

COUNCIL MINUTES

May 4, 2020

On YouTube streaming via Zoom

7:00 P.M.

President Ellington called the meeting to order

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

INVOCATION – Mr. Blake

President Ellington – I would like to add also, if you could say a special prayer tonight for Chris Lesch's family, I found out this morning he's a long time State Farm employee, a good friend of mine. He passed away this morning, not of COVID, but of a different issue, if you'd just keep his family in your prayers I'd appreciate it.

PLEDGE OF ALLEGIANCE- President Ellington

CAUCUS - President Ellington

Mr. Marmie made a motion to excuse Ms Hall, second by Mr. Blake

Motion carried by acclamation

President Ellington – We are having a public hearing tonight, so I'm going to give you the phone number if you would like to call in for that, the number is 1-301-715-8592, meeting ID is 89623291461 Password is 435921 Mr. Barker will put it on the screen when it's time for the Public Hearing. There are 5 items but they all pertain to the same property on 21st Street. If you would like to be heard on that this evening when we get to the public hearing if you dial in, we'll wait and hear what you have to say.

MINUTES of April 20, 2020 - Motion by to approve the April 20, 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 . **Motion to approve by Mr. Barker, second by Mr. Bubb Motion carried by acclamation**

APPOINTMENTS

Mayor Hall – Re-appointing Kim Lust to the Heath-Newark-Licking County Port Authority Board of Directors. Hew new four year term begins June 1, 2020 and will expire May 31, 2024. **Approved by Acclamation**

REPORTS OF STANDING COMMITTEES

Finance **Received & Filed with no objections**

Service **Received & Filed with no objections**

REPORTS FROM CITY OFFICIALS

COMMUNICATIONS

President Ellington opened the public hearing

PUBLIC HEARING

President Ellington – We're going to go ahead and open the public hearing now. There is a 20 second delay. I will tell you that this has been to the Planning Commission. The Planning Commission has established it should be General Business District with a couple caveats. One, reducing the curb cuts on 21st Street and the other is with a rear barrier or visual screen. I believe everyone has a copy of that. Has anyone called in Mr. Barker?

Mr. Barker – There is one phone number that I do not recognize. 248-880-0036, are you here for that?

Mr. Tom Watson – I'm Tom Watson from PCA , I'm here for a different subject.

President Ellington – The only comments we’re taking this evening is on this public hearing.

Mr. Watson – I have no comment

President Ellington – If you would like to email your representative or email me I’ll be happy to get your comment out there. My email is don_ellington@hotmail.com. If you want to send me an email I’ll mention it during Miscellaneous or you can give me a call tomorrow and we’ll chat about what you need. Is there anyone else? Are there any comments on this public hearing for or against? Do we have anyone called in Mr. Barker? Once again, any comments for or against. One more time, we’ll wait a few. We’ll go ahead and close the public hearing.

By: Mr. Rath & Mr. Marnie

20-05 AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALL 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.

Motion to approve by Mr. Rath, second by Mr. Marmie

Motion passed by a vote of 9-0

By: Mr. Rath

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.

Motion to approve by Mr. Rath, second by Mr. Marmie

Motion passed by a vote of 9-0

By: Mr. Rath

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

Motion to approve by Mr. Rath, second by Mr. Marmie

Motion passed by a vote of 9-0

By: Mr. Rath

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

Motion to approve by Mr. Rath, second by Mr. Marmie

Motion passed by a vote of 9-0

By: Mr. Rath

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.

Motion to approve by Mr. Rath, Second by Mr. Marmie

Motion passed by a vote of 9-0

ORDINANCES ON SECOND READING

ORDINANCES ON FIRST READING

RESOLUTIONS ON SECOND READING

By: Mr. Marmie

20-24 A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION
(661 Sewer Fund-\$300,213.00: Service Contracts)

Motion to approve by Mr. Marmie, second by Mr. Barker

Motion passed by a vote of 9-0

RESOLUTIONS ON FIRST READING

By: Mr. Rath

20-25 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE FOR THE CITY OF NEWARK, OHIO, TO ENTER INTO A LEASE-PURCHASE AGREEMENT WITH PARK NATIONAL BANK FOR THE LEASE-PURCHASE OF TWO POLICE CRUISERS FOR THE DIVISION OF POLICE.

Held for a second reading on May 18, 2020

By: Mr. Marmie

20-26 A RESOLUTION CONSENTING TO AN ENTERPRISE ZONE ABATEMENT AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF LICKING, COUNTY, OHIO AND PACKAGING CORPORATION OF AMERICA AND AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO EXECUTE SUCH AGREEMENT ON BEHALF OF THE CITY OF NEWARK, OHIO AND DECLARING AN EMERGENCY.

Motion to approve by Mr. Marmie, second by Mr. Bubb

Motion passed by a vote of 9-0

By: Mr. Marmie

20-27 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION. (100 General Fund-\$23,125.00:Vehicle Maintenance)

Held for a second reading on May 18, 2020

By: Mr. Rath

20-28 A RESOLUTION ENACTED BY THE CITY OF NEWARK, LICKING COUNTY, OHIO, HEREINAFTER REFERRED TO AS THE LOCAL PUBLIC AGENCY (LPA), IN THE MATTER OF THE STATED DESCRIBED PROJECT. EMERGENCY REPLACEMENT OF THE INLET APRON AND CUT OFF WALL ON SFN 4501233. THIS WORK WILL BE PERFORMED AS PART OF PID 113225, LIC-SR16-23.68.

Held for a second reading on May 18, 2020

MISCELLANEOUS

Mayor Hall – I want to remind everyone that our Canal Market farmers market did open up last Friday with COVID-19 rules and restrictions. We have half as many vendors as normal, but there is every other one and none across from each other. If you want to get on the Canal Market District website it can tell you what vendors are available. We met with Michelle who's in charge down there last week, they did an excellent job and I want to send kudos to them for setting up a safe environment. It's a bit like a grocery store. I want to thank our Fire and Police Chiefs Connor and Connell for updating everyone. We talk on a regular basis and they're doing a phenomenal job along with all their staff. While the run counts are done, each run is a little more logistical, I think we each navigate our days quite differently. It's much more complex and you have to consider the stressors of the potentials out there. The Safety Director and I were on a call this morning with our Health Board with our weekly call in and our Health Commissioner Ebel got us up to date, I don't think there was any new news there. Our Financial reports did come out finally. I've had to give time to our Tax Office. They are working very hard because it is tax season, even though there's an extension, people are still turning their tax returns in. They're also alternating staff down there to keep them all healthy so it takes a little longer. I want everyone to keep in mind tax numbers from March 15 through April 30th, a six week span, we went from a positive, we were up over previous year about 14 ½ percent, now we're down about 10 ½ percent. So, that's a swing of positive gain of \$640,000 and now we're down about \$942,000 year to date vs last year. So with the extension into July from April, it kind of skews those numbers and makes it a little hard to compare. We know people are filing, but they're taking more time to file, so those results are going to vary from month to month and we're going to have to take a little time to do some catch up. That's why we're really just locking things down. Everyone in all the departments are doing a great job. We've got some very fiscally responsible departments. I ask everyone in the City to just continue safe social distancing and watch all the reports and the Governor and Health Director's orders as we go along. I think the City is doing pretty good. I want to thank everyone.

President Ellington – The Canal Market is just open on Friday's for this month not on Tuesdays, is that correct?

Mayor Hall – That is correct. It doesn't open on Tuesday's until June. It's open on Friday's from 4-7pm.

Mr. Lang – I just have one comment tonight. In speaking with different medical professionals that I know personally and who I have been talking to throughout this pandemic, one of the things that's gotten a lot of publicity lately and it kind of controversial is whether folks are going to wear some kind of face covering when they go into stores. Personally I've

started doing that myself and I think it's important as leaders in the community that we take our lead from the medical professionals. I know there's been a little back and forth as to whether we use them or not, but the folks that have been telling me to wear them have been pretty consistent all along that it's a good idea. It helps you, it's courteous to the workers who are exposed to you and every other customer and I think as a community it's something that we should all band together and start doing. As leaders, I encourage all my colleagues to do that as you go out into the world. I'll be honest, it was very strange and weird, uncomfortable and awkward the first time I went into a store wearing a mask, but I've gotten used to it now and I think as more people do it it'll become the norm while we try to keep everyone safe.

Mr. Marmie – I need to call a Finance Committee meeting for May 18th. I don't know if it will be Zoom or in person, but we'll have a meeting in two weeks. I really appreciate everything the City has been doing during this whole situation. I appreciate that the City opened a couple of the parks, Horn's Hill and TJ Evans to allow some folks some green space to go to and they can get out and keep their social distancing. I think that's fantastic. As far as the taxes, I don't think we're going to see any true numbers until after that July 15th date. Not only did they extend the tax deadline, but they extended the first quarter taxes for businesses, those are your estimates and in addition they extended the June 15th, second quarter. Everything is basically not due until July 15th now, so not only will our 1st quarter be behind, but our 2nd quarter will be behind and we won't even know what those numbers look like. The quarterlies will run on this year's income. All of the taxes that are due are based on 2019 so we should still have some decent numbers from our taxes because 2019 was a favorable year for folks, but on our quarterlies if folks re-calculated that due to the pandemic and maybe lost revenue we could see some differences as far as numbers and quarterly estimates that we're collecting. I think we need to hold tight and be patient until we get to see some of those numbers. I think the City's doing everything they can to not only be efficient with our funding and getting things done like the paving and all of that, but spending is down in the city because we're not spending as much on some of the little items that we normally would in our day-to-day operations because we can't operate in full capacity. So, that's been somewhat of a help, although slight, every little bit helps. Also, like the Chief's said, we'll get some reimbursement for some COVID expenses and that will help us, but who knows when that will come about, it may be a while before we see that. I just hope everyone stays safe and healthy.

Mr. Rath – I just want to say thank you to everyone for everything that they're doing in these obviously trying times. Everything seems to be operating smoothly and that's due to everyone's cooperation. I did attend the farmers market and a lot of the vendors were there and a lot of people as well, but everyone was staying socially distant and everyone was very accommodating, I thought that was great. If you are interested in going to the farmers market I'd encourage you to look at some of the vendors there because some of them were only doing pre-orders. So, you can order from them online and then pick it up at the market on Friday. There were a few people that were doing that which I thought was good. I'm calling a Service Committee meeting for Monday, May 18th.

Mr. Barker – I would like to echo the comments about the Canal Market. Also, they are looking for volunteers each week. I volunteered there this first market from 2:00 – 4:00 just opening the gate for vendors to come in so the vendors didn't have to get out of their vehicle to touch the gate. I would encourage us as community leaders if we can help at the market, if we have time, to get with the Director there, Michelle, and get on their volunteer schedule. She's going to be doing that each week. I would like to thank Director Rhodes, he and I had a good discussion about the bike trail where there were some safety issues that I was made aware of regarding some areas that washed out and I know he's working on that. I would also like to thank Engineer Morehead for his time that he took with me the other day on an issue over in Park Trails that someone inquired about and hopefully we can get that resolved as well for that family in that neighborhood of kids. Thank you to all of our first responders and citizens who are staying socially distant and keeping everyone safe.

Mr. Blake – Even during this time we still have to help our constituents and the calls just keep coming in. I just have a few thank yous. First, Director Rhodes, I've had several constituents call in with various issues and he's been very responsive either through email or phone calls. He's also reported that the South City Association meeting house is getting back to normal. It's taken quite a bit of time and I appreciate him and his team's work for getting that back in order. I also want to thank Roger Loomis and Ed Clark for working with some residents in the south end with varying issues there. I also want to thank the Chief's for coming tonight. I think it's important for us as a Council to hear from them, especially hearing what the first responders are going through on a daily basis. I appreciate them taking the time to come and speak with us and thus informing the public as well. I know there's been lots of discussion on keeping socially distant and maintaining self-health for our community, but perhaps President Ellington can address this in his comments, I'd like for there to be some discussion as to when the decision will be made for us to return to City Hall. Each of us as Council members have varying health concerns so I hope that a discussion will be had about having a safe environment in Council Chambers for when we return. I'm hoping we're all included in that decision. Finally, I hope there are some discussions to helping people who are homeless. I received some emails from Linda Mossholder and

Nancy Welu and some others who are working with United Way and some other Social Service Agencies and they asked about the City's partnering efforts. I forwarded on an email, haven't received a response from that yet, but I'm hoping that there was some communication with those folks so that the City can be a partner with those organizations. I've worn my mask many times to Giant Eagle. I've been home now for about 6 weeks from Denison and the only place I go is to the store and it's a nice little filed trip for me and I wear my mask and it's refreshing. Mr. Lang, you'll get used to it, it's okay.

Mr. Bubb – I too want to thank all of the employees for the City of Newark. Just keep hanging in there and fighting around the clock. I'd like to add a special thank you as well to Jeff Hotchkiss with the Parks Department. He's been everywhere and does a great job. It's been real busy with mowing grass and everything.

Mr. Fennell – I would also like to thank both of the Chief's for coming and talking about how everything is going in both of their departments. I appreciate the transparency and all the work they're putting into serving our community during this really difficult time as well as all of our essential workers within the city. Today was actually my first day back at the library. Even though our building is closed, it was a day full of lots and lots of masks. I would also echo Mr. Lang's comments about the masks. Please be considerate of other people. Even if you don't feel you need it, the person standing next to you or across from you may be immune compromised or has someone in their household who may be within a high risk category, so as we begin to come back out from the stay at home order, I would encourage everyone to be courteous and cautious. I also need to thank Director Rhodes. I've had quite a few constituents contact me, I'm always happy to try to help them as much as possible and Director Rhodes has been really wonderful in helping me answer a lot of those questions. I need to call a Streets Committee Meeting for May 18th.

Mr. Harris – I also want to thank Director Rhodes for his help on the bike path. I walk on that Bike Path and it'll be nice when we can get that taken care of. I also want to thank the Chief's for coming in and giving us an update. I also want to thank Mr. Barker for all his hard work in setting this up. He makes it easy for us. I don't know all the details he has to go through.

Mr. Labutis – I want to thank the Chief's for coming in this evening and all the city workers. I also want to thank the roads crews as well. I've had issues brought to my attention from constituents and they were able to get those repaired. I appreciate their dedication.

President Ellington – Mr. Barker, I'd like to add my thanks, you've made it pretty easy for me. Thank you you've done a great job I sure appreciate it. You've made it very easy for some of us that are a little technically challenged like me. Mr. Blake, as far as next meeting, I was hoping we'd go back the 18th but I guess we're just going to have to see what happens. I've been talking to Director Rhodes about trying to figure out how we could do some social distancing if we do. I don't know if the order of 10 people in a room still is going to stand, so we're just going to have to play that by ear. AS soon as I know a bit more I'll be talking to all of you and we can all make a decision together. It would be nice if we could come back, but if not, I'm hoping the 1st of June, but I guess we'll just have to see. I'd like to add my thanks to all of our city employees, especially our first responders I know it's tough times and it's hard work out there. I'd like to add, everyone stay safe. Is there a motion to adjourn?

ADJOURNMENT

Motion to adjourn by Mr. Bubb, second by Mr. Rath. Passed by acclamation.