

COUNCIL MINUTES

September 7, 2021
Council Chambers
7:00 P.M.

President Ellington called the meeting to order

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

INVOCATION – Chaplain Josh Miller, Licking County Prosecutor’s Office

PLEDGE OF ALLEGIANCE- Demare Mitchell, 4th grade Carson Elementary

CAUCUS - Motion by Mr. Marmie to excuse council members Blake and Hall, second by Mr. Rath, passed by acclamation

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

APPOINTMENTS

REPORTS OF STANDING COMMITTEES

Finance – **Received and filed no objections**
Service– **Received and filed no objections**
Capital Improvements - **Received and filed no objections**
Personnel - **Received and filed no objections**

REPORTS FROM CITY OFFICIALS

PROCLAMATION – Mayor Jeff Hall, River Roundup Day, September 11, 2021- given to Lindsey Brighton

Lindsey Brighton – Anyone who wants to help is welcome to register the day of prior to 9am, at Everett Park Saturday morning.

COMMUNICATIONS

Ohio Division of Liquor Control – New application for Ernest L. Drumm, DBA Drumms Family Billiards, 1987 Coffman Rd, Newark, Oh

Roger Loomis, Water Administrator – properties being sent to lien for past due water, sewer and storm water bills in the amount of \$6,969.62

David Rhodes, Service Director – Seeking sponsors for Newark Pickleball Complex

Tony Tertuliani, Audit Manager for Auditor of State Keith Faber – Audit report for City of Newark for year ended December 31, 2020

Marcia Phelps, Licking County Municipal Court Clerk – Licking County Municipal Court Clerk's office space needs

COMMENTS FROM CITIZENS

Stephen Janik, 445 Moull Street – I would like to thank Mr. Rhodes for the Blind Child Sign given to Moull Street. I also wanted to talk about, there's really not much advocacy for blind people in our community. There's a couple blind people besides me that live in Licking County. I feel like there is not much to help us. We did find one restaurant that has a braille menu in Heath, but most places do not have accommodations for people that cannot see, so we would like to help with that.

Nikia Janik, 445 Moull Street – Stephen just wants to advocate for other blind people in our community, other visually impaired. There's not so much awareness for children in our area that are visually impaired. We went to Final Friday on the square and he was out there with cane and people are not aware. I don't know if they thought he was playing with a stick or what, but I would just like to raise more awareness. Plus with having the Blind Child Sign on our street, which we are very very thankful for finally being able to get that. Just to make people aware. He does cane train up and down our street. Our street is horribly busy, we've almost been hit in the crosswalks three or four times. We would like to request maybe some more, speed bumps or something to help control the traffic on Moull Street just to make it safer, not just for him with his visual impairment, but for other children in our neighborhood. I know the news station had clocked people doing 40's in a 25mph zone and that was during school hours which was only 20mph in school zones. One of the school zone signs is blocked by a tree in our area. So, we're just trying to make our neighborhood safer.

Linda Mossholder, 224 Green Meadow Dr. – I just would kind of like to review a timeline and a few requests. On July 6th I did receive an email from the department of development saying that the CDBG monies would be used for other purposes. That has since been changed and based upon that email I did prepare an application for Rescue Act monies which I handed to Mr. Mauter on the night of the 19th at City Council Meeting. Since then, I came to the Finance Committee meeting on August 19th and when the Rescue Act dollars were discussed, I was surprised to see that there was \$150k for a roof replacement at Par Excellence School. I know that's a charter school, I'm not debating that might be a good use of the money, it was just a surprise that applications for Rescue Act monies were being entertained from other parts of the community. I had submitted an application, basically on August 19th for Rescue Act monies and was just wondering what the status of that was. The application I submitted was for a relatively small amount of money, given the amount of money that is available, I believe Mr. Rhodes said there is still over a million dollars available for appropriation. One of the things that I would like the council or the members making decisions about the balance of the money to consider is the purchase of fentanyl testing strips. When I submitted my proposal I tried to make that to situations that were directly related to COVID and it's been proven by the Office of the Drug Council and the CDC that the overdose rates have gone up and a lot of that can be attributed to COVID. During COVID people could not go to meetings, They had difficulty accessing treatment

etc. The other reason for the increase in overdoses is fentanyl. On August 20, 2021 the Licking County Department of Health released the overdose statistics and in 2020 there were 47 unintentional overdoses in Licking County. That differs a little bit from the figures from the Ohio Public Health Information Warehouse, which is another source. They say there were 55 overdoses. Out of the 47, 35 were directly related to fentanyl. The Homeless Outreach passes out anywhere between 50 -75 fentanyl testing strips every week and we're hoping that this is saving lives. We also do Narcan and Naloxone to prevent overdoses. Last week we did have an overdose rally and one of the things I do want to remind people of, these are not just numbers. These are somebody's son or daughter who has died. I wore my shirt tonight and I'm not going to read all the names on the back so you don't have to worry, but all of these on the back of my shirt are people who have died from overdoses within the last couple years. So, I would hope that when the Rescue Act monies are appropriated there can be some consideration given to this. Thank you.

Rochelle Volen – Smith, 237 Violet Ct. – First I would like to thank Linda for her diligence to the effort. The other thing is, about the blindness issue. I know especially around schools and Moull Street is around a school. A lot of cities have done some very beneficial and simple things to help this population. I've worked with the population myself and can contribute some ideas. The ramps we do by sidewalks were originally designed for the purpose of helping wheelchairs as well as a signal for people who have canes. It was deliberately designed for that. The other thing is, I know downtown, we have some traffic lights that are multi -sensory and I would like to suggest that around Moull Street, which has a school on the corner, that might be an appropriate placement for that sort of thing. There are other things that could be done at low cost, but I think it's an important issue, we really need to be sensitive to the needs of all our handicapped. I hate the word handicapped, but we need to give people a helping hand.

Callie Rucker, 130 Delmar Ave. – I have some concerns about the younger generation. I am an advocate for education. What I'm seeing is if you just talk to the generation and not at them, you would be surprised at the information they give you. When you start talking to adults they cut them short. We are the older generation and are supposed to set a good example for them, but we are not doing a good job. This younger generation is traumatized by everything that's going on. The one thing we in the older generation have to remember is power will not last forever. The younger generation is going to be taking care of us one of these days. The recreation they need from what I'm seeing in the city of Newark is not there. I wish there would be more recreation provided for the younger generation so they will have something to do. Our community and our schools are just as good as we make them. The schools are not safe from my point of view. If we have all the security we do coming in here, why weren't they fussing about it when they were building the new schools. I have a hard time digesting that. I remember when they decided to build the new schools here in Newark, I didn't go to school in Newark, my kids didn't, but I have a granddaughter that went. What happened was, they would say oh we don't need a new school, but wait a minute. Those schools had served their purpose. They asbestos, they had mold, they had dust and that might be one of the reasons that the kids and teachers were getting sick without even knowing it. They should be going to the Board of Education or wherever you need to go to get the information and to make sure they were building a basement downstairs so when they have a tornado they can get downstairs. Those schools were London Bridge falling down. These kids are being traumatized. What they've got

to understand is we have children and grandchildren, they are the ones going to be taking care of us. You've got to remember, they are our future, they're going to be making plans for us and taking care of us. Lots of times people think when they've got power they can do what they want to and get away with it, but once those kids leave home, you've lost that power, cause kids are going to do stuff. I see a lot of things going on. On every corner, there's a liquor store and a bar. That's an invitation for the younger generation. We have to think about how we're treating the younger generation and talk to them and not at them.

ORDINANCES ON SECOND READING

There are none this meeting

ORDINANCES ON FIRST READING

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

21-21 AN ORDINANCE AMENDING THE POSITION CLASSIFICATION, PAY RANGE AND DEPARTMENT AUTHORIZATION TABLES OF THE CITY OF NEWARK, DIVISION OF WATER AND WASTEWATER, BY CREATING THE CLASSIFICATIONS OF UTILITIES OPERATION SUPERVISOR AND CUSTOMER SERVICES COORDINATOR WITHIN THE DIVISION AND SETTING THE COMPENSATION THEREFORE, AND ESTABLISHING ALL OTHER POSITIONS WITHIN THE DIVISION. **Held 2 weeks for 2nd reading**

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

21-22 AN ORDINANCE TO PROVIDE FOR THE ISSUANCE OF \$2,900,000 OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE FOR BONDS FOR THE PURPOSE OF PAYING THE COST OF CONSTRUCTION SHARON VALLEY ROAD FIRE STATION NO. 5 INCLUDING SITE PREPARATION AND ALL NECESSARY APPURTENANCES, AND DECLARING AN EMERGENCY **Motion by Mr. Marmie to adopt, second by Mr. Bubb, motion passed 8-0**

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

21-23 AN ORDINANCE TO PROVIDE FOR THE ISSUANCE OF NOT TO EXCEED \$2,500,000 OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING THE COST OF TAMARACK 40TH STREET UPGRADE STORMWATER IMPROVEMENTS, AND ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY **Motion to adopt by Mr. Marmie, second by Mr. Barker, motion passed 8-0**

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

21-24 AN ORDINANCE TO PROVIDE FOR THE ISSUANCE OF NOT TO EXCEED \$500,000 OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING THE COST OF WATER SYSTEM IMPROVEMENT, AND ALL NECESSARY APPURTENANCES THERETO, AND DECLARING

AN EMERGENCY Motion to adopt by Mr. Marmie, second by Mr. Lang, motion passed 8-0

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

21-25 AN ORDINANCE CONSOLIDATING TWO BOND ANTICIPATION NOTE ISSUES OF THE CITY OF NEWARK, OHIO AND DECLARING AN EMERGENCY Motion to adopt by Mr. Marmie, second by Mr. Lang, motion passed 8-0

RESOLUTIONS ON SECOND READING

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

21-46 APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$40,389.81 Project fund monies from Lcounty Foundation for Horns Hill Park Improvements) Motion to adopt by Mr. Marmie, second by Mr. Barker, motion passed 8-0

RESOLUTIONS ON FIRST READING

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

21-47 Expedite APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION Sect (1 \$372.55(ISP grant money that the Bureau of Workers Comp returned to us and PIIG Grant money that the Bureau of Workers Comp returned to us that we now have to return to ODRC)

Sect 2

(\$7,750,000.00 Lead Service Line replacement throughout city, River Rd main replacement project, Add'l water storage capacity, Rood replacement for Par Excellence, Technology)

Sect 3(\$320,738.55 To pay off Lease Payments)

Motion to waive 2 day reading rule by Mr. Marmie, second by Mr. Lang

Mr. Marmie – We need to expedite this, some of the money we are paying off leases that has a direct impact on some of the legislation we just passed, in addition we have some money that came in from workers comp. and we want to get that to where it needs to get to

Motion to waive 2 day reading rule passed 8-0

Motion by Mr. Marmie to adopt, second by Mr. Labutis, motion passed 8-0

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

21-48 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE FOR THE CITY OF NEWARK, OHIO, TO ENTER INTO A LEASE AGREEMENT WITH PARKNATIONAL BANK FOR THE LEASE-PURCHASE OF MISCELLANEOUS MOWER AND OTHER EQUIPMENT FOR USE IN THE DEPARTMENT OF SERVICE

To be held 2 weeks for second reading

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

21-49 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE FOR THE CITY OF NEWARK, OHIO, TO ENTER INTO A LEASE AGREEMENT WITH PARK NATION BANK FOR THE LEASE-PURCHASE OF ONE (1) LADDER TRUCK FOR THE DIVISION OF FIRE WITHOUT COMPETATIVE BIDDING AND DECLARING AN EMERGENCY

Motion to adopt by Mr. Lang, second by Mr. Rath, motion passed 8-0

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

21-50 A RESOLUTION AUTHORIZING Replacement of LIC CR 803 1.16 (SFN4561430) bridge, which carries Granville Road over Log Pond Run Diversion Channel in the City of Newark.

Held 2 weeks for second reading

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

21-51 Expedite A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL (335 Capital Improvement Fund, in the amount of \$320,738.55 Lease Pymts)

Motion to waive 2 day reading rule by Mr. Lang, second by Mr. Barker

Mr. Lang – We need to expedite this one, it's not marked that way on the agenda, but we did p[ass it that way out of committee, this goes with section 3 of Resolution 21047, this is the lease payoffs, we need that money to make those payments.

Motion to waive 2 day reading rule passed 8-0

Motion to adopt by Mr. Lang, second by Mr. Barker, motion passed 8-0

COMMENTS FROM CITIZENS

MISCELLANEOUS

Mr. Rath – Ms. Householder, if you would stick around after I would like to talk to you about something. Great to see the Buckeyes off to an outstanding start 1-0, how's Clemson doing? I'll call a Service Committee meeting for the 20th.

Mr. Barker – I had a great time on Monday at the Labor Day Parade with my fellow councilmen there, we had a great turn out, it was great weather. I'd like to remind everybody of two things on Saturday. First, Saturday is the Light the Night Cruise-in, here in downtown Newark, there will also be a sip and stroll event with that as well. That car show benefits the annual lighting of the Licking County Courthouse for Christmas. So, if you have a car you would like to enter, that fee goes to the lighting committee, so we thank you for that. Also, just to remind everyone that Saturday is the 20th anniversary of the September 11th attacks in New York, so that will be a humbling time for some people, difficult time for some people, but remember the sacrifices made that day by many. Director Sassen, I'm happy that you're Tigers went down.

Mr. Bubb – Just two items this evening. I just want to acknowledge from the Finance Committee 21-30, there are a lot of very important pieces for our city's future in that, the possible widening of Horns Hill Road, with so much development that's occurring up there, with the new housing edition, I think that's a very important piece there tonight, can't wait to see more about that and the second item, I would like to welcome Don and Sue's being open again in the 4th ward, it's a state of the art venue, you need to check it out if you haven't seen it, it's a really nice place for Newark and also kept a lot of people working the last year during construction so, I want to thank him for making a big investment in Newark.

Mr. Fennell – I wasn't going to say anything, but after all the shade that's been thrown at Clemson tonight, I also just needed to say, "Go Ducks" because my home state is Oregon and my nephew will be playing this game. So, we're going to go see him play.

Mr. Harris – On Thursday night is the fish fry at Camp O'Bannon from 5-8pm. I think all the proceeds go to Camp O'Bannon for the kids, so it's a good thing. I want to thank Demare for coming in to do the pledge. I need to say something tonight. This is the second meeting someone has brought up about Par Excellence roof. I want to say that that school is a good school, it's a good organization. It started out with very few kids in a church basement and it's grown. The vision was to help families and kids and they've really done a nice job. They've got the most kids going there this year than they've ever had. So, I don't understand, it falls under the guidelines and if that's what the administration wants to do, they have the right to do that. We ought to support that, because this is an organization that's helping the kids stay off the street and they're doing a good job, so I just needed to say that tonight. And, if you guys don't know, Clemson got beat on Saturday.

Mr. Labutis – I want to thank Stephen for coming in this evening and talking about the sign, I'll try to rectify some of the other issues they spoke about as well and sorry to hear about Clemson on Saturday.

Mr. Lang – I also had the joy of attending the Labor Day Parade yesterday. It was real nice to see Newark come out for that, I wish we had more parades. Maybe that's something we can rectify in the future, but my kids certainly had fun throwing out candy to their friends and some of the others that came out, so it was a good time. I was really pleased to see Resolution 21-49 go through today. I know talking to Chief Connor that's a critical piece of equipment for the fire department and I'd like to plug the administration for doing that in a cost effective way, I think we're going to get a good deal on that firetruck. Last, I'm real excited for the 5th ward opening the round-a-bout. I'm real excited to get that intersection re-opened. For anybody who hasn't heard there are some temporary utility fixes we had to work through with Windstream, so things aren't pretty yet, but Windstream is working to fix that in the near future. I'd also like to mention Nick Shultz has done a real nice job with designing all the different aspects of this and for helping see the project through, so I'd like to thank him for all of his work. Still continuing to work with him as far as the King and Sharon Valley intersection goes, we've changed a few pieces of signage, but we still need to fine tune it a bit, perhaps look at the way the road is striped and things like that. Hopefully we'll get people following the traffic flow as it was designed.

Mr. Marmie – I need to call a Finance Committee meeting. I also want to thank Stephen for coming in and speaking to raise the awareness for blindness, I'm a big supporter of that and really appreciate him coming in and voicing his opinion on that. A couple other things, in addition to what Mr. Barker has brought up for the weekend. I'm also looking forward to the Ohio State game on Saturday, Go Bucks! In addition, the Ohio State game is at noon, Saturday night Newark Catholic is bringing a very worthy opponent to the area and it doesn't happen very often, Ft. Loramie, they're coming in and it's going to be a really tuff battle for them. So, if you can get out and support Newark Catholic, it would be fantastic. It'll probably be a fantastic game also. The Newark Catholic football team is very exciting this year and if you get the opportunity to go out there it would be fantastic. Janine, I'll blame my hand writing because I have to sign my name so many times that it's just a learned habit for that. And finally, Tertuliani, is how it's pronounced just as an FYI.

President Ellington – you might want to know why we are kind of giving Director Sassen a hard time, some of you may not know, but, he is retiring September 28th, so , this next meeting would be his last meeting, so we're kind of hoping he'll show up. We would like to see you come. I think there are a lot of folks who would like to say something nice about you at your last meeting.

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

Don Ellington, President of Council