

## COUNCIL MINUTES

March 1, 2021  
Via Zoom  
7:00 P.M.

**President Ellington called the meeting to order**

**ROLL CALL** – Mr. Fennell, Ms. Hall, Mr. Harris, Mr. Labutis, Mr. Lang, Mr. Marmie, Mr. Rath, Mr. Barker, Mr. Bubb

**INVOCATION** – Mr. Blake

**PLEDGE OF ALLEGIANCE- President Ellington**

**CAUCUS**

**Mr. Bubb** – I will abstain from Ordinance 21-03 and 21-03 this evening.

**MINUTES of February 16, 2021** - Motion by to approve the February 16, 2021 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 **Motion to approve by Mr. Labutis , second by Mr. Barker , carried by acclamation**

**APPOINTMENTS**

**Mayor Hall** – Reappointing Mary Billy to the Combined General Health District Board, term beginning April 1, 2021 and expiring February 28, 2026

**Mayor Hall** – Mary has done a nice job representing us and certainly has a desire to be on the board for an additional term and the board wants to welcome her too as a renewal, so I would ask the council to reappoint her.

**Appointment passed with a vote of 8-2**

**REPORTS OF STANDING COMMITTEES**

Finance – **no objections, received and filed**

Service – **no objections, received and filed**

Personnel - **no objections, received and filed**

**REPORTS FROM CITY OFFICIALS**

**City of Newark Department of Public Safety, Division of Fire & EMS** – 2020 Annual Report, **President Ellington** – I believe the Fire Chief will be coming to Safety Committee in the near future to summarize this report

**Judge David N. Stansbury** – Licking County Municipal Court 2020 Annual Report – **President Ellington** – This report is being revised, so disregard this report and he will be giving us a new or updated report on March 16th

## COMMUNICATIONS

**Jeff Grindrod, 889 Dietrich Ct.** – Email in opposition of 209 N. 21<sup>st</sup> Street Re-zoning

**JoAnn Wiblin, 976 Hillside Dr.** – Thank you letter for safety and efficiency changes made at intersection of Sharon Valley Rd. and King Rd.

**Ohio Division of Liquor Control** – Transfer application from Mid Ohio Spirits LLC to LDY Inc. DBA Thirsty Jakes Drive Through

**Howie Hill, Owner HD&R Truck Repair Inc., 55 Forry St.** – Issues regarding theft, vandalism, drug paraphernalia, and trespassing at businesses in the Forry St. and Union St. area of Newark.

**Lynda Abbott** – Update on petition against 209 N. 21<sup>st</sup> Street zoning change

**Jes Padgett** – River Road Opposition Follow-up

## COMMENTS FROM CITIZENS

**Mr. Howie Hill, Owner HD&R Truck Repair Inc. 55 Forry St.** – we've been having a lot of issues with the homeless with theft, vandalism, breaking glass, cutting the fence, vandalizing my own trucks. I've been in business in this area since 2006 and this is the worst I've seen it. I don't report all of it, with COVID and our police force stretched pretty thin, we try to take care of it ourselves, but it's got to the point now where someone needs to know about it. Councilmen have been here, I appreciate the prompt, I've sent letters out, they took care of it immediately as far as here and I have seen more police presence. So, as a concerned business owner we have an issue at this end of town.

**President Ellington** – Thank you sir, we also have the Safety Director on the Zoom meeting here tonight so, I'm sure he will be having a conversation with the Police Chief and we will see what can happen from there.

## ORDINANCES ON SECOND READING

There were none this meeting

## ORDINANCES ON FIRST READING

**By: Mr. Bubb**

**21-02** AN ORDINANCE AMENDING THE POSITION CLASSIFICATION, PAY RANGE AND DEPARTMENT AUTHORIZATION TABLES OF THE CITY OF NEWARK, DEPARTMENT OF Service, DIVISION OF Cemetery/Parks BY CREATING THE CLASSIFICATION OF Operations Manager, AND SETTING THE COMPENSATION THEREFORE

**To be held for 2 weeks for a 2<sup>nd</sup> reading**

**By: Mr. Marmie**

**21-03** TO PROVIDE FOR THE ISSUANCE OF \$500,000 OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING A PORTION OF THE CITY'S COST FOR HORNS HILL ROAD SANITARY SEWER

**Motion to adopt by Mr. Marmie, second by Mr. Barker, motion passed 9-0 with Mr. Bubb abstaining**

**By: Mr. Marmie**

**21-04** TO PROVIDE FOR THE ISSUANCE OF NOT TO EXCEED \$1,125,000 OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING THE COST OF CHURCH STREET AREA IMPROVEMENTS AND REPAIR, INCLUDING ELECTRICAL, SIDEWALK, STREET AND STREETScape, AND ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY **Motion to adopt by Mr. Marmie, second by Mr. Bubb, motion passed 10-0**

**By: Mr. Marmie**

**21-05** TO PROVIDE FOR THE ISSUANCE OF \$500,000 OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING THE COST OF CONSTRUCTION OF THE STREAMBANK PROTECTION PROJECT, INCLUDING REPLACEMENT OF THE SHEET PILE DAM ON RACCOON CREEK, SITE PREPARATION AND ALL NECESSARY APPURTENANCES, AND DECLARING AN EMERGENCY **Motion to adopt by Mr. Marmie, second by Mr. Bubb, motion passed 10-0**

**By: Mr. Marmie**

**21-06** AN ORDINANCE CONSOLIDATING THREE BOND ANTICIPATION NOTE ISSUES OF THE CITY OF NEWARK, OHIO AND DECLARING AN EMERGENCY **Motion to adopt by Mr. Marmie, second by Mr. Bubb, motion passed 10-0**

**By: Mr. Rath**

**21-07** AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 166 HUDSON AVENUE, CITY OF NEWARK, LILCKING COUNTY, OHIO, FROM THAT IF MFR- MULTI-FAMILY RESIDENCE DISTRICT TO MB – MEDIUM INTENSITY BUSINESS DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO. **To be referred to Planning Commission**

#### **RESOLUTIONS ON SECOND READING**

**By: Mr. Marmie**

**21-05** APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

**Motion to adopt by Mr. Marmie, second by Mr. Bubb, motion passed 10-0**

**By: Mr. Rath**

**21-08** A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE FOR THE CITY OF NEWARK, OHIO, TO ENTER INTO A PURCHASE AGREEMENT WITH PARK NATIONAL BANK FOR THE LEASE-PURCHASE OF FOUR (4) VEHICLES

**Motion to adopt by Mr. Rath, second by Mr. Labutis, motion passed 10-0**

**By: Mr. Rath**

**21-10** A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE FOR THE CITY OF NEWARK, OHIO, TO EXECUTE A COOPERATIVE CONSTRUCTION AGREEMENT WITH THE VILLAGE OF GRANVILLE, OHIO FOR A NEW BRIDGE ON THORNWOOD CROSSING, WHICH WILL REPLACE THE EXISTING BRIDGE ON CHERRY VALLEY ROAD

**Motion to adopt by Mr. Rath, second by Mr. Lang, motion passed 10-0**

#### **RESOLUTIONS ON FIRST READING**

**By: Mr. Marmie**

**21-11 Expedite** APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

**Motion to waive the 2 day reading rule by Mr. Marmie, second by Mr. Bubb**

**Mr. Marmie** – These are some items that need to be expedited. There are items that need to be corrected as far as corrections to the budget that was passed so that the appropriate money gets into the correct accounts.

**Motion to waive passed 10-0 Motion to adopt by Mr. Marmie, second by Mr. Bubb**

**Mr. Marmie** – In addition to some of the corrections made, there are a couple other items that are very worthwhile in mentioning. One thing is we have some additional funds going into the budget stabilization also we have some funds going to Capital Improvements to help with the streets and also there are some sidewalks that are going to be constructed in order to create safer walking paths for folks. It's much needed and I think it's a great thing that the city is doing.

**Motion to adopt passed 10-0**

#### **COMMENTS FROM CITIZENS**

**Beth Bline, 33 Summit Street** – I'm calling in in support of Mr. Hill. We have as non-profits and through individual relationships been working more and more one on one with people who are showing troubles whether it be through addiction or exhibiting dependencies and I want to tell Mr. Hill changes are coming. We've had several wonderful things through persistent encounters working with those who are addicted and unsheltered. This is something that can't be done through committee's necessarily, it has to be done through time and involvement. Mr. Hill and I had a long conversation and we totally have his back and like I said we've been pressing more and more into that are in the south

end just engaging people because we know through transitioning folks who are unsheltered or are working through addiction it takes about 2 – 4 years to do that. Working through not only environment, people places and things, but mindsets. We've opened another base where we can engage people in the south end through champions and citizens in action and also our independent living house has been sheltering people and engaging them in independent living and life skills. So. in a year's time, living at a low cost they can earn and save money to move on. It's not an easy thing because nobody becomes homeless or addicted overnight. Using hard boundaries and helping people get out of those old relationships and places and environments, real changes are happening. I just want to thank Mr. Hill for giving his story because it's important. Things have gotten tuff in the south end, but there's hope and good things are starting to happen because we're creating relationships. I want to thank you all for hearing him and the NPD for going and supporting him. I appreciate you guys and good things are coming, thank you.

### **MISCELLANEOUS**

**Tricia Moore, Assistant law Director** – It's been a good experience tonight, I always enjoy being here.

**Mayor Hall** – It's nice to see warmer temperatures and the white snow going away. We've all thanked our road crews but we can never thank them enough. They do a great job. I know it was a bit challenging there for a couple of weeks. I also want to thank everyone in the community who I have done what I think is a really great job during COVID to protect and socially distance. The numbers are starting to curve in our favor, it's not near victory or anything of that sort yet, but I think the vaccines are making a difference. Through the hospital and the clinics going on at Kroger and Giant Eagle and the Health Department, they're really doing a phenomenal job getting the vaccines out into the community. It's encouraging, it's been a long haul, I encourage everyone to still socially distance and follow the guidelines. The Governor announced some easing today and dropping the age down to 60 starting Thursday, so you can get online and register for those and I encourage people to do that.

**Mr. Fennell** – I would like to thank David Rhodes and the good folks at property maintenance for helping me figure out some challenging problems and for being so responsive. I really do appreciate it. I did want to quickly comment on my no vote on the appointment that had directly to do with the fact that we do not have a Harm Reduction Needle Exchange Program here in the county, so that's where that stems from I believe it's an effective approach that we should have to save the people that we can.

**Mr. Harris** – I want to thank Mr. Hill for coming on and speaking. He sent out an email a week ago Friday and I met with him last Monday morning and discussed the situation and the Jeremy and Spencer and I met with him on Friday. I also want to thank Safety Director Hickman and Chief Baum and the Police Department for getting right on there and responding to his problem. Mr. Hill is really understanding and is willing to do whatever he needs to do to help the situation. It's nice to have our law enforcement there to support those that need it. I also want to thank Buster Prince. I got some calls on some major potholes and he got the crews out there and got the potholes taken care of and I appreciate that.

**Mr. Lang** – I would like to echo the thanks and gratitude for the Street Department. I spoke

with Buster today, and I really appreciate the job that you guys have been doing. I've received a number of compliments from different individuals that the streets are really well plowed at pretty difficult times. I'm glad they're getting a bit of a break here to get ready before we get some more. I'd also like to thank the administration for figuring out a way to get some money for sidewalks, I'm really excited about the passing of Resolution 21-11 tonight and being able to come up with a budget that hopefully we'll be able to put together a nice program to at least get moving on some of these sidewalks that we need to update or fix.

**Mr. Marmie** – I need to call a Finance Committee meeting. I would also like to thank Director Hickman I had some concerns about the vacancy with the animal control position. He was right on it and made sure there were temporary procedures put into place to make sure animal control was taken care of within the City of Newark. He and the Police Chief did that and then communicated that out to us. In addition, they're working on a long term solution for the animal control and I just wanted to thank him publicly, I appreciate it.

**Mr. Rath** – I need to call a Service Committee meeting for two weeks.

**Mr. Barker** – I just would like to once again thank Mr. Hill for coming on tonight. We got your letter and emails. I have also talked to a couple other business owners on that stretch of roadway and am hearing kind of the same comments, so I'm just planning to echo some of those to Director Hickman tomorrow. I'd also like to thank Joe Paul, I understand he was on vacation last week, I did not know that, he called me back on a couple issues I was having and got those resolved, so, I appreciate that very much.

**Mr. Blake** – First I want to thank our paramedics. Last week an immediate situation happened with my mother where I had to call and get the assistance of our fine men and women our fire services and they came and assisted in transporting my mom to the hospital and they were very professional and it was a very great experience to know that we have such great people working for us and even when we need them they're there and doing the job that needs to get done. I want to publicly thank the paramedics that assisted my family last week, thank you very much for that help. I know you're just doing your job, but it was very nice to see you there and assist. Secondly, I want to thank Mr. Hill. I do appreciate you bringing to our attention the concerns that you have. As Councilman Harris mentioned, myself and him and Councilman Barker met with Mr. Hill at his business last Friday afternoon and it was good to hear from him because sometimes when people don't speak up we don't know all of the issues. So, I appreciate him speaking up and sharing his experiences that he's having there and also sharing the experiences of what the Eagles and the VFW are also having. I will echo that it's not just the businesses. It's the residents that live on Wherle Avenue, Seroco and that whole neighborhood there is experiencing issues. Specifically what I want to call out, what I got from my meeting with Mr. Hill was there are repeat offenders here. Typically our safety forces are dealing with repeat folks. They're getting called and called again by the same people. I think when we know certain individuals, there's a better way to handle these situations, so I'm looking forward to having some conversations about what can we do with these repeat offenders. It's also the personal property damage. Anyone that's dealing with damaging done to a residence or a business, that's just unacceptable. I appreciate all of the fine work of our Social Service agencies and various non-profits, but ultimately we have to come together with a solution for our residents and businesses and I just look forward to having some more conversations about how we can better address that and be a little more proactive with these types of situations. Mr. Hill

thank you for being here tonight and expressing your comments and we look forward to having more future comments in the time to come. I really appreciate Councilmen Harris and Barker for meeting with him, I think we were able to share some experiences there that we hadn't done before, so thank you very much.

**Mr. Bubb** – Best wishes to your Mom Jeremy, hope for a quick recovery. Regarding the animal control position, I too along with Mr. Marmie hope that position works out for the best for the city. I want to thank Toby for his work. That's a tuff job and not only was he doing the animal control job but there were a few hats he had to fill, one was the Humane Agent which he was also doing as well as handling the cat situation. There were kind of three positions there and it's important that we service not only the city with that position at whatever capacity the police chief chooses, but we definitely don't want to let this go for too long.

**President Ellington** – Thanks everyone for your attention this evening, our next meeting is March 15<sup>th</sup>. That's two weeks from tonight. The Committee Meetings will start at 5:45pm, Full Council starts promptly at 7:00pm. We will be Zooming one or two more meetings and if everything continues this way we'll be back to Council Chambers, but depending on the Governor's orders.

**ADJOURNMENT** Motion to adjourn by Mr. Labutis, seconded by Mr. Harris , passed by acclamation

**Don Ellington, President of Council**