

COUNCIL MINUTES

February 3, 2020

Council Chambers

7:00 P.M.

7:00 P.M. - President Ellington called the February 3, 2020 Newark City Council Meeting to order

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

INVOCATION – Pastor Bruce Wynn

PLEDGE OF ALLEGIANCE- President Ellington

CAUCUS- Motion by Mr. Marmie to excuse Ms. Hall, second by Mr. Blake. Motion passed by acclamation. Mr Barker will be abstaining on 19-38.

MINUTES of January 21, 2020 Motion by Mr. Labutis to approve the January 21, 2020 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 Mr. Lang. **Motion carried by acclamation**

REPORTS OF STANDING COMMITTEES

Finance-Received & Filed

Service-Received & Filed

Personnel-Received & Filed

REPORTS FROM CITY OFFICIALS

Barb Jobses, Newark City Income Tax Administrator- income tax revenue reports for the periods ending December 31, 2019 and January 15, 2020. -Received & Filed

COMMUNICATIONS

PUBLIC HEARING

By: Rath, Cost, Marmie, Lang

19-38 AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 595 THORNWOOD DRIVE, CITY OF NEWARK OHIO, LICKING COUNTY, OHIO FROM THAT OF GB, GENERAL BUSINESS DISTRICT, GI GENERAL INDUSTRIAL DISTRICT, GO GENERAL OFFICE DISTRICT, MFC MULTI-FAMILY CONDO DISTRICT, AND MFR MULTI-FAMILY RESIDENCE DISTRICT, (AS SHOWN ON THE ATTACHED EXHIBIT A) TO GI GENERAL INDUSTRIAL DISTRICT ZONING CODE OF THE CITY OF NEWARK, OHIO IN ITS ENTIRETY AND DECLARING AN EMERGENCY

Rick Platt, 880 Locus St- he was in support of Ordinance 19-38. This is an extraordinary piece of property with utilities in place and it represents an extraordinary opportunity to retain jobs in Newark as well as to create an opportunity for major expansion in the future as well.

President Ellington closed the public hearing since there were no other comments for or against.

Motion by Mr. Rath to adopt Ordinance No. 19-38, second by Mr. Lang

Mr. Rath- I understand that there is a potential sale and that is the reason for the emergency clause. It makes sense to take that piece of property and change it to one specific zoning and the Planning Commission has approved it. I think that it makes good sense and I encourage everybody else to support it.

Motion passed by a vote of 8-0-1 abstention by Mr. Barker.

COMMENTS FROM CITIZENS

ORDINANCES ON SECOND READING

By: Marmie, Rath

19-44 AN ORDINANCE AMENDING THE POSITION CLASSIFICATION AND POSITION AUTHORIZATION TABLES OF THE CITY OF NEWARK BY ABOLISHING THE POSITION OF ACCOUNT CLERK 2 FOR DEPARTMENT OF PUBLIC SERVICE.

Motion to adopt Ordinance No. 19-44 by Mr. Bubb, second by Mr. Marmie

Motion passed by a vote of 9-0.

ORDINANCES ON FIRST READING

By: Rath, Marmie

20-02 AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 282/292 WILSON STREET, CITY OF NEWARK, LICKING COUNTY, OHIO, FROM THAT OF LC-LIMITED COMMERCIAL DISTRICT TO SINGLE FAMILY RESIDENCE RH- HIGH DENSITY DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO.

Referred to Planning Commission

By: Marmie, Bubb, Rath

20-03 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 by Mr. Marmie to adopt Ordinance 20-03, second by Mr. Barker

Motion passed by a vote of 9-0.

By: Marmie, Rath

20-04 TO PROVIDE FOR THE ISSUANCE OF \$965,000 OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING A PORTION OF THE CITY'S COST, AND A PORTION OF THE PROPERTY OWNERS' COST IN ANTICIPATION OF THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS FOR HORNS HILL ROAD SANITARY SEWER PROJECT IMPROVEMENTS, AND DECLARING AN EMERGENCY

Motion by Mr. Marmie to adopt Ordinance 20-04, second by Mr. Barker

Mr. Bubb- I will be abstaining from voting on this I would have mentioned it in caucus I didn't realize it was an emergency.

Motion passed by a vote of 8-0-1.

By: Rath, Marmie

20-05 AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 807 N 21ST STREET, CITY OF NEWARK, LICKING COUNTY, OHIO FROM THAT OF GO- GENERAL OFFICE DISTRICT, TO GB- GENERAL BUSINESS DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO.

Referred to Planning Commission

By: Rath, Marmie

20-06 AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 813 N 21ST STREET, CITY OF NEWARK, LICKING COUNTY, OHIO FROM THAT OF GO- GENERAL OFFICE DISTRICT, TO GB- GENERAL BUSINESS DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO.

Referred to Planning Commission

By: Rath, Marmie

20-07 AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 819 N 21ST STREET, CITY OF NEWARK, LICKING COUNTY, OHIO FROM THAT OF GO- GENERAL OFFICE DISTRICT, TO GB- GENERAL BUSINESS DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO.

Referred to Planning Commission

By: Rath, Marmie

20-08 AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS MOULL STREET(PARCEL #054-247248-00.000), CITY OF NEWARK, LICKING COUNTY, OHIO FROM THAT OF GO- GENERAL OFFICE DISTRICT, TO GB- GENERAL BUSINESS DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO.

Referred to Planning Commission

By: Rath, Marmie

20-09 AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 825 N 21ST STREET, CITY OF NEWARK, LICKING COUNTY, OHIO FROM THAT OF GO- GENERAL OFFICE DISTRICT, TO GB- GENERAL BUSINESS DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO.

Referred to Planning Commission

RESOLUTIONS ON FIRST READING

By: Marmie, Bubb, Rath

20-01 APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (100 General Fund-\$34,225.00: Bldg Maintenance; 100 General Fund-\$300.00: Medical Supplies)

Held for a second reading

By: Marmie, Rath

20-02 APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION- Expedite (100 General Fund-\$6,000.00: Outside Counsel; 334 Construction Fund-\$2,900,000.00; 338 Court Capt. Imp Fund-\$59,982.12: Furniture & Fixture; 100 General Fund-\$2,355.12: Misc Supplies & Salaries; 153 Comp Abs-\$25,500.00: Payout; 153 Comp Abs-\$100.00: Payout)

Motion to waive the two day reading rule by Mr. Marmie, second by Mr. Barker

Mr. Marmie- we have some payouts that we have to get out plus we have a couple of bills that we have to pay so that we can proceed with some different things.

Motion passed by a vote of 9-0.

Motion to adopt Resolution No. 20-02 by Mr. Marmie, second

By: Rath, Marmie

20-03 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR CERTAIN ESSENTIAL SUPPLIES FOR VARIOUS DEPARTMENTS OF THE CITY OF NEWARK, OHIO, FOR 2020-2021.

Held for a second reading

COMMENTS FROM CITIZENS

Beth Bline, Summit St- I would like to thank the city for the week or more of AI conferences for the opportunity to get together and talk among government agencies and non-profits to share information that has really helped our area. We have found way that we can coordinate. She also spoke about the noise ordinance and encouraged the city to work on one before the concert season begins.

Daniel Crawford, 163 S 2nd St- he welcomed Mr. Barker and Mr. Harris. He also thanked Mr. Cost for his service. I also heard that this may be Ms. Klein's last council meeting so I wanted to thank her for her service as well. You were very professional helping my organization when we filed our citizen's initiative four years ago. You are very kind and will be missed.

Pastor Wynn- I have watched Church St go as I have been pastoring my church and I have one concern; they have recently put down electrical wiring and a big pole right by the church and my main concern that I am bringing to your attention is that I would appreciate when Council or the city decides to do anything around the church that I be notified or one of my Officers be notified so we can be better prepared because we have limited parking as it is and if we had an event going on or a funeral I would have been with my hands tied behind my back. I think that it is only fair to my members that I be able to give them some explanation what is going on.

MISCELLANEOUS

President Ellington-as Daniel Crawford said this is Ms. Klein's last Council meeting she is moving on to a new opportunity for her.

City Auditor- I would like to thank Autumn for her service to the City of Newark and to the citizens for the help that she has given me and my office over the years and the professionalism that you have shown. I am really sorry to see you leave but I would like to wish you the best in your new endeavor.

Law Director Sassen- I mean no disrespect to Mr. Labutis or Mr. Blake when I say this, our regular chaplains it was a real pleasure having Pastor Wynn here tonight. I feel like I should sit up straighter and behave myself and try a little higher. I welcome you back anytime. I don't know about anybody else but I am not the least bit happy about Autumn leaving because I deal with her and my staff probably deals with her more than anybody and we have grown to have a very productive and very good relationship with the many things that she has to do that we have to do behind the scene that you guys don't really see. I suppose I should wish her the best in her new endeavors but I am not at all happy about having to train somebody to replace her because it is not going to be easy.

Mr. Bubb- called a Personnel committee meeting, I wish the best in your future Autumn

Mr. Fennell- I would like to thank Pastor Wynn for coming and speaking those beautiful words. Autumn it has been a pleasure working with you, you have been exceptional and they are lucky to have you and it is our loss. Thank you for everything that you have done for us.

Mr. Harris- Autumn, I wish you the best, thank you for getting me started with all my paperwork and stuff I hope that everything works out for you. Pastor Wynn thank you coming in. I want to remind everyone that this is black history month and I encourage you to look up some history, I have been posting something every day on my Face Book page about someone who has invented something or done some wonderful things for all of us. I hope that they still teach black history in school I don't know if they do, they probably don't. I hope that they teach a lot of things not just black history other cultures as well because that is what makes America great, we are all different and created by God.

Mr. Labutis- Pastor Wynn, thank you for being here it was good to see you again, thank you for the prayer. Mr. Sassen no offense taken Pastor Wynn did a great job with the prayer. Autumn, thank you for your service I have had a chance to serve with you over the past two years and you have been great to work with and you have always been very professional and very helpful. I wish you all the luck with your future endeavors.

Mr. Lang- Ms. Bline just to let you know I have been talking with Dee and we do plan to get together with the Safety Director and Law Director to talk about how we can restructure and write a noise ordinance that is more enforceable. Pastor Wynn thank you for coming it is always a pleasure hearing you speak I am hoping to make it out on the 23rd. Autumn thank you for all of your time and good luck in your new role.

Mr. Marmie- called a Finance Committee meeting. I too want to thank Pastor Wynn for coming in always appreciate the good invocations that my fellow council members provide, you did a great job this evening and you are welcome anytime. I also want to wish Autumn good fortune I don't believe in luck so I think that you will have good fortune in your future. I want to thank you very much for all that you have done. Finance is not definitely not something that is easy as far as keeping numbers together and last minute changes I do appreciate your willingness to always work with me and anybody on this Council for that matter. Thank you

for always getting me additional information, I want to thank you from the bottom of my heart for that. I wish you the best.

Mr. Rath- Pastor thank you for coming out, Ms. Bline I am looking forward to the discussion on the noise ordinance I have some ideas on where that should go it is something that we need to address. Autumn thank you so much for everything that you have done. You have been an incredible asset to us and you will always be missed.

Mr. Barker- Pastor Wynn thank you it was a pleasure to have you here. Thank you to my council member who came to the ground hog breakfast. Autumn thank you I don't know what I would have done without you getting me straight on everything that I needed to do.

Mr. Blake- I want to thank Ms., Bline for her comments and Mr. Lang for his comments on wanting to see the issue get discussed further. I look forward to the discussions hopefully we can move forward with some type of action there. I want you to put your Licking County Champions hat on because I want to publicly thank the Licking County Champions this week; I was contacted by a mother and her daughter. The mother is going through a divorce from an abusive husband and we needed to find her shelter and it was the Licking County Champions that I was able to reach out to help out to make sure that mother and daughter weren't unsheltered on our streets. I want to thank all of my council members for thanking Pastor Wynn because I guess I made good decision inviting you in. Thank you for coming in Pastor. Many members may not know this but I visit other churches in the community then on the fourth Sunday I go to my home church and our community is rich with diversity within our people of faith and I plan to use my time to invite other Pastors in to bless our city. The comment that you made about the pole outside of the church you probably want to grab Director Rhodes before you leave that's who you probably want to talk to. I do agree with Jeff Harris I think that black history is American history and I hope that whatever people can do to educate themselves on the contributions of African Americans in our country it truly makes all of us whole. Finally, I agree with Director Sassen it is with a heavy heart that I have to make these comments to wish you the best Autumn because I have not only grown to know you as a professional for the work that you have done on behalf of the citizens of Newark and serving all members of this Council but I have grown to know you as a friend. I appreciate not only the minutes and the agendas that you prepare but also when I have a crazy request I can always call or text you. I remember when I first came on Council we got Everett hooked up and got these videos on You Tube channel that I worked with you on to get Everett hooked up so the citizens can see their council members in action. That was a big contribution thanks to you. I thank you for your time and contributions. I have Kiwanis pancake breakfast Saturday February 29th I have tickets for that.

President Ellington- the Clerk of Council does work for all of Council but she directly works for Council President, I hired Autumn 7 ½ years ago and you have done a terrific job. I more than anybody else will probably miss you. City Hall will be closed Monday February 17th for Presidents Day, Committees will meet at 5:45 P.M. and City Council at 7:00 P.M. on Tuesday February 18th.

ADJOURNMENT- Motion by Mr. Labutis, second by Mr. Barker