

COUNCIL MINUTES

April 15, 2019

Council Chambers

7:00 P.M.

7:00 P.M. - President Ellington called the Monday April 15, 2019 Newark City Council Meeting to order

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

INVOCATION – Mr. Blake

PLEDGE OF ALLEGIANCE- President Ellington

CAUCUS- Motion by Mr. Marmie to excuse Mr. Labutis, second by Mr. Fraizer. Motion carried by acclamation.

Mr. Bubb- stated that he would be abstaining from voting on Resolution No. 19-25.

MINUTES of April 1, 2019 Motion by Mr. Fraizer to approve the April 1, 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. Lang. **Motion carried by acclamation.**

REPORTS OF STANDING COMMITTEES

Finance- **Received & Filed**

Service - **Received & Filed**

Safety - **Received & Filed**

REPORTS FROM CITY OFFICIALS

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

City Tax Administrator, Barb Jobs- Income Tax Revenue report for the period ending March 31, 2019. - **Received & Filed**

COMMUNICATONS

Ohio Division of Liquor Control- new liquor license application for the Weathervane Playhouse- **Received & Filed**

Ohio Division of Liquor Control- renewal application for 31 West- **Received & Filed**

Ohio Division of Liquor Control- notification that the application name should be River Road Coffeehouse & Café Ltd on the application form we received on January 9, 2019. - **Received & Filed**

COMMENTS FROM CITIZENS

The following citizens spoke regarding the homeless situation in the city:

Helena Stevenson, Donna Gibson, Emily Johnston, Tonya Cooper, Mitchell Boden, Callie Rucker, Tina Osborne, Dustin Tollens, Leshia Farias, Kellan Paddy

ORDINANCES ON FIRST READING

By: Rath, Cost, Fraizer

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

Held for a second reading

RESOLUTIONS ON SECOND READING

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

19-18 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 PROVIDING THE NECESSARY LABOR, MATERIALS AND EQUIPMENT FOR PAINTING THE WATER STORAGE TANK IN THE STONEWALL ESTATES AREA.

Motion by Mr. Rath to adopt Resolution No. 19-18, second by Mr. Fraizer

Motion passed by a vote of 9-0.

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

19-20 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO APPLY FOR FUNDING FROM THE UNITED STATES DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE UNDER THE BULLETPROOF VEST PARTNERSHIP GRANT PROGRAM.

Motion by Mr. Marmie to adopt Resolution No. 19-20, second by Mr. Fraizer

Motion passed by a vote of 9-0.

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

19-21 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACTS, SUBJECT TO THE APPROPRIATION OF FUNDS, FOR VARIOUS CONSTRUCTION PROJECTS.

Motion by Mr. Rath to adopt Resolution No. 19-21, second by Mr. Bubb

Motion passed by a vote of 9-0.

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

19-23 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO PREPARE AND SUBMIT APPLICATIONS TO THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE 2019 TRANSPORTATION ALTERNATIVES PROGRAM TO PARTIALLY FUND ONE FUTURE PROJECT

Motion by Mr. Rath to adopt Resolution No. 19-23, second by Mr. Fraizer

Motion passed by a vote of 9-0.

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

19-24 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (**100 General Fund: 2 Trucks for PM**)

Motion by Mr. Marmie to adopt Resolution No. 19-24, second by Mr. Fraizer

Motion passed by a vote of 9-0.

RESOLUTIONS ON FIRST READING

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

19-25 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION- **Expedite (153 Comp Absences: Payout-\$1950.00, 153 Comp Absences: Payout-\$8,000.00, 235 Judicial Fund: Benefits for security personnel- \$40,500.00, 661 Waste Water Fund:\$75,000.00- Emergency Repairs, 665 CSO Sewer Projects Fund: Horns Hill Rd Project-\$850,000.00)**

Motion by Mr. Marmie to waive the two day reading rule on Resolution No. 19-25, second by Mr. Fraizer
Mr. Marmie- they are payouts on this resolution and we need to get the money to the individuals as quickly as possible.

Motion passed by a vote of 8-0-1 (Mr. Bubb abstaining)

Motion by Mr. Marmie to adopt Resolution No. 19-25, second by Mr. Fraizer

Motion passed by a vote of 8-0-1 (Mr. Bubb abstaining)

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

19-26 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO PARTICIPATE IN THE ODOT WINTER CONTRACT (018-20) FOR ROAD SALT AND DECLARING AN EMERGENCY.

Motion by Mr. Rath to adopt Resolution No. 19-26, second by Mr. Cost

Mr. Rath- this is an emergency because we need to meet ODOT deadline in order to participate in this agreement and they always don't give us enough notice regarding their timelines.

Motion passed by a vote of 9-0.

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

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.

Held for a second reading

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

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.

Held for a second reading

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

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

Held for a second Reading

By: Marmie, Rath, Cost, Fraizer, Lang

19-30 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ACCEPT BIDS AND SELL CERTAIN SURPLUS PERSONAL PROPERTY NOW OWNED BY THE CITY OF NEWARK OHIO, AND DECLARING THAT SUCH PROPERTY IS NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE, AND DECLARING AN EMERGENCY.

Motion by Mr. Rath to adopt Resolution No. 19-30, second by Mr. Fraizer

Mr. Rath- this is an emergency so that we can meet the deadlines regarding advertising.

Motion passed by a vote of 9-0.

COMMENTS FROM CITIZENS

Maria Garcia, Tina Osborne, Donna Gibson, Tonya Cooper and Rochelle Bolen Smith all spoke about the homeless situation in Newark.

Everett McKee, Videographer- told audience members where they can find all committee and council meeting on the city's website.

MISCELLANEOUS

Safety Director Baum- let me address the homeless camp clean ups, I am Steve Baum, Director of Public Safety; I am civilian oversight for Police, Fire and Property Maintenance. Everybody on Council got a copy of the trespass affidavit signed by the railroad to remove persons trespassing on their property. I am aware of three camp clean ups, one occurred off Swans Rd in the county that was the Sherriff's Department. I am aware of two inside the City of Newark. One happened last week and one is probably what most is referring to. The Police Department gets they get a complaint, they investigate an assault. They become aware of a camp and described it as 4,000 square feet of trash; you all have a copy of that report. City workers after the people who lived in this camp where told they were trespassing and given time to leave and take their belongings came in and cleaned up the trash. They took out three dump truck loads of trash from this campsite. The second camp was next to Modern Welding. It was state property maintained by the city. We got a complaint from Modern Welding regarding their fence being cut and an unattended fire in this camp. The camp is next to woods that are owned by the Ohio Historical Society and contain mounds. Because we had a complaint from Modern Welding and the protection of the mounds the Police Department responded and told the two men living in the camp that they had 24 hours and anything left behind would be disposed of by the city. So 24 hours later they came back with city workers they removed 26 bags of trash and mattresses and disposed of it. Nobody was arrested nobody was sited. The first camp somebody was arrested on a child support warrant but there is nothing that we can do about that. There was somebody at the first site with a vehicle that told them he would take them wherever they wanted to go that is also in the report. We have a signed affidavit for trespassing from the railroad which is the same instance that happened off of Swans Rd. People living next to the tracks people had stuff come up missing and they called the Sherriff's Department and said that it was ok as long as I don't have my stuff stolen. Once my stuff came up missing I would like you to remove them. They were aware of a trespass affidavit but the compassion that the Police Department tried to show the homeless is unless they get a complaint they try not to address it, they leave them in peace. Once laws are broken or a business feels their business is being threatened by an unattended fire they feel like they have to address the issue which is exactly what happened. I have started sending you reports when this happens and I will continue to do so. You will be aware of every person that we relocate that is living in a tent.

Mr. Fennell- I want to thank everybody for coming out tonight, we heard some incredible stories that brought a human face to people experiencing homelessness that are experiencing it currently or have in the past and I know that can't be easy to come up in front of a group of strangers and some of your most heart wrenching stories. I sincerely appreciate you coming forth and doing that. I also know that there are a lot of people in this room that are on the front lines out there working to help people who are experiencing homelessness with as much time and energy that they have. It is clear that homelessness is a problem in our city. I don't know what the answer is but I appreciate that you continue to bring this issue to light and making sure that we can work together to find a solution.

Mr. Fraizer- thank you guys for coming out tonight. Helena thank you for your message, one of the big things about the CRA expansion is for property owners to be incentive to make improvements and improve the quality of housing throughout the entire neighborhood so it is not meant just for gentrification as we frequently say but what it is intended for is property owners being invested, providing tax credits that go through an approval process with the city. This was an expansion we did to try to improve economically distressed areas and to improve the housing stock throughout the areas of which they are impact. When it comes to your drive and your compassion with this I am excited for your participation and if you want to learn about more opportunities that we have with the city to improve neighborhoods and keep people in their

houses I'd love to talk to you about that. Mitchell thank you for coming as well I like to work with numbers and hear the numbers and your personal story really helped me better understand. With the different programs especially with Maria to see the programs that actually help people get on a path and provide a safe environment. I think that what we see a lot in the City of Newark is a dis-conjoined safety net where we have different people working on different programs trying to tackle the same issue. When we have different organizations providing food on the same days but some days no days, I think that better coordination is ultimately what we need to do. When it comes to our involvement in the city and community I try to do my part. On 4/24 there is a Newark Nazz homeless outreach. I still owe the Newark Homeless Coalition a visit on Saturday as well and provide a donation in order to make that happen. The thing that I am most excited about is an organization called Miracle Messages.org. They record homeless peoples' stories and then you are able to find relatives and family members that have been out of touch for long periods of time in order to get them in touch with their support network. This is a very good organization because it impacts the lives of people often forgotten and people with not a lot of options. On 4/27 the HHCA has a clean-up day for the downtown Newark area, a park work day on 5/4 and the HHCA community yard sale is coming up on 5/11. When it comes to this issue thank you for your advocacy and I know everybody up here is looking to help whatever way we can.

Ms. Hall- I would like to thank you all for coming and speaking tonight as well. I don't know what the solution is but we've got to start somewhere. I would also like to thank Director Baum for straightening out some issues by giving us some more details about events that occurred over the last couple of weeks. I hope that things can change for us.

Mr. Lang- I appreciate everyone who came tonight. You are asking a lot of difficult questions and a lot of times I think it is an us versus them kind of attitude, you're down there and we are put here, we are all people too. If I had the answer I think that I'd be more than a lowly City Councilman. These are really hard questions. I think that there are a number of us who are working who are trying and who are going out into the community and meeting with people to try to get a better understanding of the issues and try to figure out the solutions. Somebody asked the questions how do you make affordable housing more accessible? Again that is a really tough question and I don't know the answer but if anybody has any ideas I'm always ready to listen. A tent city, I'd like to hear more about how you implement that in a way that protects the people who live there, protects the people who live near there and in a way that doesn't create an attractive nuisance where you are getting people that are coming outside of the community and becomes a further burden on our community. I would like to thank Director Baum I asked him to come and address some of the issues to try to clear it up. I want to make sure that everybody has the two police reports that were referenced; one is 2019-0005334 and the other one from more recently is 2019-00093892. If you go to the window of the Police Department they can get those reports for you. Thank you everyone who came tonight. If anybody has any solutions that they want to talk to me about I am always open and happy to listen.

Mr. Marmie- called for a Finance Committee Meeting. I would like to thank everybody for sharing the information that you have. I know that it is a difficult situation. Somethings as far as the city involvement our hands are tied, we have to worry about the safety of citizens. The same restraints that some of you indicate that some of the organizations have placed the city would probably have to put similar restraints to ensure the safety of those who are around. The city does already support some of the organizations that were discussed and the way that we do that is through our Community Development Block Grant. We provide money to those organizations, thousands of dollars annually. Director Mauter makes sure that those funds get allocated to the appropriate service agencies that can help benefit those in our community that are down to give them a boost to get them back to where they need to be on that hierarchy of needs. It's not that we aren't doing anything; we are trying to do as much as we can and we need viable solutions. It is difficult because of the constraints that are put on us. A tent city, in order for everybody to be safe if something like that were to happen I heard one of the solutions was to have an officer there. Our city services are already pretty strained and if a higher priority came along they would have to react to that so it isn't like we could provide 24/7. With the organizations that are already in place like Mr. Fraizer said there needs to be a little bit more collaboration and communication to make sure those agencies are working together.

Mr. Rath- called a service committee meeting for May 6th. I want to thank everybody for coming tonight, we have heard some great stories and suggestions for solutions. With every idea or suggestion that has been brought up tonight it raises another 100 questions. There is no simple solution. Some other people have said tonight and I have said it before we have got a lot of caring people in Newark and a lot of great organizations that do a lot of great things. Many of those organizations the city supports financially as well as other ways. We really do need to get a coordinated effort. I have said that before and I will say it again. We have so many people going in some many different directions and so much energy and resources spent I got to believe that there has to be a much more efficient way to spend those resources and energy in a more coordinated effort. I don't want to say that to stifle what you guys are doing because that is great.

Mr. Blake- I think that many times when people come to a City Council meeting to express themselves to express the advocacy work that you are doing in the community; which I thank you for that, you are expressing what you are seeing and the experiences that you are having. So people come to Council as a public meeting as a forum to express these things and I think that now we have had quite a few different meetings in this chamber talking about this issue. What you are seeing a daily, weekly basis a need for urgency, a need for some action, a need for someone to move forward. I don't necessarily think that city government needs to spend dollars but the city government can be a leader in bringing groups and organizations together and be able to facilitate those conversations so that things are coordinated better. Various different organizations have various different resources and then if things are centralized then hopefully we can pull all those resources. That has been done in Newark and Licking County numerous times in the past and that is something that we need to bring urgency to. Other cities our size and even other cities in central Ohio have done tent cities and it is not an unreasonable request. I know it was mentioned and I have had conversations with many of you out in the audience, we have property but we need someone to bring some urgency to things so that things can be moving along. Not just a matter of you wanting to spend a Monday night at City Hall but you are wanting to get things done so that the people that you serve on every day that you are working with folks something can be done. These are people living out in the elements and we have the luxury of going home and getting into our beds. Many of these people have the luxury of being under a tree or a bridge. We have to recognize this. These people have dignity and worth and waiting another two weeks or month for another Council meeting isn't the answer. I thank you for your continued work and advocacy and taking the time to come to even these types of meetings but it is my hope that we can finally get some action. That is ultimately what needs to be done. People need to speak up. I don't view this as an us versus them this is just a venue at which you are able to utilize. The way we are sitting makes it seem an us versus you thing but I really do believe that many of us want to work together. Sometimes these Council meetings make it seem like it is so structured you can't really have decent conversations or dialog. It has to be beyond this room so I am hoping that we can do that and not just the grass roots groups but the social services agency Directors also. Deb Dingus is doing some good work. I believe city government could do that as well. I know the Director is doing everything that he can but I don't really want to be aware of every person being relocated. I am hoping that we can find them an avenue of care so they don't have to be relocated by the Police. Hopefully that Police intervention is an avenue for getting into care and not necessarily just destruction. Thank you for coming tonight and hopefully we can see some urgency coming from this.

Mr. Bubb- I too would like to thank everyone for coming in this evening. I would encourage everyone to coordinate with Deb at the Housing Coalition they do have emergency funding available, they do have emergency housing available and they have vouchers for Veterans in need. They also will help coordinate with the VA on Buckeye Ave. I would encourage everyone to familiarize yourself with that agency.

Mr. Cost- obviously homelessness is a huge issue for Newark and most cities. I do want to say though that I don't feel like an uninformed puppet sitting here. I think that we are kept informed. I think what you have here is a group of people who truly care about this community. We wouldn't be here if we didn't care about this community. The city does have a role to play to help coordinate. I think there is a true effort and there needs to be a great deal more. I have a group of people here who really care and want to help and we will do anything we can to help. Thank you for coming.

President Ellington- I too want to thank you for coming in tonight, I appreciate hearing your opinions. You may not think so but there are discussions going on but it may not be as quick as you want or the solution may not be the solution that you want but there are discussions going on and there are folks working on it. I would agree with Mr. Cost I don't think that we are puppets up here we do have a pretty good idea of what is going on. I think that Director Baum stated it pretty well of what is going on with the camps. Next meetings will be Monday May 6th committees will start at 5:45 P.M. and Council at 7:00 P.M.

ADJOURNMENT- Motion by Mr. Cost, second by Mr. Lang. Motion carried by acclamation