEPARTMENT AUTHORIZATION TABLES OF AND SETTING THE COMPENSATION THEREFORE
Held until 8.5.24

RESOLUTIONS ON SECOND READING

There are none this meeting.

RESOLUTIONS ON FIRST READING

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

24-62 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO TO NEGOTIATE AND ENTER INTO CONTRACT, SUBJECT TO THE APPROPRIATION OF FUNDS, FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE WASTEWATER PLANT AND COLLECTION SYSTEM MASTER PLANNING PROJECT. PURSUANT TO ARTICLE 10.02 (D) OF

THE CHARTER OF THE CITY OF NEWARK, THIS CONTRACT FOR PROFESSIONAL SERVICES DOES NOT REQUIRE COMPETITIVE BIDDING.

Held until 8.5.24

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

24-63 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO PREPARE AND SUBMIT APPLICATIONS TO THE OHIO DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2024 EDWARD BYRNE JUSTICE ASSISTANCE GRANT (JAG) FUNDING.

Motion to waive the 2-day reading rule by Mr. Marmie, Second by Mr. Lang, Passed 9-0

Motion to Adopt by Mr. Marmie, Second by Mr. Lang, Passed 9-0

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

24-64 APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION. **Held until 8.5.24**

COMMENTS FROM CITIZENS

Daniel Crawford, 163 S. Second St. – I was going to come here for a number of reasons, but I just decided to speak about yesterday was the anniversary of my step brother's passing. You may remember last year I brought it up when he passed away as well. His name was James Glenn Moran. He was a father, and sadly yes, he was homeless as well as addicted to drugs. A lot of my passion about the homelessness stuff isn't just about him. I've had my own experiences with it growing up, and I've known people all throughout my life. James helped show me that there's another layer as well. The last time I was here at the last Council meeting I mentioned making sure we return to civility. I did not realize that two days ago that horrifying incident was going to happen and thankfully the former president is alive and well, but sadly, there was someone whose life was lost. It's a reminder of our need to be civil. Of course, being civil doesn't mean you can't criticize something. For instance, it's not uncivil to mention that there are people among the homeless who do commit crimes. I'm not here to deny that. I think that definitely needs to be addressed, but my call for civility isn't just about the homeless issue, it's also about all issues. Like with the marijuana matter, baby steps can bring us to having common ground. That's really my primary goal here is making sure that addressing the homeless, make sure we remember not only the humanity of people who are having their property destroyed, but also the people who are not among those who are destroying property. So, have that healthy balance and I think we'll all benefit from that. Thank you guys, and of course I can't stress how relieved I am that the worse didn't happen the other day, and I hope that everyone here stays safe as well because these are trying times unfortunately. Thank you.

Rochelle Volen-Smith, 237 Violet Ct. – Thinking about the issue of safety and being aware of driving consciously and sharing the road. I myself have been working on my safety project lately and have approached the school district with the program and will be continuing to work on channeling to get resources into the city to implement this. I have gotten interest with citizens within the community on support of it. I'm hoping that the city itself is helpful in getting education for sharing the road implemented. Thank you for your time.

MISCELLANEOUS

Tricia Moore, Law Director – Councilmember Bline, that was amazing testimony that was given on your behalf. I congratulate you on all your efforts and everything you do for the city. With that, I'll pass.

Mayor Hall – I will pass this evening. Thank you.

Ms. Bline – Thank you, Mr. President. I'd be amiss to not acknowledge persons like Director Mauter and Director Rhodes and all of our wonderful city departments who I would call and ask for some heavy lifting that I can't possibly do. Our NPD and all of us, everyone who works together, our Law Director, our Mayor, who is so accessible, I appreciate him a lot. Also, those who you think are far but are truly close, like Representative Claggett. I thank everyone for all that we do. Nobody does anything great by themselves. Thank you.

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

Mr. Cost – Thank you. I will pass.

Mr. Houser – Thank you, Mr. President. I will pass as well.

Mr. Labutis – Thank you, Mr. President. I will pass this evening.

Mr. Lang – Why interrupt a good streak? I will pass.

Mr. Marmie – Quickly, a Finance Committee meeting (inaudible) and I pass.

Mr. Neely – I will pass. Thank you.

Mr. Rath – I'll call a Service Committee meeting for August 5th and I will pass.

President Harris – I have two quick things. I think it was last Monday, a couple of us got invited to take a tour of the Y to view the day camp and stuff. That was really interesting. I learned a lot. They have about 300 kids and they feed them breakfast and lunch. I didn't know that was open to the public. So, if you want a free lunch Mr. Cost, you can go to the Y. On Saturday The Works had their big event with the heavy equipment. I forget the name of it. Digger Does It or something. It was a pretty impressive event. Our company sponsored it, so I actually worked it. There were kids everywhere. The kids got in the equipment, they got into the trucks, and they all found horns because horns were blowing all day long. Our company had 500 pink hard hats and 500 yellow hard hats and we ran out. So, we know there was at least a thousand kids that showed up. It was a pretty cool event. Our next meeting is August 5th, so we have a couple weeks off so enjoy.

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

Jeff Harris, President of Council