

## COUNCIL MINUTES

February 19, 2019  
Council Chambers  
7:00 P.M.

**7:00 P.M.** - President Ellington called the Tuesday February 19<sup>th</sup> Newark City Council Meeting to order.

**ROLL CALL-** Mr. Bubb, Mr. Cost, Mr. Fennell, Mr. Fraizer, Ms. Hall, Mr. Labutis, Mr. Lang, Mr. Marmie, Mr. Rath, Mr. Blake

**INVOCATION** – Mr. Blake

**PLEDGE OF ALLEGIANCE-** President Ellington

### CAUCUS

**Mr. Fraizer-** for Resolution No. 19-07 there has been some requests to make some modifications to the CRA so in due time I will be making a motion to table that until March 4<sup>th</sup> Economic Development committee meeting.

**Mr. Bubb-** I will be abstaining from any debt and vote on Resolution No. 19-12 because I serve on the Fairway Estates Homeowners Association.

**MINUTES of February 4, 2019** Motion by Mr. Labutis to approve the February 4, 2019 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. Fraizer. **Motion carried by acclamation.**

### REPORTS OF STANDING COMMITTEES

Finance- **Received & Filed**

Service- **Received & Filed**

Economic Development - **Received & Filed**

### REPORTS FROM CITY OFFICIALS

**City Auditor, Stephen Johnson-** operating report for the period ending January 31, 2019. - **Received & Filed**

### COMMUNICATIONS

**Ohio Division of Liquor Control-** new application by Family Dollar Stores of Ohio at 1036 Mt. Vernon Rd- **Received & Filed**

## PUBLIC HEARING

**By: Rath, Cost, Marmie**

**19-12** A RESOLUTION DETERMINING THAT THE IMPROVEMENT SHOULD BE MADE TO PROPERTIES IN AND ABUTTING FAIRWAY ESTATES SUBDIVISION AND ALONG HORNS HILL ROAD BY UPGRADING THE EXISTING SANITARY SEWER SYSTEM AND INSTALLING A NEW GRAVITY SEWER SYSTEM AND THE NECESSARY APPURTENANCES, THERETO, AND DECLARING AN EMERGENCY.

**Motion by Mr. Rath to adopt Resolution No. 19-12, second by Mr. Cost**

**Mr. Rath-** this has been discussed previously at committee meetings as well as Council meetings; there is an emergency on this because of production timeframes.

**Motion passed by a vote of 9, 0, 1 (Mr. Bubb abstaining)**

## COMMENTS FROM CITIZENS

### ORDINANCES ON A FIRST READING

**By: Marmie, Cost, Rath, Fraizer**

**19-03** AN ORDINANCE TO PROVIDE FOR THE ISSUANCE OF REVENUE BONDS FROM TIME TO TIME FOR THE PURPOSE OF PAYING THE COSTS OF IMPROVING THE CITY'S MUNICIPAL WATER SYSTEM OR REFUNDING DEBT ISSUED BY THE CITY FOR THAT PURPOSE; PROVIDING FOR THE AUTHORIZATION, EXECUTION AND DELIVERY OF A MASTER TRUST AGREEMENT THAT PROVIDES FOR THE RIGHTS OF THE HOLDERS OF THE BONDS; PROVIDING FOR THE PLEDGE OF CERTAIN REVENUES AND FUNDS TO SECURE THOSE BONDS; AND DECLARING AN EMERGENCY

**Motion by Mr. Marmie to adopt Ordinance No. 19-04, second by Mr. Fraizer**

**Motion passed by a vote of 10-0.**

**By: Marmie, Cost, Rath, Fraizer**

**19-04** AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF WATER SYSTEM REVENUE BONDS IN THE AMOUNT NOT TO EXCEED SEVENTEEN MILLION DOLLARS AND ZERO CENTS (\$17,000,000.00) FOR THE PURPOSE OF PAYING COSTS OF IMPROVEMENTS TO THE UTILITY AND OF DISCHARGING AT MATURITY NOTES OF THE CITY HERETOFORE ISSUED FOR THAT PURPOSE; AUTHORIZING A SUPPLEMENT TRUST AGREEMENT AND OTHER DOCUMENTS RELATING TO THE SERIES 2019 BONDS, AND DECLARING AN EMERGENCY.

**Motion by Mr. Marmie to adopt Ordinance No. 19-04, second by Mr. Fraizer**

**Motion passed by a vote of 10-0.**

### RESOLUTIONS ON SECOND READING

**By: Marmie, Cost, Rath, Labutis, Fraizer**

**19-04** A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (621 Water Fund: \$44,110.00- Project Engineer Benefits; 661 Sewer Dept Fund: \$44,110.00- Project Engineer Benefits; 669 Storm Water Utility Fund: \$61,215.00- Project Engineer/Environmental Systems Tech Benefits; 100 General Fund: \$26,107.00- Additional Funding for Environmental Systems Tech Benefits)

**Motion by Mr. Marmie to adopt Resolution No. 19-04, second by Mr. Fraizer**

**Motion passed by a vote of 10-0.**

**By: Rath, Cost, Fraizer, Labutis**

**19-07** A RESOLUTION AMENDING RESOLUTION NO. 81-9 AND EXPANDING THE BOUNDARIES OF COMMUNITY REINVESTMENT AREA #1.

**Motion by Mr. Fraizer to send Resolution No. 19-07 back to Economic Development Committee on March 4<sup>th</sup> for more discussion, second by Mr. Lang**

**Motion passed by a vote of 10-0.**

### RESOLUTIONS ON FIRST READING

**By: Marmie, Labutis, Cost, Rath**

**19-09** A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION- Expedite (295 Jag Grant Fund: \$7,069.44- Overtime, 100 General Fund: \$706.94- Jag Grant City Match)

**Motion by Mr. Marmie to waive the two day reading rule on Resolution No. 19-09, second by Mr. Fraizer**

**Mr. Marmie-** we have some bills that are due and in order to meet those timelines we need to expedite this.

**Motion passed by a vote of 10-0.**

**Motion by Mr. Marmie to adopt Resolution No. 19-09, second by Mr. Fraizer**

**Motion passed by a vote of 10-0.**

**By: Marmie, Labutis, Cost, Rath, Fraizer**

**19-10** A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO ENTER INTO PARTNERSHIP WITH HERITAGE OHIO TO APPLY FOR FINANCIAL SUPPORT FROM THE OHIO HISTORY CONNECTION CERTIFIED LOCAL GOVERNMENT GRANT FOR FEDERAL FISCAL YEAR 2019.

**By: Marmie, Labutis, Cost, Rath, Fraizer**

**19-11** A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO PREPARE AND SUBMIT APPLICATIONS TO THE U.S. EPA FOR FISCAL YEAR 2019 CLEAN DIESEL FUNDING ASSISTANCE PROGRAM. – **Expedite**

**Motion by Mr. Marmie to waive the two day reading rule on Resolution No. 19-11, second by Mr. Fraizer**

**Mr. Marmie-** this needs to be expedited in order to meet the deadline for the application process

**Motion passed by a vote of 10-0.**

**Motion by Mr. Marmie to adopt Resolution No. 19-11, second by Mr. Fraizer**

**Motion passed by a vote of 10-0.**

#### **COMMENTS FROM CITIZENS**

**Rochelle Bolen Smith, 237 Violet Ct-** could you clarify what 19-10 is about and what areas?

**President Ellington-** that is going to be held for two weeks so I can find out and let you know.

#### **MISCELLANEOUS**

**Director Mauter-** I have a request on Resolution 19-10, when I presented it at committee I asked that it be expedited tonight because Heritage Ohio is on a timeline to get their finances in order to be able to put this meeting on in October. They asked that we vote on this tonight so that we could email and let them know tomorrow whether or not it was passed.

**President Ellington-** can you answer the question that was asked about this resolution?

**Director Mauter-** Heritage Ohio is an organization that is very much involved in leading revitalizations of cities throughout the State of Ohio. They have an annual conference and this year they have chosen the City of Newark to hold their annual conference. It is a three day conference on October 21, 22 and 23. This legislation will allow us to apply for a certified local government grant and we will partner with Heritage Ohio on that grant and they will use those funds to pay for a keynote speaker to come in and speak and for his expenses.

**By: Marmie, Labutis, Cost, Rath, Fraizer**

**19-10** A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO ENTER INTO PARTNERSHIP WITH HERITAGE OHIO TO APPLY FOR FINANCIAL SUPPORT FROM THE OHIO HISTORY CONNECTION CERTIFIED LOCAL GOVERNMENT GRANT FOR FEDERAL FISCAL YEAR 2019.

**Motion by Mr. Marmie to waive the two day reading rule on Resolution No. 19-10, second by Mr. Cost**

**Mr. Marmie-** for the reasons that were just indicated by Mr. Mauter

**Motion passed by a vote of 10-0.**

**Motion by Mr. Marmie to adopt Resolution No. 19-10, second by Mr. Cost**

**Motion passed by a vote of 10-0.**

**Director Baum-** I would like to thank Chief Connor and all of his firefighters for the work that went into their annual report it is not a one person job; everybody participates. I would like to also point out that I was happy

to hear that overdoses have declined, let's hope that is a trend and I was particularly happy to her opioid overdoses have fallen out of first place so to speak in the City of Newark.

**Mr. Bubb-** I want to thank the administration and everyone involved for the security upgrades in the front lobby, it has been much needed for a while. I also want to pass my condolences on to the friends and family of Tom Swank the General Manager at WNKO WTHH. He did a lot for this community and he touched many lives.

**Mr. Cost-** I would like to thank Chief Connor for his annual report her always does a very nice job.

**Mr. Fennell-** I would like to say thank you to the Chief and the Fire Department for all the work they are doing. It is very encouraging to hear about all the collaboration that is happening with the Fire Department and Police Department.

**Mr. Fraizer-** I would like to thank Jeff Hotchkiss for coming to the HHCA meeting and speaking about the Parks Department all the work they have been doing over the last few years including the project that they are planning for North St Park. At the chicken noodle dinner we had the largest fundraiser that we have ever had for the HHCA, we raised \$4,000.00 prior to expenses. The HHCA has set aside \$2,000.00 to put in as additional funding for the North Street Park. I would like to thank the Fire Chief the Fire Department and the safety forces for the great job they do every day. I want to thank the Street Department and the Service Department for the work that they are doing on the roads with this crazy weather that we keep having. Congratulated the Newark boy basketball team on their championship and called for an Economic Development Committee meeting for Monday March 4<sup>th</sup>.

**Mr. Labutis-** thanked Chief Connor for his report and the great information that was presented off of that report. I would also like to thank the Fire and Police Departments for everything that they do for us every day.

**Mr. Lang-** I'll share thanking Chief Connor for coming tonight, a couple of things that stuck out to me that I thought were real good pieces of news was getting back to 79 and being fully staffed and I was encouraged by the administration willing to apply for the additional SAFER grants I think that will be an important part in funding the new fire station. Lastly, I would like to commend the Chief and the department I think that we are starting to do a better job addressing mental health. I was really encouraged hearing about the training that we are going to get a peer support program in place at the fire department.

**Mr. Marmie-** called Finance Committee meeting. I too would like to share my condolences to the Swank family he did a tremendous amount for this community over the years and not only just recently but for a lot of years. It is a huge loss for the community.

**Mr. Rath-** thanked Fire Chief for coming and stated that the thing he was most impressed by was the amount of outside sources of income that he has gotten in different and creative ways at finding additional money for the fire department. Called a Service Committee meeting.

**Mr. Blake-** with everyone's comments we clearly have true leadership within our fire department so I want to extend my thanks to him for presenting the information that he did. I want to thank Roger Loomis, we had a college researching doing a project on water quality and water infrastructure and Roger helped with a tour of the Water Treatment facility. I want to remind everyone that this Saturday morning is the Newark Kiwanis breakfast at The Grove by the River. Bob Handleman has arranged for a lineup of music and entertainment that morning. Sunday Trinity AME Church is having their annual black history program at 3:30 P.M. Next Thursday OSU Newark/COTC is having their black history program that starts at 5:00 P.M.

**President Ellington-** our next committee meeting will be Monday March 4<sup>th</sup> at 5:45 P.M. and Council will meet that same Monday at 7:00 P.M.

**ADJOURNMENT – Motion by Mr. Cost, second by Mr. Lang. Motion was carried by acclamation.**