

COUNCIL MINUTES

OCTOBER 19, 2020
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,
Ms. Hall, Mr. Harris, Mr. Labutis, Mr. Lang
Absent: Mr. Fennell

INVOCATION – Mr. Labutis

PLEDGE OF ALLEGIANCE- President Ellington

CAUCUS -

Motion by Mr. Mamie to excuse Mr. Fennell, second by Mr. Blake, passed by acclamation

MINUTES of October 5, 2020 - Motion by to approve the October 5, 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. Harris , carried by acclamation**

APPOINTMENTS

REPORTS OF STANDING COMMITTEES

Finance **Received & Filed with no objections**
Service **Received & Filed with no objections**
Personnel **Received & Filed with no objections**

REPORTS FROM CITY OFFICIALS

City Auditor, Stephen E. Johnson – Operating report for period ending September 30, 2020
Received & Filed with no objections

COMMUNICATIONS

Nicholas Shultz – Transportation Specialist – Newark-Heath Active Transportation Plan (ATP)
Received & Filed with no objections

COMMENTS FROM CITIZENS

ORDINANCES ON SECOND READING

By; Mr. Bubb, Mr. Marmie, Mr. Rath

20-30 AN ORDINANCE AMENDING THE POSITION CLASSIFICATION, PAY RANGE AND DEPARTMENT AUTHORIZATION TABLES OF THE CITY OF NEWARK, DEPARTMENT OF SERVICE, DIVISION OF PARKS AND CEMETERY BY CREATING THE *ADDITIONAL* POSITION OF ***GROUND MAINTENANCE WORKER***, AND SETTING THE COMPENSATION THEREFORE

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

ORDINANCES ON FIRST READING

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

20-31 AN ORDINANCE AMENDING THE POSITION CLASSIFICATION, PAY RANGE AND DEPARTMENT AUTHORIZATION TABLES OF THE CITY OF NEWARK, DEPARTMENT OF Public Safety, DIVISION OF Police BY CREATING THE CLASSIFICATIONS OF Secretary 2 and Detective Bureau Clerk/Analyst, AND SETTING THE COMPENSATION THEREFOR

Held for 2 weeks for second reading

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

20-32 AN ORDINANCE AMENDING THE POSITION CLASSIFICATION, PAY RANGE AND DEPARTMENT AUTHORIZATION TABLES OF THE CITY OF NEWARK, DEPARTMENT OF Public Safety, DIVISION OF Fire/EMS BY CREATING THE CLASSIFICATION OF Administrative Specialist, AND SETTING THE COMPENSATION THEREFORE

Held for 2 weeks for second reading

20-33 AN ORDINANCE AMENDING THE POSITION CLASSIFICATION, PAY RANGE AND DEPARTMENT AUTHORIZATION TABLES OF THE CITY OF NEWARK, DEPARTMENT OF Public Safety, DIVISION OF Property Maintenance BY CREATING THE CLASSIFICATION OF Property Maintenance Inspector, AND SETTING THE COMPENSATION THEREFORE

Held for 2 weeks for second reading

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

20-34 AN ORDINANCE AUTHORIZING AND DIRECTING THE NEWARK CITY SAFETY DIRECTOR TO CERTIFY TO THE LICKING COUNTY AUDITOR, THE SUM OF \$293,233.00 INCURRED BY THE NEWARK CITY PROPERTY MAINTENANCE DEPARTMENT WITH RESPECT TO PROPERTY MAINTENANCE VIOLATIONS TO BE PLACED AS A LIEN UPON CERTAIN PARCELS OF REAL PROPERTY SITUATED IN THE CITY OF NEWARK, OHIO.

Held for 2 weeks for second reading

RESOLUTIONS ON SECOND READING

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

20-71 A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION
Motion to adopt by Mr. Marmie, second by Mr. Barker, Motion passed 9-0

RESOLUTIONS ON FIRST READING

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

20-73 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO PREPARE AND SUMIT TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) A ONE YEAR USE OF FUNDS/ACTION PLAN ALONG WITH AN APPLICATION FOR FY 2021 FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS (CDBG), AS REQUIRED BY 24 CFR PART 91.220, FOR VARIOUS PROGRAMS RELATED TO HOUSING AND COMMUNITY DEVELOPMENT.

Held for 2 weeks for second reading

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

20-74-A Expedite A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

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

Mr. Marmie – There are a couple things one here, re-issuance of notes that we have to get done quickly.

Motion passed 9-0

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

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

20-75 A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO MAKE APPLICATION TO AND ENTER INTO AGREEMENTS WITH THE MUSKINGUM WATERSHED CONSERVANCY DISTRICT FOR FINANCIAL ASSISTANCE FOR THE LOG POND RUN DIVERSION CHANNEL WATER QUALITY AND RESTORATION IMPROVEMENTS, AUTHORIZING THE EXECUTION OF ALL DOCUMENTS NECESSARY TO EFFECTUATE THE SAME AND DECLARING AN EMERGENCY.

Motion to adopt by Mr. Rath, second by Mr. Labutis

Mr. Rath – This has the emergency clause in order for us to meet the application deadline

Motion passed 9-0

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

20-76 A Resolution authorizing Replacement of the West Church Street Bridge over Raccoon Creek within the City of Newark.

This work will be performed as part of PID 109321, LIC-CR 804-01.73 AND DECLARING AN EMERGENCY

Motion to adopt by Mr. Rath, second by Mr. Labutis

Mr. Rath – This is part of an on-going project and the emergency is to enable us to maintain the schedule.

Motion passed 9-0

By: Mr. Rath

20-77 A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO PREPARE AND SUBMIT APPLICATIONS TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENTS PROGRAM AND TO EXECUTE CONTRACTS AS REQUIRED.

Held for 2 weeks for second reading

COMMENTS FROM CITIZENS

Rachelle Volen Smith – 237 Violet Ct. – I was just wondering on whether there was more information on the stuff discussed last meeting about the homeless funding, especially since the Mayor is here this evening. And is there going to be public input on that.

MISCELLANEOUS

HR Director Bill Spurgeon – I would just like to thank on behalf of the administration, the council and chairperson Bubb for your passage of Ordinance 20-30, your support is much appreciated.

Mayor Jeff Hall – As far as the COVID money we are in the process of spending and paying some bills for internal purposes. There's been no money spent or decided for external, that's still going through discussion. There were some deadlines we had to meet for appropriating money and encumbering it and we made sure we got that done. We don't have staff that that's what they do all day. We've got a whole lot of other work to do. We're open to taking ideas from anyone still they can send emails with suggestions. There's a lot of gray area and we want to be sure everything is done right. People can get penalized if they've taken funds otherwise, \$3 trillion is a lot of money. That's what congress gave out and it came in a lot of different fashions to a lot of entities and we want to be sure we are not replicating and at the same time forgetting other groups, I get the urgency, but there's time here so we'll keep working on it and update you as it materializes.

President Ellington – Did I see that you also got an additional \$1.9 million coming possibly?

Mayor Hall – Yes, that was a third and final installment. Congress passed the \$3 trillion, everyone understands that a billion is a thousand millions and a trillion is a thousand billion, that's a lot of money that came to us in 3 installments from the state. So they finally passed that and we got that at the same time the county got an additional \$6 plus million. Audits can be done and so on so we just want to be sure things are done in the right fashion. It all has to be spent by the end of the year, but again, there's time for that and we just want to make sure it's done right.

Mr. Marmie – I need to call a Finance Committee meeting for 2 weeks. Just to piggy back on that a bit, the deadlines to be encumbered were pushed back to November 20th with the additional funds that came. Also, with the homeless, I don't know if you were here for the committees, but we did get the \$6,000 back from the study.

Mr. Rath – I'll call a Service Committee Meeting for November 2nd.

Mr. Barker – I just wanted to say that this afternoon we had the opening of Fire Station 5, the ribbon cutting, the majority of council was there, it was nice to be in a socially distanced environment outside with the Mayor, Fire Chief, former council members, current council members, former Fire Chiefs, one of the groups of our Newark Firefighters, first responders, it was a great time. I'm sure they've already had more than the number I'm going to give you, but, as we left today they had already been on 11 runs to that part of the city. So, it's already being a great benefit to those citizens. We look forward to seeing them serve their citizens every day.

Ms. Hall – I too thought the ribbon cutting was wonderful. They've got a great building there. Beautiful job, I think it's going to service a lot of people in that area so it's a good thing. It was nice to see everyone distancing, but it was still nice to see everyone. I want to thank Jeff Harris and Property Maintenance. I found out they're going to take care of kind of a big problem out on East Main Street. I've been getting a few calls and I'm sure that will stop.

Mr. Harris – I too was at the ribbon cutting today and thought it was a job well done by everybody. Also this morning I attended a graveside service at Cedar Hill Cemetery and I just want to give a shout out to the city workers they did a nice job, it was raining and they did the right things to help the family members. I was in the Veteran's part and the cemetery looks really good, they do a nice job, I appreciate their hard work. Last Thursday I had the opportunity to go up to Horn's Hill Park where they've been riding bicycles through the woods. They've made bike trails and I had the opportunity to get in a side by side and go through the trails. It was pretty awesome. We kept going and got to one place it seemed like it was on top of the mountain and they've cut a trail east. Ask Mr. Rhodes about the side by side he was on. They got stuck and he had to get out so they could get up the hill. He's not here, but ask him about that.

Mr. Labutis – I attended the ribbon cutting and am happy to see the fire Station open. It will service the area very well. Congratulations to the Fire Department and the Chief as well. I'm excited about the park that's being renovated on 9th Street. They started installing that last week so next week it should be done. That will be a great addition to that community, there are lots of kids that live in that area that will benefit from that park and I'm very excited about that.

Mr. Lang – I was able to attend the employee appreciation lunch that the Service Department had for us up at Horn's Hill Park and got to ride in the side by side as well. I want to thank the Service Department for having us up there it was pretty cool to see the trails which I would probably never see on an actual bicycle myself or you'll find me in the hospital. The ribbon ceremony today at the new Fire Station was obviously a big day for our area in the 5th Ward. As the Chief told us there, it's the first time we've had a Fire Station in that area of town and at a time when we've seen response times up in the 10-11 minute range he was certainly excited and obviously I'm excited about it. We're going to be able to get to people with emergencies and urgent conditions a lot quicker in the 5th Ward. Finally, Ms. Hall, I think you were treated unfairly in a recent article that I came across on the Advocate on your vote in the 2020 primary. It just doesn't sit right with me because it discourages people from participating in our election future. What really gave me pause was the timing of that article that brought to light, relative to Ordinance 20-16 which was proposed by our Municipal Court. Back in March or April we voted in the primary and for Sheriff, Probate Judge or Treasurer your only chance to make your voice heard in those races was in the Republican Primary. Those three races involved multiple

Republican candidates but no Democrats. Two of those positions were also for where there were no incumbents, they retired. So in June, the votes we cast in the primary were made public June 1st. Cut to October 5th, Ordinance 20-16 was brought by our Municipal Court Clerk and was brought off the table and was reconsidered and that's when Ms. Hall crossed party lines to vote with us to Table that again. Then three days later, October 8th, the Advocate published an article about Ms. Hall's vote in the primary. If nothing else, the timeline is off. Unfortunately, the Advocate didn't really clarify why they published that article four months after the vote was made public, but just three days after she didn't support legislation that was put forth by her caucus leader on this council and by the Municipal County Clerk, who also happens to be the county chair. I've said this before. I think everybody up here is here because they care about the community and because they care about community service. So, it bothers me that anybody in this small town would be ridiculed or punished for participating in an important election. Regardless of which party you're affiliated with, it's a good thing when a politician stands up and votes their conscience especially when it's inconvenient to do that. At the end of the day I think it's encouraging that individuals in our community feel so strongly about who's going to be our next Sherriff, Treasurer or Judge that they're going to make their voice heard, even when they have to cross party lines.

President Ellington – Our next meeting will be November 2nd, which will be the day before election. If you haven't voted any other way, you can also get an absentee ballot, so be sure to have your voice heard. Committees will begin at 5:45pm and council will start promptly at 7:00pm.

ADJOURNMENT

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

Don Ellington, President of Council