

COUNCIL MINUTES

DECEMBER 7, 2020

Via Zoom

7:00 P.M.

President Ellington called the meeting to order

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

INVOCATION – Mr. Blake

PLEDGE OF ALLEGIANCE- President Ellington

CAUCUS

President Ellington – We do have two resolutions we are going to talk about with Rule 11

Motion by Mr. Marmie to excuse Ms. Hall, Second by Mr. Blake, passed by acclamation

Mr. Marmie – The two items needing to use Rule 11 are both related to using COVID funds.

One is to make adjustments to city council chambers to make it more conducive to the pandemic with technology and distancing and the second is we received additional COVID funds and we need to get those appropriated immediately so that we can encumber them and get them to the proper entities.

President Ellington – we will do those under miscellaneous if that's ok so that anyone who wants to comment can do so.

Mr. Bubb – I will be abstaining from Ordinance No. 20-38.

MINUTES of November 16, 2020 - Motion by to approve the November 16, 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. Labutis , second by Mr. Bubb , carried by acclamation**

APPOINTMENTS

Mayor Hall – Reappointing Service Director David Rhodes and appointing HR Director Bill Spurgeon to the Newark CIC (Community Improvement Corporation), known as Newark Development Partners, terms beginning January 1, 2021 and expiring December 31, 2023

Passed by acclamation

REPORTS OF STANDING COMMITTEES

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

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

REPORTS FROM CITY OFFICIALS

Roger Loomis, Water Administrator- properties being sent to lien for past due water, sewer and storm water bills in the amount of \$14,172.57

COMMUNICATIONS

Emails from Houston Byrd – Regarding barking dog in neighborhood and unauthorized four wheelers on city sidewalks.,

Ohio Public Utilities Commission – A report by the staff of the Public Utilities Commission of Ohio, Ohio Power Company

Columbia Gas of Ohio – Letter regarding Infrastructure Replacement Programs

No Objections, received and filed

COMMENTS FROM CITIZENS

Steven Smith, 237 Violet Ct. Newark – I listened to the Service Committee meeting about renovations to council chambers. I think it's a good thing to improve council chambers for more COVID friendly social distancing and safety of the public. I'm just concerned about how long that will take. Is there some sort of timeline that I missed? What will happen in the meantime while that work is being done.

David Lewis, Newark City Schools Superintendent – I am here along with some others from the school board and we just want to thank the city for the CARES Act funds that were given to the district. It was well above our expectations and we are appreciative of that opportunity to help our students out with additional technology especially during this time with COVID. We are looking into starting a one to one initiative here starting with next school year and these funds will go a long way to help with that.

Julio Valladares – School Board Treasurer – I want to echo what Mr. Lewis said, thank you for your support to the school district. As he mentioned we are going to start a one to one initiative starting next fiscal year and those funds will go a long way towards that. We want to thank you all for your collaboration with the school district.

Gary Babcock – Emerson St and Philmont Ave, Newark - Mayor Hall our family has had you in our prayers, I graduated with Doug, know the family and have met your dad. Secondly, I have been approached by 3 loose pit bulls in the last year, with the owners just letting them run loose. The last one was just a couple weeks ago and was quite scary. It's hard for us to even take a walk without mace, or a gun or a club or in my case a cane, I think the loose pit bulls are taking over Newark. I don't know what we need to do about the street people here in Newark, if you don't have it under lock and key and behind a 6 foot fence, especially here in the east end it just seems to be walking away. I'll get a plan and talk to you in a couple weeks.

Warren Weber – Newark City School Board Member – I just want to echo what Dave and Julio said and let you all know how much we really appreciate the funds that you've given us for our school district, we'll put them to good use and hopefully make you proud.

ORDINANCES ON SECOND READING

No Ordinances on 2nd Reading

ORDINANCES ON FIRST READING

By: Mr. Marmie

20-38 AN ORDINANCE 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, second by Mr. Labutis, motion passed 8-0 with Mr. Bubb abstaining

RESOLUTIONS ON SECOND READING

By: Mr. Marmie

20-84 A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

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

RESOLUTIONS ON FIRST READING

By: Mr. Marmie

20-87 Expedite A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

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

Mr. Marmie – We have payments that need expedited, one for a payout for an employee, one for some vehicles the bill is due and the third is a sewer project that the bill is due immediately

Motion passed 9-0

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

By: Mr. Bubb

20-88 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH SPECIALIZED LEGAL COUNCIL FOR THE PURPOSE OF INVESTIGATING ALLEGATIONS OF WORKPLACE HARASSMENT AND OTHER ALLEGATIONS OF POSSIBLE WRONG-DOING IN THE OFFICE OF THE CLERK OF MUNICIPAL COURT

Held for 2 weeks for second reading

By: Mr. Marmie

20-90 A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

Held for 2 weeks for second reading

COMMENTS FROM CITIZENS

Nancy Welu – 7441 Stewart Rd, Newark – I on behalf of Newark Homeless Outreach wanted to thank the city for the COVID dollars we requested to buy PPE.

MISCELLANEOUS

Tim Hickman – City Safety Director – I was just appointed this morning and would like to thank Mayor Hall for the opportunity and the confidence he's shown in me to assume this roll. I would also like to thank all the members of council who reached out to me to express congratulations. I look forward to meeting each of you as we move forward.

Stephen Johnson – City Auditor – I would just like to congratulate Mr. Hickman on his appointment and offer any service he may need from my office at any time.

Mayor Hall – I want to thank Tim Hickman for assuming the role of Safety Director. Tim has been in service with the City of Newark for about 34 years, although he may look younger than that, he's got an enormous amount of experience and is well respected throughout the City of Newark and the community. These jobs can be tough at times but also can be rewarding as we help move the city forward and I think you will all learn that he will be there to help with that. I want to thank Mr. Rhodes who was in that interim position. I told him there was good news and bad news. Since he didn't take a pay raise with that, the bad news was he was going to be terminated in that position today but the good news was he wasn't going to be docked in his pay. I knew I needed to get a Safety Director before I lost my Service Director, kind of jokingly. I appreciate Director Rhodes serving both roles over the past several months as we found someone for that position and he saved us money which is important during this time.

Mr. Barker – I just want to welcome Tim. I'm happy that you were sworn in and welcome to City Administration and we look forward to working with you. As always, I'd like to thank Director Rhodes for some issues he helped me with. Councilman Lang and I are still working on some issues with some power over in the 5th ward that left some of us a little dark for a couple days.

Mr. Blake – I also want to offer my congratulations and welcome to Mr. Hickman, I don't know you personally but look forward to developing a working relationship with you and seeing how we can continue to provide good services to the people of Newark. I also want to thank David Rhodes during his time as interim Safety Director we were able to touch base on several different issues in the 2nd ward. I've always had good communication with him. I want to also thank him and Joe Paul jointly and Councilman Harris as well, two weeks ago we had an issue on the east side and all of us met up on a few different properties and I think we have some plans to make some happy faces over there. I also want to thank Roger Loomis, we have 2 water bottle filling stations in the city now, one on the square and one by the East Main Street basketball courts. They're obviously turned off now for the winter but in the spring we will be able to increase access to clean water for people and I think that's a positive thing for our community. Glad to see and hear the Newark Schools people and glad for anything we could do to help out students. Lastly. I want to send out some prayers for the Mayor and his loved ones for their loss.

Mr. Bubb – Condolences to the Mayor and his family. Welcome to the new Safety Director Tim Hickman, I full confidence in that and although you still look young, just a reminder that you did

coach me in Little League Baseball at Mound City many years ago. Jeff Rath, enjoy your birthday, looks like your Steelers are going to have a win.

Mr. Fennell – I would also like to welcome Director Hickman, it's nice to see your face and I'm sure we will get to know each other better as the year progresses, congratulations. Also, to the Mayor my condolences to your family, you're definitely in my family's thought and prayers.

Mr. Harris – Mayor Hall, I'm sorry for the loss of your dad. I read the article in the paper about your dad it was a really nice article, they did a nice job with that. I want to welcome Tim on board, congratulations on that. I know you'll do fine because you're a Brown's fan. Also, like Jeremy said, I want to thank Dave Rhodes, Joe Paul and Jeff Hoskins for helping with a situation, like Jeremy said, hopefully they have some happy people down this way now. I also want to thank the Mayor and Dave Rhodes for getting that new position for property maintenance and also for another police officer, that's exciting news. I think that new position will really help our city.

Mr. Labutis – I want to welcome Mr. Hickman to his new position as Safety Director, I look forward to working with you. If you need anything let us know.

Mr. Lang – First I'd like to thank the engineering department, Brian Morehead and Nick Schultz for a few inquiries I've had this week. Tim, welcome to the team, I know you've been with the City for a while,, but welcome, I look forward to working with you. Thank you to Dave Rhodes, I know you've filled in for a number of positions this year and have saved us money along the way, so, thank you. Mayor, my condolences for the loss of your dad as well, it's never easy, we'll be thinking about you. Last, Mr. Rath, Happy Birthday!

Mr. Marmie – I want to welcome Tim. Welcome to your new position, our paths have crossed numerous times, it also started at Mound City. You were not my coach, but you played along with my brother and also did some umpiring while I was playing. Mayor Hall, my condolences to you, I know how that feels, my prayers go out to you and I hope you and your family get through this in a manner beneficial to everyone. The memories and times with family are great although you don't like to get together for funerals, at least you are able to get together and get a little closer. I need to call a Finance meeting for two weeks. I want to wish Jeff Rath a Happy Birthday, you're catching up to Don, but I think he is still a little ahead of you. Next, I want to bring up resolution number 20-94 that is the miscellaneous COVID money for \$209,891.19.

Resolution No.20-94 Expedite

By: Mr. Marmie

A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

President Ellington – We are using Rule 11 for this, it has been approved by Mr. Marmie and Mr. Blake to do so.

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

Mr. Blake – Since we are using Rule 11 do we need to waive the 2 day reading rule?

Law Director Sassen – Yes, you need to waive the 2 day reading rule.

Mr. Marmie – We need to pass this now because funds have to spent by the end of the year.

Motion passed 9-0

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

Mr. Marmie – We also need to consider Resolution No. 20-92 using Rule 11

Resolution No. 20-92 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITHOUT COMPETITIVE BIDDING FOR NECESSARY ALTERATIONS AND UPGRADES TO NEWARK CITY COUNCIL CHAMBERS AND DECLARING AN EMERGENCY.

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

Mr. Rath – I want to say thank you for all the birthday wishes. One advantage to having another birthday is knowing I'm still around, very happy about that. Steven Smith had asked about a timeline for 20-92, I know we don't have a timeline or numbers right now, but Mr. Rhodes did mention that a lot of that is additions onto existing construction so it should be a relatively short timeline. Again welcome Tim Hickman as our Safety Director, I've heard a lot about you and look forward to working with you. Condolences to Mayor Hall and your family. I will call a Service Committee meeting for the 21st.

President Ellington – Mayor Hall, certainly sorry to hear the news, your dad was a great guy, so certainly sorry to hear that news. Mr. Hickman, welcome. I'm sure you'll do a great job, you've got some big shoes to fill with Mr. Rhodes and Mr. Baum. I'm sure you'll hit the ground running. Mr. Rhodes if you could reach out to me or to Mr. Smith with a construction timeline when you have it I'd appreciate that. Our next committee meetings will be December 21st at 5:45pm and full council same day at 7:00pm.

ADJOURNMENT .

Motion to adjourn by Mr. Labutis, seconded by Mr. Barker, passed by acclamation

Don Ellington, President of Council