

COUNCIL MINUTES

NOVEMBER 16, 2020

Via Zoom

7:00 P.M.

President Ellington called the meeting to order

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

INVOCATION – Mr. Labutis

PLEDGE OF ALLEGIANCE- President Ellington

CAUCUS

MINUTES of November 2, 2020 - Motion by to approve the November 2, 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. Barker** , carried by acclamation

APPOINTMENTS

REPORTS OF STANDING COMMITTEES

Finance- Received and filed without objections

Service- Received and filed without objections

REPORTS FROM CITY OFFICIALS

City Auditor, Stephen E. Johnson – Operating report for period ending October 31, 2020 -
Received and filed without objections

COMMUNICATIONS

COMMENTS FROM CITIZENS

Lesha Farias, 116 Smithview Dr, Newark – I just want to speak to a contrast of how other communities have handled their COVID Funds. If we look at Zanesville, Mayor Mason has spent the second round of COVID Funds on 5 funds to protect vulnerable members of the city affected by the pandemic and he involved everyone in the process to decide how to allocate the funds. Using it for rent and utilities, individual businesses, food delivery and PPE to vulnerable populations, sanitizing public, private and civic organizations, providing financial assistance for small businesses and city governments to cover costs incurred during COVID. The previous funds were used for distance learning, child care facilities,

emergency relief for rent and utilities .Mayor Mason presented this information to the Think Tank on Poverty before presenting it to City Council because he wanted us to know he heard us. We would like to ask that the city of Newark consider a process that's much more involving of the grass roots and is much more transparent.

Caroline Cook, 898 Lake Oak Ct. Newark – We've been blessed with millions of dollars in Federal funds to address issues around COVID. You are charged with using this money to help our community, all members of the community. Statistics show that low income and vulnerable populations are infected and dying at a rate that far surpasses their percentage in our population. I'm here to speak up for those members of our community. Right now we need toilet facilities and hand washing stations for unsheltered people. Restaurants, churches and other places with public restrooms may have limited hours and have their restrooms closed. We also encourage adequate support for rent relief and additional support for the children in schools. Why is the health department not advocating for hygiene stations for our unsheltered. Who are those who are housing insecure, they are, low wage workers, essential workers, young people just starting out, families, people with disabilities, mental health issues, newly released prisoners, people in debt who can't pay their mortgage, people who have lost their jobs or businesses and people who have substance abuse issues. When people lose housing they sleep in a car or tent or move in with other family members. I've been watching how public officials in this city deal with pressing problems we face. They tend to avoid them and expect faith based and community groups to fix them. They offer little to no leadership when it comes to paying for public services for our most in need. This city has spent a lot of money on studies. After the study nothing is done to follow the needs pointed out by the study. Tonight we are asking you to spend some of the CARES Act money for those in need with housing insecurity. We're also acting the leaders to take ownership and be active in solving the problems. We don't have warming stations figured out for the coming winter. The council has failed to appropriate money to solve these issues. There are City buildings that are vacant at night. If there is a tornado or flood we find places for those people to go, why can't we do that for these people when temperatures fall below 20 degrees. In addition to appropriating the CARES Act funds, I'm encouraging you to step up to the plate and take care of these other pressing problems.

Deb Tegtmeyer, Executive Director Licking County Coalition for Housing – I know during Finance Committee there was mention of distributing some funds to Coalition for Housing to assist with rental assistance. I just want to say if you have more questions regarding the need for that, I am more than happy to speak to that issue. You've already been briefed by Mark Mauter that the Coalition has been providing rental assistance for the past few weeks using some funds that we received from the County, to date totaled about \$750,000. We have not spent it all, but have already booked through Dec 3rd appointments and at the rate of spending we anticipate we will be out of funds by then. So, I have a team geared up with understanding how to do it and do it quickly with good audit procedures in place so, we would appreciate any conversation to continue the effort.

ORDINANCES ON SECOND READING

By: Mr. Rath, Mr. Marmie

20-36 AN ORDINANCE ANNEXING CERTAIN TERRITORY, GENERALLY DESCRIBED AS BEING 0.29 ACRES, MORE OR LESS, LOCATED IN NEWARK TOWNSHIP, TO THE CITY OF NEWARK, OHIO.

Motion to adopt by Mr. Rath, second by Mr. Bubb, passed 10-0

ORDINANCES ON FIRST READING

By: Mr. Rath

20-37 AN ORDINANCE AMENDING ARTICLE 135: DISPLAY SIGNS AND OUTDOOR ADVERTISING (N.C.O. CHAPTER 1294) OF THE ZONING CODE OF THE CITY OF NEWARK, OHIO

To be sent to Planning Commission for Public Hearing

RESOLUTIONS ON SECOND READING

By: Mr. Rath, Mr. Marmie

20-79 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE FOR THE CITY OF NEWARK, OHIO, TO ENTER INTO A LEASE-AGREEMENT WITH PARK NATIONAL BANK FOR THE LEASE-PURCHASE OF ONE (1) BUCKET TRUCK FOR USE IN THE DIVISION OF STREET AND TRAFFIC

Motion to adopt by Mr. Rath, second by Mr. Bubb, passed 10-0

By: Mr. Rath, Mr. Marmie

20-80 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE FOR THE CITY OF NEWARK, OHIO. TO ENTER INTO A LEASE-PURCHASE AGREEMENT WITH THE PARK NATIONAL BANK FOR THE PURCHASE OF TWO POLICE CRUISERS AND ONE PICKUP TRUCK FOR THE DIVISION OF POLICE

Motion to adopt by Mr. Rath, second by Mr. Labutis, passed 10-0

By: Mr. Marmie, Mr. Rath

20-81 A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

Motion to adopt by Mr. Marmie, second by Mr. Bubb, passed 10-0

By:Mr.Rath,Mr.Mr.Marmie

20-82 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO TO ENTER INTO A CONTRACT WITHOUT COMPETITIVE BIDDING FOR THE PRE-

PURCHASE OF ULTRAVIOLET LIGHT DISINFECTION SYSTEM EQUIPMENT AT THE CITY OF NEWARK WASTEWATER TREATMENT PLANT.

Motion to adopt by Mr. Rath, second by Mr. Barker, passed 10-0

RESOLUTIONS ON FIRST READING

By: Mr. Marmie

20-83 Expedite A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

Motion to waive 2nd reading by Mr. Marmie, second by Mr. Bubb, passed 10-0

Mr. Marmie – we have some bills we need to pay, one is for overtime

Motion passed 10-0

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

By: Mr. Marmie

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

Held for 2 weeks for second reading

By: Mr. Marmie

20-85 Expedite A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO PREPARE AND SUBMIT APPLICATIONS TO THE DEPARTMENT OF HOMELAND SECURITY, FOR FISCAL YEAR 2020 FIRE ACT GRANT PROGRAMS, IN SUPPORT OF TRAINING PROGRAMS, EQUIPMENT PURCHASES, FUNDING FOR PERSONNEL, FIRE PREVENTION, AND FIRE SAFETY PROGRAMS THROUGHOUT THE CITY.

Motion to waive second reading by Mr. Marmie, second by Mr. Bubb

Mr. Marmie – we need to meet deadlines for grant programs

Motion passed 10-0

Motion to adopt by Mr. Marmie, second by Mr. Labutis, passed 10-0

COMMENTS FROM CITIZENS

MISCELLANEOUS

Director of Community and Economic Development, Mark Mauter – I just wanted to shed a little more light on Deb Tegtmeyers' comments for available funding for rental and mortgage assistance. The Licking County Coalition for Housing has received \$750,000 to be applied to rental assistance. LEADS has also received about \$650,000 for rental and mortgage assistance as well as water and sewer bill assistance. What I would like to add is that my department has received through the CARES Act via HUD and additional \$690,000 for us to use for rental and mortgage assistance as well. We are using the Licking County Coalition for Housing to handle the application process and distribution process for the rental and utility bill assistance and our

department in house will be handling the mortgage assistance and utility assistance as well. While Deb's \$750,000 is almost spent out there is an additional \$700,000 from the Community Development Department as well as LEADS and Jobs and family Services.

Law Director, Doug Sassen – Just to clarify, Ordinance No. 20-37 will go to the Planning Commission after tonight, they will have a Public Hearing, it will be returned to Council with a recommendation from Planning Commission for a second Public Hearing if anyone wants to speak and then will receive a vote. I also want to thank Mr. President for returning tonight's meeting to a virtual format. I think that was a wise call under the circumstances. I suspect we are on the brink of some difficult times in the health of our community and I think this was a wise call. I know the Municipal Court is making some difficult decisions going forward on how to proceed and keep all of the participants in the court system safe as well. I hope all of us do our part to stay safe ourselves and to take care of our neighbors and come into contact with and follow the basic simple things we all can do to help stop the spread and have a safe and happy Thanksgiving weekend.

Mayor Hall – This past Wednesday was Veteran's Day and I surely want our veterans across the community, and we certainly have those that gave the ultimate sacrifice, to know that they are not forgotten although the celebrations and ceremonies were a little more subdued due to the COVID, but they are not forgotten and remembered, if not daily, but certainly on Veteran's Day throughout the community. I appreciate everyone's input on COVID dollars and their use in the community. I want to thank Mr. Mauter for clarifying that, understanding there is nearly \$700,000 through CDBG COVID that will be used for people in low and moderate income housing and appreciate Deb Tegtmeyers' involvement in that process. A lot of work, in a lot of ways. This past weekend we had some weather raise itself up and do some havoc across the community. I want to thank everyone across neighborhoods. We had stories of neighbors helping neighbors doing some clean-up and a lot of things. We had trees into houses, we had lights out and kind of a cray few hours there. Of course thank you to our own city employees, utility workers including AEP, street and traffic workers for intersections out, police and fire with power lines down. Don't forget that when it's kind of eerie out there these people are out there in it trying to help us out.

Mr. Rath – I want to say thank you to Deb and Caroline and Lesha for coming forward to speak today. You all have a lot of good ideas and I appreciate you speaking. It sounds like we are already doing a lot of the things that you had mentioned but there were some things that sounded interesting that we may not be doing and I hope you will send that up to the administration and we can expand our horizons as well. I will call a Service Committee meeting on my birthday, Monday, December 7th.

Mr. Barker – I would first like to thank Mr. Marmie for taking on the roll as the data collector for the COVID receipts and requests, thank you for that you're doing a great job at it I appreciate it. I also want to send a shout out to our city workers, there was a building on Union Street that lost part of its front and roof and by this morning our property maintenance division had it to the ground so there would be no safety risks to the neighbors. And thank you to Director Rhodes for keeping us all well informed on that. Finally, with Thanksgiving coming up, November 27th would be the traditional Court House Lighting with the event that draws over 5,000 people here into downtown. Unfortunately, we sent out a press release about 5-6 hours ago notifying the public that due to the current restrictions and COVID 19 pandemic that we are

going to have a totally virtual event for the community to watch starting at 6pm that evening. At the end of that program the building still will light but there will be no in person event downtown on the square. So, I would invite you all to watch the virtual event on the 27th at 6:00pm

Mr. Blake – I too want to thank those that spoke up tonight regarding the COVID dollars and how the city is disbursing them. I agree that the decision making process could've been a little more transparent or open. I personally would've enjoyed having committee meetings and open forum to hear organizations come forward and explain how they intend to help the citizens, but we are where we are and we have to make the best with it and communication through emails and phone calls is where we are and hopefully the people who spoke up will communicate with the appropriate city officials. I also want to thank Dave Rhodes for keeping us in the loop on the building on Union Street that the wind damaged Sunday night, it was unsafe and torn down immediately. I also want to make some comments on the actions of the Personnel Committee tonight. We have to be very careful when we deal with the process of how employee allegations and complaints are handled. If the person making the allegation is a protected class they should be working with the Ohio Civil Rights Commission. If the allegation is of a bullying or harassment nature then there really is no Ohio law related to that matter and if City Council wishes to work on an anti-bullying or workplace harassment ordinance for all employees, not just one office, then that's something for us to consider, and will City Council entertain complaints for, all former city employees, to spend tax payer dollars on attorneys to investigate, I don't think that's necessarily appropriate for us to do. The HR Director tonight testified in committee that they had not spoken to any of the complainants, so there is very little information to approve spending \$10,000. For City Council to spend \$10,000 on an attorney on the behalf of a former employee is not the best use of taxpayer dollars. The resolution hopefully does not get adopted by this council. I look forward to continuing discussion there. Finally, I want to say thank you to President Ellington for making this a Zoom meeting, I think that was a good decision and I hope we continue to do Zoom meetings through December for all of our safety during the holiday season.

Mr. Fennell – I also want to thank President Ellington for moving our meetings back to Zoom, I appreciate it. I appreciate that you are not only prioritizing the health and safety of our members but of the community we serve, so I thank you for your compassion on that. Lesha, Caroline and Deb, thank you all for being such incredibly strong advocates for the unsheltered community members that we have and I too hope we are able to find way to help support our most vulnerable members of our population. Also, to David Rhodes I appreciate all of the communication from the good things like bike trails, to buildings falling down. I appreciate the amount of communication that you provide to us and we appreciate all you do. I would also like to thank everyone who worked during the storm this past weekend, for keeping our citizens safe and also all those who worked to restore power, I was without power and it was starting to get a little chilly so I certainly appreciate all of the work that went into that. I would also like to wish everyone a Happy Thanksgiving and ask that everyone please stay safe and be kind to each other.

Ms. Hall – I want to wish everyone a Happy Thanksgiving as well, you and your family. Some of my friends are saying everyone's just going to stay home. No one is going to travel anywhere. Not coming from Cleveland or Cincinnati., just a little bit different this year, but try to be safe

and well. I wanted to thank Mayor Hall and David Rhodes for setting me up here I the training center. I am getting another computer with a camera. I'm glad we are zooming tonight, President Ellington, I think it's good for us. COVID is getting a little closer to home and suddenly you go oh my gosh. So everyone step back and be patient especially at the grocery store, it's easy to lose your temper these days I'm finding, so everyone just be well and take care.

Mr. Harris – I want to wish everyone Happy Thanksgiving. I'm surprised no one said anything to Mr. Sassen about Clemson getting beat the other night. I wanted to let everyone know we had our first human Relations Board meeting last week, I think it went really well. I want to thank the Mayor and law Director Sassen for helping out with that.

Mr. Labutis – I want to thank Service Director Rhodes for a few things, obviously all of the information and updates about the building on Union Street and secondly a few times I've mentioned the park on the corner of 9th Street. That park is now officially done and sometime in the future we are looking to have a ribbon cutting ceremony at some point, but it's been nice because a few times I have driven by and seen families already taking advantage of that and making use of the park already. So, thank you to everyone who was a part of that. Finally, I want to wish everyone a Happy Thanksgiving because even in these times we have so much to be thankful for.

Mr. Lang – First C.J. and Lesha I appreciate your comments. I think a lot of the issues are being addressed in one way or another fortunately. As Deb and Mark pointed out there are a lot of different organizations receiving money whether it's the school district or Coalition for Housing, they're getting money through the CDBG so there are a lot of organizations that hopefully money will come to, to work on some of these issues. In particular on thing I've been trying to figure out are the hand washing stations, I know that's one thing that's been raised multiple times. I've reached out to at least one non-profit organization. Not sure yet that they want to take that on, but I would say if there is an organization that has property where they would like to put the hand washing station and they want to work on that, I'm happy to try to work on that with you. Feel free to reach out to me. Last, thanks again to President Ellington , I know that's a tough call to make. I'm sure we'd all rather be in chambers if we could. I think everyone has difficult decisions to make over the holidays. I know Thanksgiving is my favorite holiday of the year so, I'm slowly coming to the realization that it's not going to be anywhere near what I wanted it to be this year, but that's what's best for my family and some of the more vulnerable people that I care about. It's just important that everyone try to be thoughtful and do what's right and with that I will wish everyone Happy and Safe Thanksgiving.

Mr. Marmie – I want to call a Finance Committee meeting. Lesha I really appreciate the list of things and the comparison, I was jotting them down and actually everything that you kind of listed I'm proud to say that our community is looking at the same exact items and that those entities are coming forward and asking for funds. Nancy Welu , I appreciate you getting the information to us quickly. Why don't we move forward to Resolution No. 20-89.

Resolution No. 20-89 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. Blake

Motion passed 10-0

Motion by Mr. Marmie to adopt, second by Mr. Blake, passed 10-0

Mr. Marmie – I really appreciate everyone’s support on Resolution No 20-89. That money will be well spent throughout our community. Requests are pouring in. Anyone who has requests it has to meet certain criteria and be spent on COVID related things, either on already spent COVID related things or it has to be spent by December 29th. There are some other things the city has to make sure of. Individuals have mentioned things such as hand washing stations. Those are things the city cannot maintain that’s why we’re looking for other entities to take those on. We really appreciate those who have stepped up. I want to wish everyone a very Happy Thanksgiving. It will be a different Thanksgiving. Normally we have a large group of family around my dining room table and it’s my favorite meal of the year because I put gravy on everything. It’s going to be different this year. Just the immediate family because we don’t want to expose any of our loved ones, but still we will be thankful that those loved ones are still around and that we can do our part to help slow down this pandemic until a vaccine comes out and we can all be safe one day. Finally, in wrapping up, Mr. Rath I’ll be working on getting your birthday present for our next meeting and I’ll be spending the same amount of money you spent on my birthday gift.

President Ellington – I would be remiss not to mention that Mr. Sassen has changed clothes. I appreciate everyone this evening, again it’s always a tough call to go from council chambers back to Zoom, but with the numbers I felt that was the best thing to do. I would rather error on the side of safety so we are all safe and healthy. I would like to add my thanks to everyone and to have a Happy Thanksgiving, be smart, stay safe. The next meeting is December 7th, Committees at 5:45pm and Council at 7:00pm. We will have to see where we are to decide if we will Zoom again and we will let you know.

ADJOURNMENT .

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

Don Ellington, President of Council