

COUNCIL MINUTES

April 5, 2021
Via Zoom
7:00 P.M.

President Ellington called the meeting to order

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

INVOCATION – Rev. Mark Katrick, St. John’s United Church of Christ - Newark

PLEDGE OF ALLEGIANCE- President Ellington

CAUCUS: Motion by Mr. Marmie to excuse Mr. Lang, second by Mr. Blake, motion passed by acclamation

MINUTES of March 15, 2021 - Motion by to approve the March 15, 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

REPORTS OF STANDING COMMITTEES

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

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

REPORTS FROM CITY OFFICIALS

COMMUNICATIONS

Denison University Outreach – Camp Kesem flyer and application

Caroline Cook – Sheetz Gas Station and Restaurant on 21st Street

Max Sutton, The Sutton Law Firm – Objections to variances through BZA for Sheetz project on N. 21st Street

COMMENTS FROM CITIZENS

Mrs. Rachelle Volen-Smith, 237 Violet Ct. – I found a couple of interesting items in Saturday’s Advocate that I’d like to share. One is the B.C cartoon, it says “seldom have we felt so weak in times of greater plight, some without a voice to speak or worse the will to fight. Persevere for those who seek guided by the light, he who lifted up the meek and reminds us of our might. I also noted, a person listed as homeless, but not as a resident of Newark or anywhere else for that matter. This person was

charged with criminal trespass and a few other things and penalties included \$530 and 15 days in jail minus credited time. This amounts to a hidden societal cost of homelessness. While I am not condoning the theft and that sort of thing, it seems to put this person into a downward spiral and how do we get out of this poverty cycle, paying off debt with no address and lack of positive choices. In my readings aside from the Advocate I have discovered a number of States that are working on solutions that utilize skills and the arts to create self-worth and jobs. One for example, in Kentucky, works with some companies to train in furniture making and making some musical instruments. They don't necessarily go into those fields afterwards, but it does give them some sense of peace and self-worth. Some others use visual arts and creative upcycling. I did a mecca to one in New York where they did building skills. The other day I actually saw something on HGTV that related to this situation where they are doing upcycling artistically and it was just breathtaking. I think that Newark needs to do more than it's doing. We need affordable housing, better education, in my experience working with homeless, a lot of the people, particularly those with disabilities, do not get a full education, which is an outrage and it leads to their other problems and health issues. Other communities and other countries have found that providing safe, affordable housing, costs a lot less than dealing with its consequences. Additionally, I would like to extend my condolences to the Baum family for their loss. He died much too young and if possible I would like to know where we can send our condolences to., maybe through the funeral director or something like that to send a card because we feel this strongly. And I would love feedback.

Bill Cost Jr. , 1639 Krebs Ct. - I just wanted to sign in for a moment and express my heartfelt sympathy to the family of Steve Baum. Steve was a good friend and it was an honor to serve with him. This community has lost a truly fine public servant and we've all lost a good friend.

ORDINANCES ON SECOND READING

By: Mr. Fennell

21-08 AN ORDINANCE VACATING A SIXTEEN AND ONE-HALF (16.5) FOOT WIDE ALLEY AS SHOWN ON THE PLAT OF THE CANAL LAND, AS RECORDED IN PLAT BOOK 2, PAGE 20 OF THE LICKING COUNTY PLAT RECORDS; SAID ALLEY IS LOCATED BETWEEN MARKET AND CANAL STREETS, AND BETWEEN SOUTH FIRST AND SOUTH SECOND STREETS.

Motion to adopt by Mr. Fennell, second by Mr. Marmie, motion passed 9-0

ORDINANCES ON FIRST READING

By: Mr. Rath

21-09 AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 19 EAST STREET, CITY OF NEWARK, LICKING COUNTY, OHIO, FROM THAT OF TFR – TWO-FAMILY RESIDENCE DISTRICT TO MFR – MULTI –FAMILY RESIDENCE DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO **Referred to the Planning Commission**

By: Mr. Rath

21-10 AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 774 HUDSON AVENUE, CITY OF NEWARK, LICKING COUNTY, OHIO, FROM THAT OF LB – LIMITED INTENSITY BUSINESS DISTRICT TO MB – MEDIUM INTENSITY BUSINESS DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO **Referred to the Planning Commission**

By: Mr. Rath

21-14 AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AND A RESOLUTION AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; PROVIDING FOR THE ADOPTION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; AND DECLARING AN EMERGENCY

Motion to adopt by Mr. Rath, second by Mr. Barker

Mr. Rath – This is a fairly routine Ordinance that we do every year, the reason for the emergency clause is to meet publication deadlines.

Motion passed 9-0

RESOLUTIONS ON SECOND READING

By: Mr. Marmie

21-13 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO SUBMIT AN APPLICATION TO THE OHIO DEPARTMENT OF PUBLIC SAFETY FOR AN AWARD OF FISCAL YEAR 2021-2022 FUNDING UNDER THE OHIO EMS TRAINING AND EQUIPMENT GRANT PROGRAM.

Motion to adopt by Mr. Marmie, second by Mr. Bubb, motion passed 9-0

By: Mr. Marmie

21-14 APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

Motion to adopt by Mr. Marmie, second by Mr. Bubb, motion passed 9-0

By: Mr. Rath

21-15 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO SELL BY INTERNET AUCTION PERSONAL PROPERTY, INCLUDING MOTOR VEHICLES NO LONGER NEEDED FOR PUBLIC USE, OR WHICH ARE OBSOLETE, OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED

Motion to adopt by Mr. Rath, second by Mr. Bubb, motion passed 9-0

RESOLUTIONS ON FIRST READING

By: Mr. Marmie

21-18 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. Mr. Rath
Mr. Marmie – We have a couple things that need to be expedited, one is a payout for a termination and the other one is for some law enforcement supplies to ensure those funds are in the proper place at the right time. **Motion to waive 3 day reading rule passed 9-0**

Motion to adopt by Mr. Marmie, second by Mr. Bubb, motion passed 9-0

By: Mr. Marmie

21-19 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO APPLY FOR FUNDING FROM THE UNITED STATES DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE UNDER THE BULLETPROOF VEST PARTNERSHIP GRANT PROGRAM. **Held 2 weeks for 2nd reading**

By: Mr. Rath

21-20 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

Held for 2 weeks for 2nd reading

COMMENTS FROM CITIZENS

Mr. Steven Smith, 237 Violet Ct. – I want to start by echoing condolences to the family of Steve Baum. This is hard for anyone to go through. It's also our misfortune that we have another funeral to go to, not one related to COVID directly, although I have my suspicions that it was a case of someone who delayed going to the doctor too long before his cancer was detected. I want to take this opportunity to encourage people, everyone listening and anyone who might be viewing this later on that regardless of the fact that we have a pandemic going on and you need to be careful, there are some things that you have to take care of regardless.

Caroline Cook, 898 Lateglow Ct. – I would also like to express my condolences on Mr. Baum. I hope you've had to read my letter about the Sheetz gas station. I think it's probably already a done deal and we'll have a Sheetz gas station at the corner of Moull and 21st Street. My biggest concern is that so much happens behind the scenes in Newark and people are not given knowledge about what's

happening. There were a lot of us that showed up at the zoning meeting the other night and I think had we had the chance to give you our input and to give input to the Planning Commission that would've been a good thing. The people on the Planning Commission, I'm asking the Mayor, how do these people get their jobs. How is the community of the people who live in the neighborhoods represented on these boards. Like the Board of Health, for example, a lot of citizens go to the Board of Health meetings and say we need a needle exchange program. How do these people get on this board, because we would like to have input. I think the citizens of Newark would like to have input on these boards. The Board of Health, the Board of Transportation, the Planning Commission, the Zoning Board. On the zoning board I asked Jonathan Lang, how they get on the board and he said well, they're engineers and developers and people who have knowledge about developing. But, they're not citizens. I think we need input and representation and it's not fair to the people of Newark to have these things happening behind us and not actually being aware of them.

President Ellington – Thank you and I'm sure the mayor will answer that about the boards, but they are citizens, yes.

Nancy Welu, 7441 Stewart Rd. – I just wanted to make an announcement that the Newark Homeless Outreach in partnership with the Licking County Health Department, we are doing a COVID vaccine clinic this Saturday at the outreach on East Main from noon – 1:30pm. Chad Brown from the Health Department has said he will be bringing 100 doses, so if you could please pass that on to your constituents, it's for anybody and everybody and we will be doing it on-site at the outreach. I assume ages 16 and up, whatever the health department guidelines are. They are the ones administering the vaccine. We don't know which vaccine it will be, not sure if Chad Brown even knows that yet.

Linda Mossholder, 224 Green Meadow Dr. - I was wondering if the city has received any notification of receipt of The Rescue Act funds and any guidelines. I know some of the monies have been distributed and was wondering if the city has had any notification.

Rachelle Volen-Smith, 237 Violet Ct. – I wanted to mention that there are 2 cleanups coming up in the near future. One for South Newark Civic Association on April 17th and Historic Hudson Community association is having one April 24th. I know they're looking for help for these projects.

MISCELLANEOUS

Safety Director Tim Hickman – Last Tuesday Chief Baum passed away. I was a young Sargent when he started at the department, he was a good officer, a good friend and he will be missed. Everyone in the police division is hurting right now, but I think it's important to let you know that there has not been any reduction in service to the citizens of the City of Newark. On behalf of the police division, I would like to thank all of the citizens and businesses that have reached out to the police department to offer their condolences and to provide food and anything that they could do to help. I'd also like to express our gratitude to all of the surrounding agencies who have reached out to us and offered to take calls for service, direct traffic, do whatever they could do to help us out. In regards to, I think it was Mrs. Smith asked earlier, Brucker and Kishler is in charge of Chief Baum's arrangements, his services are tomorrow. Any condolences

they would like to send to the police department, they can send directly to the police department at 39 S. 4th Street.

Mayor Hall – I will answer a couple of administrative questions and then make a couple of comments on Steve Baum. Committee appointments, the committees across the city and the county are made up either by Ohio Revised Code direction or by our own City Charter as to the make-up. Sometimes it takes mandatory citizen voting rights or living within the City limits or sometimes it might be a suggestion of an appointment say from the county or the school board, it depends on the situation. Many appointments are made with a mix of City employees and citizens, most of them have more citizens. They serve terms, 4 years in many cases and they get those appointments sometimes through my office and sometimes it requires council's voice vote. We are always open for input as city officials. It's a 51,000 person town where you're never going to make everyone happy. We are custodians of the financial condition of the City and how it moves forward and it's important that we are able to maintain that. Input is always welcome. We take everything that everyone sends in and read it and go through it and then we have to make decisions. The American Rescue Act that was passed, I am unaware of anyone receiving money from that yet. We are anxious to get from the U. S Treasury, who makes the fine print rules input. We're anxious to see what the guidelines will be. I do know that we'll have to the end of 2024 to spend it and I do know that when we get funds, we will get half of our funds and then 12 months later will get the other half. It took 10 ½ hours for congress to read that bill, I breezed through it, the pages that pertained to us anyway. As soon as that gets out we'll put that out there. Director Hickman spoke about Steve passing. It's been a tough week for everyone, in the community, in the city and in the police department. Chief Baum started in 1993 with the police department. He built a lot of relationships and grew up thorough ranks. Obviously he was on our team as the Safety Director for a few years and then he was back over to Police Chief. So, he made a lot of relationships in the Heath and Newark communities. He will be sorely missed. As Director Hickman did say, if you send anything to the family of Steven Baum and send it to 29 S. 4th Street or City Hall we will all get it to them. Director Hickman and I have been working with them over the last week, just left them a little bit ago and they are very thankful for the outpouring of this community and what everybody has done. It's helped the family quite a bit for that big loss that they've suffered all of a sudden. With that being said, Chief Baum was an organ recipient he did receive an organ a few years back and he also donated organs, so that was an important part of his life and of his passing. His service will be tomorrow at the Heath Church of Christ, 1331 Chapel Way which is out in Heath near Kaiser Aluminum. The family will receive people from 11:00am – 2:30 pm, the service is at 3:00pm. There will not be a precession after that, the police services will be done after that in the parking lot of the church. If you are unable to attend it will be broadcast on NPD Facebook page starting at 3:00pm. I want to echo the thank you for all of the surrounding communities they've really stepped up and have helped everybody get through this.

Mr. Harris – I want to send my thoughts and prayers to Steve Baum's family. I thought Steve was a great Police Chief. Every time I had a question he got back with me asap. He gave me an answer, sometimes I didn't like the answer, but he gave me an answer. So, my thoughts and prayers are with them. Also, I want to let everybody know on May the 8th will be the east end cleanup and the dumpsters will be at Carson Elementary and I think they're going to do the whole east end this year, so those that live out this way can take full advantage of that.

Mr. Labutis – I just want to pass on my condolences to the Baum family. That was not the news I was expecting last Tuesday when I heard. The family's been on my mind all week and he was a great Safety director, great Police Chief, I had many conversations with him and as Mr. Harris kind of alluded to, he would always give you an answer. It wasn't always the answer you wanted to hear, but it was the answer you needed to hear and that was something I always appreciated about him and I will sorely miss him.

Mr. Marnie – I need to call a Finance Committee Meeting for two weeks. I too want to extend my further condolences to the entire Baum family and also the family of the Newark Police Department because I know what a tight knit group that is and when they lose one of their own it's a tough situation, so my condolences go out to the Newark Police Department also.

Mr. Rath – I'll call a Service Committee meeting for two weeks. I also want to express my condolences to the Baum family as well as the police department. Steve will absolutely be missed and remembered for a very long time.

Mr. Barker – My sincere condolences to Steve's family, extended family and the police department. It was not the phone call I was expecting last Tuesday night. I remember very vividly my first week as a new member of this council, I had lunch with Steve and learned really fast that he didn't tell me what I wanted to hear, he told me what I needed to hear and what was most important to keep our citizens safe and to do the job that he was charged to do. It's a huge loss not just for our police department and our community but Licking County as a whole. We all know that Steve served in an auxiliary position with the Heath Police department, so my condolences go there as well. It's just a horrible loss for all of us.

Mr. Blake – I too want to offer my condolences to the Baum family and prayers to all of his loved ones. Just a tragic situation and I just hope God sends the peace that they are looking for. I do want to give an update on some work I've been able to do over the last month. We're all aware of the drug addiction crisis in our city. Drug addiction and mental health are two barriers that prevent people from reaching their full potential. For the past month I've had some very creative and courageous conversations with community leaders with a focus on being proactive in engaging concerns before they become escalated and developing relationships on how we can balance the needs of neighbors to feel safe in their homes and the needs of the individuals who are suffering from those barriers. It's my hope that we can reduce certain types of emergency calls and reduce the workload on our safety forces. Both the police and fire have found themselves handling situations that quite simply could be handled best by a professional social worker. We also know from a recent news article that our jail is not holding individuals with minor offenses anymore during the pandemic. As we listened a month ago to business owners and I've listened to residents, we hear from them that many times neighborhoods have "repeat offenders" causing concerns in neighborhoods. These individuals are known people and we need a better way to engage neighborhoods to proactively engage issues of addiction and mental health. Kate St. James is the CEO and President of BHP. She is an outstanding leader in our community and her staff at BHP are really a top notch group and BHP is our community's agency with a mission to provide a holistic mental health and addiction services and I'm excited to say that Kate and I have been meeting with community leaders to create partnerships that will allow BHP to do direct neighborhood outreach and to those neighborhoods that we know need help. For the neighborhoods suffering the most and dealing with addiction and mental health concerns we're seeking to have a point person that will be

engaging and reach out not only to the people that are directly suffering, but also work with residents and business owners to uplift neighborhoods. Again, many times neighbors and businesses know the individuals that need the help. We believe this will assist in being preventive and identifying issues before they get to the point of needing to call our police and the goal is to really deescalate issues before they become bothersome. Kate and I have already met with Service Director David Rhodes, we have more meetings this week and next week with some key community leaders and in due time we'll be able to make a full announcement to identify our community partners and those who want to see this work in our neighborhoods So far our conversations have been positive and very good and we're just looking to make lives better for those who are in need, but equally important, be able to give our residents a direct answer of help when they call and want intervention. We'll have more information in the coming weeks.

Mr. Bubb – I need to call a Personnel Committee meeting for two weeks from tonight and I too want to pass on my sympathy to the Baum family. I got to know Steve over the years and really came to respect him. It's sad because he was doing a really great job as Police Chief and he was just getting started. It's a sad scenario for all of those involved.

Mr. Fennell – I think it's clear from all of the comments and heartfelt condolences and the stories that we've heard tonight about Chief Baum, that he definitely lived his life to the fullest and that he will have a lasting impact on the City of Newark and I also want to add my condolences to his family for this unimaginable loss that they are going through right now and to the Newark City Police to continue to carry on and keep our city safe even though they must be mourning an it's an incredibly hard time for them as well. So, my heart goes out to the city and to his family for this untimely passing.

President Ellington – I don't know what I can add, except that it's certainly been a tough week for all of us, that's for sure. I've known Steve quite a while. Steve Baum, I would say, was a force. There wasn't any doubt, you knew where he stood. If you asked him a question, you got the answer. And again, like some of you have said, it may not be the answer that you wanted, but it was his answer and it was the right answer most all the time. I can't add much to that, except may God be with the Baum family this week and tomorrow especially and in the weeks to come. It's going to be tough. He was way too young, way too young. With that, our next committee will be April 19th at 5:45pm, full council that same evening at 7:00pm. I'm thinking about going back to a regular council meeting, I haven't made that decision yet. I'm going to see what the numbers look like this next couple weeks, but I say there's a good chance we'll be back in council on the 19th as long as council chambers are ready and I believe Mr. Rhodes has said they will be, so. I'll keep you updated on that.

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

Don Ellington, President of Council