

## COUNCIL MINUTES

May 6, 2019

Council Chambers

7:00 P.M.

**7:00 P.M.** – President Ellington called the Monday May 6, 2019 Newark City Council Meeting to order

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

**INVOCATION** – Mr. Labutis

**PLEDGE OF ALLEGIANCE-** President Ellington

**CAUCUS- Rule 11:**

**By: Rath, Marmie, Cost, Lang**

**RESOLUTION NO. 19-37** REGARDING A BUFFER ZONE FOR THE ANNEXATION OF APPROXIMATELY 0.419 ACRES, MORE OR LESS, LOCATED IN NEWARK TOWNSHIP; AND DECLARING AN EMERGENCY.

**Motion by Mr. Rath to adopt Resolution No. 19-37, second by Mr. Fraizer**

**Mr. Rath-** I would like to defer to the Law Director for an explanation why the emergency clause is on this legislation as well as the next four.

**Director Sassen-** all four of these pieces of legislation refer to an expedited II annexation for a single parcel of property into Newark. Because it is an expedited II annexation there are certain statutory imposed deadlines that we must meet. These four pieces of legislation must be acted upon within 20 days of receipt and today is the 20<sup>th</sup> day. We have no choice but to go forward with this tonight.

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

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

**RESOLUTION NO. 19-38** ADOPTING A STATEMENT INDICATING WHAT SERVICES, IF ANY, THE CITY OF NEWARK, OHIO, WILL PROVIDE FOR APPROXIMATELY 0.419 ACRES MORE OR LESS LOCATED IN NEWARK TOWNSHIP, A TERRITORY PROPOSED FOR EXPEDITED II ANNEXATION, AND DECLARING AN EMERGENCY.

**Motion by Mr. Rath to adopt Resolution No. 19-38, second by Mr. Fraizer**

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

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

**ORDINANCE NO. 19-09** CONSENTING TO THE ANNEXATION OF CERTAIN TERRITORY, GENERALLY DESCRIBED AS BEING APPROXIMATELY 0.419 ACRES, MORE OR LESS, LOCATED IN NEWARK TOWNSHIP, TO THE CITY OF NEWARK, OHIO, AND DECLARING AN EMERGENCY.

**Motion by Mr. Rath to adopt Ordinance No. 19-09, second by Mr. Fraizer**

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

**ORDINANCE NO. 19-10** OBJECTING TO THE ANNEXATION OF CERTAIN TERRITORY, GENERALLY DESCRIBED AS BEING APPROXIMATELY 0.419 ACRES, MORE OR LESS, LOCATED IN NEWARK TOWNSHIP, TO THE CITY OF NEWARK, OHIO, AND DECLARING AN EMERGENCY.

**Died for lack of motion**

**MINUTES of April 15, 2019** Motion by Mr. Labutis to approve the April 15, 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**

Ways & Means- **Received & Filed**

## **REPORTS FROM CITY OFFICIALS**

### **COMMUNICATONS**

**Mayor Hall-** to present two proclamations; one for Light Ohio Blue Week and Garrett Ford Day

**Ohio EPA-** public notice for a National Pollutant Discharge Elimination System (NPDES) permit that was issued.

- **Received & Filed**

**Dave Warner, Director of Little Arrows Play Café-** a letter regarding his concern about the 2 hour parking limitation downtown. - **Received & Filed**

### **COMMENTS FROM CITIZENS**

**Linda Mossholder, 224 Green Meadow Dr-** At recent Council meetings two suggestions were made regarding addressing the homeless (or housing) situation in Newark.

1. The homeless could use the plentiful community services available to them.
2. Can volunteer groups work together to address services for the homeless

The following is an attempt to address these questions.

Post to Facebook

*"Anyone know where a homeless woman can go? She's been to coalition for housing and they basically told her there is 40 people on the list ahead of her. She just started a job and I help her with transportation. Can she stay at the Salvation Army maybe? She's so lost and doesn't know what to do, please help!"*

### **Existing Community Services**

Emergency Shelters

Salvation Army (must be a LC resident): Beds for families (24) are usually at capacity, beds for individual (30) varies

St Vincent Haven: Men only (26 beds) usually full

Licking County Coalition for Housing: Applicants must meet the HUD homeless definition

Waiting List as of 4/14:

40 Families: Two to three month wait

77 Individuals: Three to six month wait

Permanent Support Housing: (permanent housing in which supportive services are provided to assist homeless persons with a disability to live independently)

Metro Housing Shelter Plus Care: Decreased beds from 82 to 54

Metro Housing Shelter Plus Care –Chronically Homeless: Decreased beds from 12 to 8

Transitional Housing:

LCCH – decreased from 72 to 69

The Gardens on 6th: 24 units – Currently not accepting new residents. Undergoing changes in policy on entry requirements, length of stay etc. Twelve units are not occupied.

Section 8 housing vouchers

Number of Vouchers: Five new for people with disabilities, the remainder about the same

Waiting list: 200 plus on list 2 year minimum wait

Housing Landlords: Number on landlords willing to accept has continued to decrease

Affordable Housing Stock: At the last Licking County Housing Initiative (LCHI) meeting, programs (Licking County Coalition for Housing, Behavioral Health Partners, LC Metro Housing, Salvation Army, Veterans programs) assisting people in obtaining housing, reported that the lack of safe affordable housing stock prevents people from obtaining permanent housing. Most programs require that the client find a place to rent before they will provide financial assistance.

LCHI Meeting dates: May 15th, June 19th, July 17th, August 21st, September 18th, October 16th, November 20th Time: 9:30 Location: varies

The following groups do not qualify for assistance from HUD funded housing assistance programs

People currently in halfway or sober housing

Citizens returning from incarceration: The Licking County Coalition for Reentry reports that 95% of people, who have completed a Reentry Referral application, state obtaining housing is a primary need.

### **Community Volunteer Groups Working with Unsheltered People**

Current Efforts:

Research:

- Evictions: Currently collecting data on evictions in Newark to determine areas with high eviction rates.(Note: What are the social costs of evictions? It puts incredible stress on families. It prevents people from saving the comparatively small sums that would let them stabilize their situation. They are always starting over from scratch, losing their possessions. An eviction on your record makes the next apartment harder to get. Eviction damages children, who are always changing schools. Eviction makes it harder to keep up with many appointments required by the courts and welfare system –benefits and cut because notices go to the wrong address.)
- Campgrounds for the Unsheltered: Collecting information on successful efforts in other areas to establish campgrounds for the unsheltered.
- Surveys: Groups working with the unsheltered will be collecting data on unsheltered people.

Ongoing efforts:

- John’s Helping Hands - meals are being delivered to unsheltered people in Newark.
- Database of churches willing to provide assistance to the unsheltered.
- A ‘homeless’ hotline to connect people with churches willing to assist.
- Homeless Outreach efforts on Saturdays to provide meals and supplies
- Various Churches are providing meals
- Vertical is providing meals, showers and other assistance

- Churches and other groups are providing financial assistance to house unsheltered people in motels, etc. The cost has increased due to the closing of the Knight's Inn and Budget Inn, resulting in creating a strain on budgets.

### **Community Tactical and Strategic Group**

Synopsis of the conclusions from Focus Groups and key recommendations:

*"It is recommended a RFP be developed that solicit a consultant to assist the community in developing a Housing Strategy. The Strategy must be conducted in a quick and efficient process (less than 3 months) and result in short-term, mid-term and long-term solutions to address homelessness in the Newark Community (Licking County). The three step stages follow:*

- 1. Outline tactical recommendations to create immediate short-term housing solutions (e.g. emergency shelter) that consider the existing homeless conditions. These actions should be able to be implemented in less than 18 months.*
- 2. Outline specific recommendations to create low-barrier housing in the community that can be created and offered within a mid-term timeframe of approximately 18-36 months.*
- 3. Outline specific recommendations to create additional permanent affordable housing options in the community to serve a variety of individuals, formerly in the in the homeless community."*

The Tactical Group plans to create the draft RFP along the above lines, EXCEPT, the Group believes the 3<sup>rd</sup> step, regarding creation of permanent affordable housing, should be excluded from the more immediate steps (1 and 2 above) to have the most impact in a shorter period of time. Step 3 will be addressed in separate actions at a later time.

**Joyce Constantine, owner of the gift wrapping shop downtown Newark-** she got a parking ticket for parking longer than two hours in the City of Newark. She doesn't think that the two hour time limit is helpful to businesses that are trying to conduct business and draw customers if we are giving people a ticket for being in the city longer than 2 hours. She would like to know what purpose this serves to give someone a ticket for being in the city for more than 2 hours because they might want to visit more than one shop.

**President Ellington-** my understanding of this is that there are 11 hour parking places but the reason for the two hour parking was to keep someone that works downtown or is in business downtown from parking right in front of your business all day long and then customers couldn't park.

### **ORDINANCES ON SECOND READING**

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

**19-08** AN ORDINANCE AMENDING CHAPTER 618 OF THE CODIFIED ORDINANCES OF THE CITY OF NEWARK, OHIO REGARDING THE CAUSING SERIOUS PHYSICAL HARM TO A COMPANION ANIMAL

**Motion by Mr. Labutis to adopt Ordinance No. 19-08, second by Mr. Rath**

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

### **RESOLUTIONS ON SECOND READING**

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

**19-27** A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO TO NEGOTIATE AND ENTER INTO CONTRACT, SUBJECT TO THE APPROPRIATION OF FUNDS, FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE DESIGN AND CONSTRUCTION OF A ULTRAVIOLET DISINFECTION SYSTEM UPGRADE PROJECT. PURSUANT TO ARTICLE 10.02 (D) OF THE CHARTER OF THE CITY OF NEWARK, THIS CONTRACT FOR PROFESSIONAL SERVICES DOES NOT REQUIRE COMPETITIVE BIDDING.

**Motion by Mr. Rath to adopt Resolution No. 19-27, second by Mr. Fraizer**

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

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

**19-28** A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO, TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT, SUBJECT TO THE APPROPRIATION OF FUNDS, FOR EQUIPMENT INSTALLATION FOR SCADA SYSTEM UPGRADE AT WATER TREATMENT PLANT.

**Motion by Mr. Rath to adopt Resolution No. 19-28, second by Mr. Fraizer**

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

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

**19-29** A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (**100 General Fund: Flowers for City Hall: \$500.00 Donation**)

**Motion by Mr. Marmie to adopt Resolution No. 19-29, second by Mr. Fraizer**

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

### **RESOLUTIONS ON FIRST READING**

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

**19-31** A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO PREPARE AND SUBMIT APPLICATIONS TO THE OHIO GOVERNOR'S OFFICE OF CRIMINAL JUSTICE SERVICES FOR FISCAL YEAR 2019 EDWARD BYRNE JUSTICE ASSISTANCE GRANT FUNDING.

**Held for a second reading**

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

**19-32** A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO APPLY FOR FINANCIAL SUPPORT FROM THE STATE OF OHIO 2019 NATUREWORKS GRANT.

**Held for a second reading**

**By: Cost, Rath, Fraizer, Lang**

**19-33** A RESOLUTION AMENDING THE MANNER OF DISTRIBUTION AND USE OF EMERGENCY MEDICAL TRANSPORT UNIT

**Held for a second reading**

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

**19-34** A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION- **Expedite (334 Construction Fund-\$26,463.25-OPT; 247 SID Fund-\$155,800.00: Special Improvement District; 623 Water Projects Fund-\$1,000,000.00: Bond Payoff and interest conversion to revenue bonds; 673 Buckeye Corridor Fund-\$2,000,000.00: Reissuance of Notes; 669 Storm Water Fund-\$23,375.00: Bond Interest)**

**Motion by Mr. Marmie to waive the two day reading rule for Resolution No. 19-34, second by Mr. Fraizer**

**Mr. Marmie-** there are some things on this legislation where we need to get projects rolling so we need to get the funds in there so we can move forward.

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

**Motion to adopt Resolution No. 19-34 by Mr. Marmie, second by Mr. Fraizer**

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

## COMMENTS FROM CITIZENS

**Daniel Crawford, 163 S 2<sup>nd</sup> St-** spoke about the passing of his grandmother on the candidate forum day and the 15<sup>th</sup> of April on the last Council meeting his grandmother was buried which was also his birthday and to top that his car broke down that day also. That made him think about how important transportation is, affordable housing and above minimum wage jobs are to the community. He stated that we need to show compassion to the homeless, give them a helping hand so that they will stay and become a contributing member to our city.

**Dwayne Anderson, 914 Empire Dr Apt. B-** about this same time last year I asked for a copy of 2017 budget and found that there was about 1.6 million not accounted for from medic runs. In 2018 there was 1.6 million taken in and that money could be used for the Safety Director's police cruisers and the medic unit. Mayor, Service Director Rhodes and Councilmembers downtown looks beautiful and it is something to be proud of.

**Linda Mossholder, 224 Green Meadow Dr-** I neglected to thank some of the Councilmembers who have stopped by the homeless outreach, Mr. Blake, Mr. Ellington, Mr. Lang and Mr. Fraizer who had a unique experience when he was there. He got to mingle with the unsheltered he also got to make a trip to the Licking County Dog Shelter because we had what appeared to be a homeless dog that appeared to be neglected. I just wanted to thank the people who stopped by because I think that it helps when you put a face to a number.

## MISCELLANEOUS

**Director Mauter-** I wanted to give a brief update on all of the wonderful things that took place this past Friday and Saturday in our city. These events brought people into the City of Newark from surrounding areas and it directly impacted the economic development of the businesses in the City of Newark. The Newark Area Soccer Association hosted their annual Buckeye Cup soccer tournament. There were 125 teams registered to participate. There was a Cruise In, classic car show hosted at the downtown Newark Library. The Chamber of Commerce sponsored a Cinco De Mayo Pub Crawl. You couldn't miss the people who were participating in their bright green shirts. Thirty One West hosted several shows over the weekend. Canal Market celebrated its' opening of the Farmer's Market which will be held on Tuesdays and Fridays throughout October. Licking County Players hosted a production that started this past weekend. The Midland played host to Three Dog Night. On Saturday from 9:00 to 12:30 South Park Place had a felted flower workshop. On the east end the Department of Development teamed up with the Property Maintenance Department and did another neighborhood clean-up. We sent out over 800 mailings to property owners to make sure that they were aware of what was taking place for this clean-up day. We had a tremendous showing of people who brought items that were issues that Property Maintenance will no longer have to deal with. In addition to sending out the mailings the Property Maintenance Department did what they called a blitz. They canvased the neighborhoods where the clean-up was participating and gave notices of violations but they also told them they had a solution for them. That is part of what we need to do with our Community Development Block Grant dollars that come from HUD, we are there to make a difference with these dollars to be a hand up not a hand out. So we did put those dollars to good use this past Saturday. The Canal Market had a home and gardens show under the Canal Market District pavilions and Lowe's was there sponsor. They brought over \$40,000.00 of product to this home and garden show and they had 10-12 employees there to answer questions. I saw Councilman Cost there speaking with some of the Lowe's representatives. The American Heart Association hosted their 4<sup>th</sup> annual heart chase event which promotes a heart healthy lifestyle.

**Mayor Hall-** Dwayne mentioned 1.6 million that is EMS revenue. There is a piece of legislation going through now. That is gross of course then there are net refunds out of that so to answer your question it is paying for the debt service on the medic unit. Linda thanks for your detailed report on housing, she mentioned the task force which is meeting regularly and she mention RFP they have got to the point of hiring a consultant I will keep you updated on that as we move forward. Our Newark Generals hockey team won the State Championship again, that is two years in a row. I visited them a week ago Sunday at their year-end festivities and presented them with a proclamation. They also placed in the top four in the nation.

**Mr. Fraizer-** thank you Linda for coming in and sharing your information, my wife is a dog lover and as soon as that dog showed up I had to take it there was no way for me to get out of it. There is some concern that I have

with the dog being placed back with the owner since it got loose and was in bad shape. I am trying to follow up with that with the humane agents as well as the city. Great turn out for the Canal Market. I want to thank the Parks Department for the HHCA clean-up they donated a truck and took away the trash. I am looking forward to working with the Economic Development Department next year as well in order to coordinate a date to do everything that we can to clean-up those neighborhoods. I also want to thank the volunteers with the US Army for coming out to North Street Park and helping to build a retaining wall this weekend in the rain. Daniel I am sorry for your family loss. One of the things that came out of Newark Homeless Outreach was that I was able to give bibles out to the Haven. When you put yourself out there and you have a compassionate heart a lot of opportunity comes with that. I'm not going to ever discourage you for following your heart and your passion. I don't think that I have ever been more proud of an athlete in Licking County than I am of Garrett Ford. It is very inspiring what he does and what he has shown himself to be capable of.

**Ms. Hall-** Daniel I am sorry for your loss and thank you for your comments. Linda thank you for your detailed report. I would like to get a phone number from you after Council. Mark thank you for the updates.

**Mr. Labutis-** I would like to thank the Mayor for the National Day of Prayer event that was put on outside of City Hall on the steps, quite a few people showed up. I'd like to thank the kids from Blessed Sacrament and St. Francis for being there and singing as well. I just want to remind everyone to vote tomorrow.

**Mr. Lang-** Linda it was great to hear from you. The inventory of all the different services that you gave was really useful. I would like to see if you could email me that list. Thank you for all that you do I know you are very involved with a lot of these groups. Daniel, I think that I told you this the night of the forum but I thought that you showing up there after everything that you had gone through that day really showed a lot of your character and I have a lot of admiration for your dedication. Even though we don't agree on a lot of things I admire your dedication for fighting for what you believe in. Tomorrow is primary Election Day and we have judges on the ballot on both sides of the isle and we have a primary for some of our At-Large Councilmembers. It is an important time to vote especially in a primary where voter turnout is not expected to be high so your voice counts a little bit more. I would like to encourage everybody to get out there and vote.

**Mr. Marmie-** called a Finance Committee meeting. I want to thank everybody who has participated in this evenings' meeting; whether it be the information that you shared or else a concern that you had. I wish Ms. Constantine was still here because as far as the parking issue what was happening was employees of the downtown area were taking up the parking in front of the businesses and that is what we were trying to deter. When we did have the rule of the two hours and you could more employees were literally going out and moving their cars every two hours and they would be parking in front of businesses and no one would have access to the businesses. That was the main premise behind the whole thing.

**Mr. Rath-** I too want to express my condolences for your loss Daniel and I feel your challenges with your transportation with vehicles because I have been in those situations before too. I will tell you that with every obstacle that he sends you, you come out stronger at the other end. Linda I want to thank you for coming and giving us the information. I encourage everyone to go out and do your civic duty and vote. He called a Service committee meeting.

**Mr. Blake-** I am going to give my thanks to Director Mauter and your department for coordinating with South End Civic Association, we had a very successful clean-up day. Daniel what you went through was a rollercoaster of emotions just know that there are always people who care for you, you are always a regular here in Council Chambers and we know that regardless of what happens you are always going to be here as an advocate and a fighter. Thank you for that. I want to thank Linda for her information. I know Linda well so that type of detailed information is common of Linda Mossholder because she does her research and due diligence. You get true facts and true information from her. Today at a Kiwanis luncheon we had Scott Hayes talking about the jail ministry and the efforts with the ministry because this work really is God's work and I believe that. May 18<sup>th</sup> at 1:00 P.M. at the Canal Market District there is going to be a fundraiser for Vertical 196 which is underneath the umbrella of the jail ministry. I would encourage as many people as possible to attend that function. Later on that night on the 18<sup>th</sup> is the Police ball. Earlier tonight the Mayor gave a proclamation to recognize the blue light week. Recognize our police officers at the Beasley Lounge

**Mr. Cost-** Linda thank you so much and I would like to have a copy of that information. I would also like to thank the 400 Newark High students, faculty, staff and coaches that all participated in the community clean-up last Thursday May 2<sup>nd</sup>. They helped out in the parks, they picked up trash and they put down mulch. What a great thing to do for the city.

**Mr. Fennell-** my dad is a Librarian and I appreciate all your sense of research it is very impressive. I think you for everything that you do for our community. I see you everywhere in the community. I appreciate you coming and sharing your knowledge with us it is sometimes difficult to have a real life idea of what is happening. We know all of these organizations exist but we don't but we don't know the details about them. I think bringing that forward is really helpful. Daniel I think that everybody up here knows how hard an election is and then to have everything on top of it your perseverance and dedication is admirable. I appreciate you coming, still making the time to show up to advocate for people even when you're hurting I think that shows a great strength of character. Thank you Mr. Mauter for the report of all of the happenings this weekend. I was off on Friday and I went down to the Farmers Market and it was incredible to see how many people were out and about in downtown Newark. It felt like an incredible vibrant place to be and I was very excited to be there. Newark has a really bright future and that was a beautiful example of that. Please make sure you get out and vote in the primaries.

**President Ellington-** thanks to everybody to coming tonight and for your opinions. Our next Committee meeting is Monday May 20<sup>th</sup> at 5:45 P.M. and Council will meet the same day at 7:00 P.M.

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