

## COUNCIL MINUTES

December 16, 2019

Council Chambers

7:00 P.M.

**7:00 P.M. - President Ellington called the Monday December 16, 2019 Newark City Council Meeting to order**

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

**INVOCATION** – Mr. Labutis

**PLEDGE OF ALLEGIANCE-** President Ellington

**CAUCUS-**

**Mr. Barker stated he will abstain from voting on Ordinance 19-38**

**Mr. Bubb stated he would be abstaining from voting on Ordinance 19-42**

**Rule 11**

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

**Resolution No. 19-89** A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO EXECUTE A CONTRACT FOR REIMBURSEMENT OF LEGAL REPRESENTATION OF INDIGENT PERSONS FOR CALENDAR YEAR 2020 WITH THE LICKING COUNTY BOARD OF COMMISSIONERS FOR THE CITY OF NEWARK, LICKING COUNTY, OHIO AND DECLARING AN EMERGENCY.

**Motion by Mr. Marmie to adopt Resolution No. 19-89, second by Mr. Cost**

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

**19-46 A** AN ORDINANCE APPROVING, ACCEPTING, RATIFYING AND ADOPTING AN EMPLOYMENT AGREEMENT BETWEEN THE CITY OF NEWARK, OHIO, AND AFSCME LOCAL 2963 AND OHIO COUNCIL 8, AFL-CIO, PROVIDING FOR THE APPLICATION OF ALL TERMS, CONDITIONS, AND BENEFITS OF SAID AGREEMENT, EFFECTIVE JANUARY 1, 2020; REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT WITH THE PROVISIONS OF SAID EMPLOYMENT AGREEMENTS AND DECLARING AN EMERGENCY.

**19-46 B** AN ORDINANCE REJECTING THE EMPLOYMENT AGREEMENT BETWEEN THE CITY OF NEWARK, OHIO, AND AFSCME LOCAL 2963 AND OHIO COUNCIL 8, AFL-CIO, PROVIDING FOR THE APPLICATION OF ALL TERMS, CONDITIONS, AND BENEFITS OF SAID AGREEMENT, AND DECLARING AN EMERGENCY.

**19-47 A** AN ORDINANCE APPROVING, ACCEPTING, RATIFYING AND ADOPTING AN EMPLOYMENT AGREEMENT BETWEEN THE CITY OF NEWARK, OHIO, AND THE FRATERNAL ORDER OF POLICE, LOCAL 127, BLUE AND GOLD UNITS PROVIDING FOR THE APPLICATION OF ALL TERMS, CONDITIONS, AND BENEFITS OF SAID EMPLOYMENT AGREEMENTS AND DECLARING AN EMERGENCY;

**19-47 B** AN ORDINANCE REJECTING THE EMPLOYMENT AGREEMENT BETWEEN THE CITY OF NEWARK, OHIO, AND FRATERNAL ORDER OF POLICE LOCAL 127, BLUE AND GOLD UNITS PROVIDING FOR THE APPLICATION OF ALL TERMS, CONDITIONS, AND BENEFITS OF SAID AGREEMENT FOR JANUARY 1, 2020; AND DECLARING AN EMERGENCY.

**19-48 A** AN ORDINANCE APPROVING, ACCEPTING, RATIFYING AND ADOPTING AN EMPLOYMENT AGREEMENT BETWEEN THE CITY OF NEWARK, OHIO, AND THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL 109, PROVIDING FOR THE APPLICATION OF ALL TERMS, CONDITIONS, AND BENEFITS OF SAID AGREEMENT, REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT WITH THE PROVISIONS OF SAID EMPLOYMENT AGREEMENTS AND DECLARING AN EMERGENCY.

**19-48 B** AN ORDINANCE REJECTING THE EMPLOYMENT AGREEMENT BETWEEN THE CITY OF NEWARK, OHIO, AND THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL 109, PROVIDING FOR THE APPLICATION OF ALL TERMS, CONDITIONS, AND BENEFITS OF SAID AGREEMENT, AND DECLARING AN EMERGENCY.

**19-49** AN ORDINANCE SETTING COMPENSATION AND STATING POLICY WITH RESPECT TO ADMINISTRATIVE TECHNICAL EXEMPT EMPLOYEES OF THE CITY OF NEWARK, OHIO; REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT WITH THIS ORDINANCE; AND DECLARING AN EMERGENCY.

**19-50** AN ORDINANCE SETTING COMPENSATION AND STATING POLICY WITH RESPECT TO MANAGEMENT AND SUPERVISORY EMPLOYEES OF THE CITY OF NEWARK, OHIO; REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT WITH THIS ORDINANCE; AND DECLARING AN EMERGENCY.

**19-51** AN ORDINANCE SETTING COMPENSATION AND STATING POLICY WITH RESPECT TO HOURLY NON- BARGAINING UNIT EMPLOYEES OF THE CITY OF NEWARK, OHIO; REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT WITH THIS ORDINANCE; AND DECLARING AN EMERGENCY.

**MINUTES of December 2, 2019** Motion by Mr. Labutis to approve the December 2, 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. Barker. **Motion carried by acclamation.**

#### **REPORTS OF STANDING COMMITTEES**

Finance-**Received & Filed**

Service-**Received & Filed**

Capital Improvements -**Received & Filed**

Personnel -**Received & Filed**

#### **REPORTS FROM CITY OFFICIALS**

**Stephen E Johnson, City Auditor**- operating report for the period ending November 30, 2019-**Received & Filed**

**Barb Jobs, City Tax Administrator**- income tax reports ending November 30, 2019-**Received & Filed**

#### **COMMUNICATIONS**

**Roger Loomis, Water Administrator**- properties being sent to lien for past due water, sewer and storm water bills in the amount of \$11,160.14-**Received & Filed**

#### **CITIZENS COMMENTS**

#### **ORDINANCES ON SECOND READING**

**By: Cost, Rath, Lang**

**19-34** AN ORDINANCE SETTING COMPENSATION AND STATING POLICY WITH RESPECT TO CERTAIN APPOINTED POSITIONS OF THE CITY OF NEWARK, OHIO REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT HEREWITH

**Motion by Mr. Bubb to adopt Ordinance No. 19-34, second by Mr. Rath**

**Mr. Blake**- I think that any time that we discussion the salaries of these appointed positions the question comes up when is it a good time and when it is a bad time to do so. My concern here is related to are actually thoroughly understanding if the positions themselves are compensated, if we have received enough information to understand if they are compensated comparably to other similar municipalities. I would have liked to have seen before us some type of recommendation that included some type of outside source. For example we have a wonderful Chamber of Commerce in our community which has an HR component to that chamber and it would have been nice to see some type of recommendation from some human resource

individuals to come with these recommendations. I will be voting no on this I feel that there could have been some more through discussions as to the process.

**Mr. Marmie**- I am going to be offering an amendment for these appointed positions and there a couple of different parts to the amendment one of them is to the percentage and most of them are for the first year. As far as the Assistant Law Directors that will be an increase of 6% then 4% for three years and then 3% for an additional 4 years. The Deputy Auditor, Service Director, Safety Director, HR Director and Economic Development will be 4% across the board for the first four years and then 3% for the following four years. The reasoning and rational is that it was argued the positions were such there needed to be a makeup. I have been on this Council for a number of years and always before it was the reason why the pay raises were not given to certain appointed and elected officials was because we need to set an example because the salaries are commensurate with the position and the benefits are rich. Therefore I don't think that we owe to go back and make adjustments. The Assistant Law Directors, the 6% there looking at the comparisons in order to hire and maintain that plus the chances and insecurity of all of the different other outside municipalities that we produce additional revenue is not guaranteed so therefore that was justification; I personally was sold on the fact that it needed to be bumped up a little bit. We are trying to be more consistent with what the unions might possibly get this year and what the county received. Looking not only at the public sector but the private sector and different pay raises I just thought the other ones were just a little bit high therefore that is my proposed amendment.

**Motion by Mr. Marmie to amend Ordinance No. 19-34, second by Mr. Rath**  
**Below is the amended version of the raises.**

POSITION #	Title	2020	2021	2022	2023
1.106.116.01	Asst. Law				
- 1.106.116.04	Director	\$61,730.57	\$64,199.80	\$66,767.79	\$69,438.50

1.104.124.01	Deputy Auditor	\$64,780.29	\$67,371.50	\$70,066.36	\$72,869.02
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POSITION #	Title	2024	2025	2026	2027
1.106.116.01	Asst. Law				
- 1.106.116.04	Director	\$71,521.65	\$73,667.30	\$75,877.32	\$78,153.64

1.104.124.01	Deputy Auditor	\$75,055.09	\$77,306.74	\$79,625.94	\$82,014.72
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POSITION #	Title	2020	2021	2022	2023
1.106.	Director: Public Service	\$73,112.00	\$76,036.48	\$79,077.94	\$82,241.06
1.106.	Director: Public Safety	\$73,112.00	\$76,036.48	\$79,077.94	\$82,241.06
1.106.	Director: Human Resources	\$73,112.00	\$76,036.48	\$79,077.94	\$82,241.06
1.106.	Director: Development	\$73,112.00	\$76,036.48	\$79,077.94	\$82,241.06

POSITION #	Title	2024	2025	2026	2027
1.106.	Director: Public Service	\$84,708.29	\$87,249.54	\$89,867.02	\$92,563.03
1.106.	Director: Public Safety	\$84,708.29	\$87,249.54	\$89,867.02	\$92,563.03
1.106.	Director: Human Resources	\$84,708.29	\$87,249.54	\$89,867.02	\$92,563.03
1.106.	Director: Development	\$84,708.29	\$87,249.54	\$89,867.02	\$92,563.03

**Mr. Cost-** I had stated originally that I am in full support of the raises as they were written, it has been 8 years for these people and I think that they are entitled and are well deserved.

**Ms. Hall-** I agree with the raises the way they were originally.

**Motion to amend passed by a vote of 6-4 (Lang, Hall, Cost, Blake)**

**Mr. Fennell-** this particular piece has given me a lot of thought and I know that it is a difficult thing to talk about raises at any time and there is no good time to talk about a raise but I do believe that there are better and worse times to talk about a raise. I find that it is really unfortunate of the timing of this coming up; I do believe that people who are doing a great job for our city deserve a raise but the timing of this is really unfortunate to me and it has not instilled within the public a lot of faith in how we do this process.

**Motion to adopt Ordinance No. 19-34 A as amended passed by a vote of 9-1(Blake)**

**By: Cost, Rath, Lang**

**19-35 AN ORDINANCE SETTING COMPENSATION WITH RESPECT TO CERTAIN ELECTED OFFICIALS OF THE CITY OF NEWARK, OHIO AND REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT HEREWITH**

**Motion by Mr. Bubb to adopt Ordinance No. 19-35, second by Mr. Cost**

**Mr. Marmie-** I am going to offer an amendment for this, it is going to be the Mayor and the Law Director 4% for the next four years and 3% for the next four years after that. My amendment for the Auditor will be 7% for the first year, 4% for the next three and then 3% for four years. In researching this position of the Auditor did need an adjustment. Our Auditor has done a fantastic job but it is not a merit type of a raise the position itself needed an adjustment in accordance of where it fit with all of the other elected officials therefore I can justify the fact that there was an adjustment needed there.

**Motion by Mr. Marmie to amend Ordinance No. 19-35, second by Mr. Rath**

**Below is the amended version of the raises.**

**2020 – 2023 2022-2025 WAGE SCHEDULE  
ELECTED OFFICIALS**

ELECTED POSITION	2020	2021	2022	2023
Mayor	\$80,271.36	\$83,482.21	\$86,821.50	\$90,294.36
Director of Law	\$89,299.81	\$92,871.80	\$96,586.67	\$100,450.14
Auditor	\$72,221.00	\$78,229.84	\$81,359.03	\$84,613.39

ELECTED POSITION	2024	2025	2026	2027
Mayor	\$93,003.19	\$95,793.29	\$98,667.09	\$101,627.10
Director of Law	\$103,463.64	\$106,567.55	\$109,764.58	\$113,057.52
Auditor	\$87,151.80	\$89,766.35	\$92,459.34	\$95,233.12

	2022	2023	2024	2025
Treasurer	\$15,164.15	\$15,770.71	\$16,401.54	\$17,057.60

**Mr. Rath-** just a question for Mr. Marmie, why wouldn't we extend it out for an 8 year period for the treasurer as well? Even though they're not starting out for another two years because of the election cycle for that position.

**Law Director-** the Treasurer's salary is set for 6 years, if you were going to do that and extend it further you'd have to extend it out to ten years because the Treasurer is not on the same cycle as the Mayor, Law Director and the Auditor. You have two years remaining in the cycle and four years is set in this legislation so it is set for 6 years out as it is. If you were going to extend it you'd have to extend it for 10 years.

**Mr. Cost-** I committed to the raises as they were written I think that they are fair, I think that they deserve the raises and I will continue to support them the way they were written.

**Motion to adopt the amendment passed by a vote of 7-3(Cost, Blake, Hall)**

**Motion to adopt Ordinance No. 19-35 A passed by a vote of 9-1(Blake)**

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

**19-36** AN ORDINANCE VACATING A TWELVE (12) FOOT WIDE ALLEY AS SHOWN ON THE PLAT OF THE JOSEPH COFFMAN'S SECOND ADDITION, AS RECORDED IN PLAT BOOK 1, PAGE 87 OF THE LICKING COUNTY PLAT RECORDS; SAID ALLEY IS LOCATED BETWEEN 196 AND 212 SOUTH 5th STREET.

**Motion by Mr. Fennell to adopt Ordinance No. 19-36, second by Mr. Barker**

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

**ORDINANCES ON FIRST READING**

**By: Rath, Cost, Mamrie, Lang**

**19-37** AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 905 HOLLANDER STREET, CITY OF NEWARK, LICKING COUNTY, OHIO, FROM THAT OF GO-GENERAL OFFICE DISTRICT, TO MFR- MULTI-FAMILY RESIDENCE DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO.

**Referred to Planning Commission**

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

**19-38** AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 595 THORNWOOD DRIVE, CITY OF NEWARK OHIO, LICKING COUNTY, OHIO FROM THAT OF GB, GENERAL BUSINESS DISTRICT, GI GENERAL INDUSTRIAL DISTRICT, GO GENERAL OFFICE DISTRICT, MFC MULTI-FAMILY CONDO DISTRICT, AND MFR MULTI-FAMILY RESIDENCE DISTRICT, (AS SHOWN ON THE ATTACHED

EXHIBIT A) TO GI GENERAL INDUSTRIAL DISTRICT ZONING CODE OF THE CITY OF NEWARK, OHIO IN ITS ENTIRETY AND DECLARING AN EMERGENCY

**Referred to Planning Commission**

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

**19-39** AN ORDINANCE TO MAKE AN APPROPRIATION FOR THE EXPENDITURES OF THE CITY OF NEWARK, OHIO DURING THE YEAR ENDING DECEMBER 31, 2020. – GENERAL FUND

**Motion by Mr. Marmie to waive the two day reading rule on Ordinance No. 19-39, second by Mr. Bubb**

**Mr. Marmie-** if we want our government to be open on January 1 we need to expedite this

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

**Motion by Mr. Marmie to adopt Ordinance No. 19-39, second by Mr. Bubb**

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

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

**19-40** AN ORDINANCE TO MAKE AN APPROPRIATION FOR THE EXPENDITURES OF THE CITY OF NEWARK, OHIO DURING THE YEAR ENDING DECEMBER 31, 2020.- ALL OTHER

**Motion by Mr. Marmie to waive the two day reading rule on Ordinance No. 19-39, second by Mr. Labutis**

**Mr. Marmie-** if we want our government to be open on January 1 we need to expedite this

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

**Motion by Mr. Marmie to adopt Ordinance No. 19-39, second by Mr. Labutis**

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

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

**19-41** AN ORDINANCE TO MAKE AN APPROPRIATION FOR THE EXPENDITURES OF THE CITY OF NEWARK, OHIO DURING THE YEAR ENDING DECEMBER 31, 2020. - GRANT

**Motion by Mr. Marmie to waive the two day reading rule on Ordinance No. 19-39, second by Mr. Labutis**

**Mr. Marmie-** if we want our government to be open on January 1 we need to expedite this

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

**Motion by Mr. Marmie to adopt Ordinance No. 19-39, second by Mr. Labutis**

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

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

**19-42** AN ORDINANCE AMENDING THE POSITION CLASSIFICATION, PAY AND POSITION AUTHORIZATION TABLES OF THE CITY OF NEWARK BY CREATING THE POSITION OF ADMINISTRATIVE ASSISTANT WITHIN THE DEPARTMENT OF MAYOR

**Motion by Mr. Marmie to waive the two day reading rule on Ordinance No. 19-42, second by Mr. Lang**

**Mr. Marmie-** we need to expedite this to get the position filled and get this taken care of before the end of the year.

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

**Motion by Mr. Marmie to adopt Ordinance No. 19-42, second by Mr. Lang**

**Law Director-** if I could clarify a change that I recommended today, if you were attentive enough you would have noticed that the legislation creates this position within the statement of policy in management and supervisory exempt personnel, attached to the legislation was a job description and in that affiliation section of the job description it had listed the wrong statement of policy for that position. The job description has been changed to

reflect what is stated in the legislation which is that it is subject to the policy of statement for management and supervisory exempt personnel. I felt that this was not a change to the legislation it was a minor change to the job description and I felt that it would be appropriate to make that change without having to go through the amendment process but I wanted Council to know that the job description has been changed to accurately reflect what the legislation said.

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

#### **RESOLUTIONS ON SECOND READING**

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

**19-81** A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR POLYMER FOR USE IN WASTEWATER TREATMENT PROCESSES.

**Motion by Mr. Rath to adopt Resolution No. 19-81, second by Mr. Cost**

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

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

**19-84** A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (**661 Sewer Dept-\$415,000.00: New Vac Truck**)

**Motion by Mr. Marmie to adopt Resolution No. 19-84, second by Mr. Cost**

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

#### **RESOLUTIONS ON FIRST READING**

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

**19-85** A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION- Expedite (**669 Storm Water Fund-\$2,392.55: OPT; 661 Sewer Fund- \$16,695.66: OPT; 621 Water Fund- \$35,122.25: OPT; 669 Storm Water Fund- \$100,000.00: Land; 661 Sewer Fund- \$220,000.00: Land; 621 Water Fund- \$50,000.00: Land; 261 Judicial Fund- \$874.15: OPT; 100 General Fund- \$247,522.18: OPT; 221 Street Fund- \$17,747.27: OPT; 221 Street Fund-\$300.00: Damage Claims**)

**Motion by Mr. Marmie to waive the two day reading rule, second by Mr. Labutis**

**Mr. Marmie-** a lot of these we just need to get the funds in the appropriate categories by the end of the year and then there are a couple of things we need to pay to take care before the fiscal year.

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

**Motion by Mr. Marmie to adopt Resolution No. 19-85, second by Mr. Labutis**

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

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

**19-86** A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION- CI Expedite (**335 Capital Improvement Fund- \$1,356,808.79: Memo Expense 13D; 335 Capital Improvement Fund- \$125,588.80: DERG Grant thru ODOT**)

**Motion by Mr. Lang to waive the two day reading rule on Resolution No. 19-86, second by Mr. barker**

**Mr. Lang-** similar to 19-85 there are some accounting procedures we need to go through before the end of the year.

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

**Motion by Mr. Lang to adopt Resolution No. 19-86, second by Mr. Barker**

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

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

**19-87** A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO, TO ACCEPT BIDS AND ENTER INTO CONTRACT, SUBJECT TO THE APPROPRIATION OF FUNDS, FOR CONSTRUCTION OF THE FOURTH STREET SEPARATION PROJECT.

**Motion by Mr. Rath to waive the two day reading rule on Resolution No. 19-87, second by Mr. Bubb**

**Mr. Rath-** we need to expedite this to get the process going on the project to meet deadlines.

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

**Motion by Mr. Rath to adopt Resolution No. 19-87, second by Mr. Bubb**

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

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

**19-88** A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO, TO ACCEPT BIDS AND ENTER INTO CONTRACT, SUBJECT TO THE APPROPRIATION OF FUNDS, FOR CONSTRUCTION OF THE TAMARACK TRANSMISSION LINE PROJECT.

**Held for a second reading**

## **COMMENTS FROM CITIZENS**

**Irene Kennedy, 867 Shelbourne Pl-** I am here to thank Bill Council for 8 years of service to the Council and to the city. I was able to step down because I knew somebody good was going to step in and run in my place. I want to thank you and I appreciate all of the work that you have done for 8 years.

**Rochelle Bolen Smith, 237 Violet Ct-** spoke about the homelessness in Newark and how we are not able to resolve this problem and that the example in Boise Idaho where the 9<sup>th</sup> District Court ruled it was unconstitutional to ticket homeless people for seeking shelter outdoors when no other shelter is available applies to Newark. She stated that she feels the least we can do is open up buildings including city buildings to homeless persons at freezing temperatures and that means 32 and below.

## **MISCELLANEOUS**

**Director Rhodes-** Bill it has been a pleasure to work with you the past 8 years. I have known you probably 35 plus years and you have always been a man of your word and done what you said you were going to do and I just want to wish you and your family well.

**City Auditor, Steve Johnson-** I would like to thank Bill for his service to both the city and the citizens, it has been a pleasure working with you and I wish you well.

**Law Director Sassen-** I would thank Mr. Cost for his service to the city but I would prefer to thank him for helping put food on the Sassen family table when Clemson finishes above his beloved Ohio State Buckeyes. I look forward to when he comes to the next meeting as a citizen with another dollar. It has been fun working with you and I don't think that we have seen the last of you.

**Mayor Hall-** this past Saturday was Wreaths Across America, a couple of years ago the number was 700,000 wreaths in 1,000 locations across America; we were very fortunate that it was done right here at Cedar Hill Cemetery. I want to thank the Newark Elk and our Parks & Cemetery Department along with a lot of volunteers out there in the rain and laid about 600 wreaths. They are on all the graves of the Veterans in the new portion and as much as we can do in the older portion. It is fitting and respectful in so many ways. Remember, Honor and Teach is the point of the process. One is laid at every grave at the National Cemetery in Washington. Mr. Cost it has been truly a pleasure and I will echo everything everyone else has said. You work hard and you have some fun with it too and that is a nice thing in many ways, you will be sadly missed but again we probably won't see the last of you because I know that you will stay actively involved in the city.

**Mr. Bubb-** I too wish you well Bill I have enjoyed working with you the last 8 years. I certainly wish you the best you were always very fair and objective. Best Wishes.



**Mr. Fennell-** I would like to thank Bill for his leadership and his 8 years of service on City Council and I also agree I don't think that we have seen the last of Mr. Bill Cost. I would like to wish everyone a Happy and Safe Holiday as well as a Happy and Safe New Year coming up. Rochelle thank you for continuing to bring up the issue of homelessness in our community; we need to think of them especially when we are safe and warm in our homes realizing how fortunate we are and when the need arises we are able to meet that call.

**Mr. Barker-** I will also echo my thanks to you Mr. Cost. I remember meeting you when I was about 10 years old when you were at the middle school taking pictures of me in an athletic complex there. You have done great things for the citizens of Newark and I appreciate your service to the community. I would also like to thank Mayor Hall last Friday Mayor participated in the Licking County Chamber of Commerce Government and Justice Law Day for the community leadership class that I am a part of; he was part of a panel with Congressman Balderson and Senator Hottinger.

**Ms. Hall-** I want to thank Bill Cost as well, I have been here 6 years and as minority leader I appreciate your sense of humor at just the right time as well as your support and guidance. I would like to wish everybody a Happy and Safe Holiday.

**Mr. Labutis-** I want to thank Bill for his service, I have had the opportunity to serve with you for the past two years. I know you will remain actively involved, I know you love the city and I know your love for the city will continue that service beyond this body. I want to wish everyone a Happy Holiday both Christmas and New Year's. I hope that you can experience the hope, joy and peace that come with the season.

**Mr. Lang-** last week I had the pleasure of attending the first group public meeting for the Licking County Task Force on Homelessness I would encourage everybody to keep an eye out, join the Facebook page and keep an ear out for what this group is doing. It is going to be a new approach and I think that it is going to be a successful one. Mayor Hall thank you for joining me there and a couple of my colleagues were there as well. Talking to some of the leaders of different organizations there, there are private dollars available that are currently being invested in Columbus and Franklin County and the reason those dollars are going there is because they have shown the commitment and the infrastructure so the folks putting the private dollars in know that they are going to an infrastructure and a system that is ultimately address homelessness. I think if we can show the same commitment here and I think the task force is a good start. If we can show that kind of commitment here I think that we could start seeing some of those private dollars come our way and start helping us to address the problem. I really would encourage everybody to pay attention; there is an online survey where you can provide some feedback on how you see the problem. Mr. Cost thank you for the last couple of years it has been an absolute pleasure serving with you. I really enjoyed in particular going to Legend Elementary and speaking with the kids there I think that was a lot of fun. I know that we have always joked about who represents who and you have represented me well as my At Large Councilman but as your 5<sup>th</sup> Ward Councilman I do hope that you hang on to my number and please reach out. All joking aside it has been a pleasure. Finally I would like to wish everybody Happy Holidays.

**Mr. Marmie-** we will not be having a Finance Committee meeting on January 6<sup>th</sup>. I want to wish everybody a very Merry Christmas and Happy New Year. I hope that everybody has a safe and happy time during the holidays. Mr. Cost, Bill I appreciate what you have done for the City of Newark and the citizens. I appreciate being able to work with you on a number of things not only as a large group but also one on one but what I appreciate the most is the friendship that I have gained from you and that will never go away. Thank you very much for all that you have done.

**Mr. Rath-** Bill I just want to tell you I appreciate you as well. Obviously we have worked together for 8 years and I have always appreciated your willingness to work with anybody that wanted to work with you. Your presence up here will be missed. I want to wish everybody a Merry Christmas and a Happy New Year but that is not the only season upon us I want to say thank you preemptively to our Street Department and our snow warriors we had a first real snow last night. Those guys are out doing a good job. Snow removal has been one of my pet peeve issues that I have worked on to improve as long as I have been on Council and I will continue to work on improving it but those guys do a great job for what they have to work with. It is a thankless job because not everybody's streets get plowed and that is the people that they hear about. He called a Service Committee meeting for the 6<sup>th</sup>.

**Mr. Blake-** something that we missed tonight was cake so that means that Bill's service isn't done. Since we didn't have cake he will continue to be around and continue to serve our city and our citizens. I as well want to thank you for your service. Thank you for your dedication to the people of Newark and to the citizens and always expressing yourself and always staying loyal to your views. Thanks for your 8 years of service to Newark.

**President Ellington-** Mr. Cost I have probably known you longer than anybody else up here. The last 8 years on Council you have done a great job; you have always been thoughtful, well prepared and you have always put the citizens of Newark first. I will have a few less bruises on my leg without you kicking me under the table to use the gavel; I will feel a little better about that. I certainly will miss you and I hope that you keep involved.

**Mr. Cost-** first of all I would like to thank my wife for being here this evening, not only has she listened to this for the last 8 years she has put up with me for the last 40 years. I would also like to thank some of my really good friends here tonight, the Kennedy's and my buddy Keith Alexander. The first word that comes to my mind is grateful, I am so grateful to the citizens of Newark for allowing me to serve as a member of your Newark City Council. It has been an absolute honor and privilege to be here and it has been very special. The second word I have is thankful, I am thankful to have served with all of you. I have a list to read to you though there has been a few other folks that have passed through here in the last 8 years; Ed Houdeshell, Shirley Stare, Rhonda Loomis, Alex Rolletta, Mike Mangus, Clerk of Council Diana Huffman, Mark Guthrie, Duke Frost, Curtis Johnson, Mark Fraizer and one of my favorites Carol Floyd. That is a lot of people to go through here in 8 years and they have all been special, just like you all have been. I am very proud of what we have done, I am very proud of the service, I'm very proud of what we have done as a group and I wouldn't have missed a minute of it, it has been a great experience. The third word I got is hopeful, I am hopeful that you all continue to do the things that we have been working on all of these years. It is really hard to leave here with unfinished business; for me that is transit, homelessness, low income housing, drug addiction and a downtown grocery store. I might even mention that from the audience from time to time but those are the things that I feel are unfinished business and I want to stick around and see those things dealt with. Do not get rid of my name tag I have full intention of running again, I have full intention of serving again so I wouldn't want you to have to make a new one. I want to thank you all very much and I want to wish everyone a Merry Christmas.

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

**Resolution No. 19-89** A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO EXECUTE A CONTRACT FOR REIMBURSEMENT OF LEGAL REPRESENTATION OF INDIGENT PERSONS FOR CALENDAR YEAR 2020 WITH THE LICKING COUNTY BOARD OF COMMISSIONERS FOR THE CITY OF NEWARK, LICKING COUNTY, OHIO AND DECLARING AN EMERGENCY.

**Motion by Mr. Marmie to adopt Resolution No. 19-89, second by Mr. Cost**

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

**Motion by Mr. Marmie to go into executive session to discuss personnel items, second by Mr. Barker**

**Motion was carried by acclamation.**

**President Ellington-** we will be going into executive session to discuss personnel items and there will be no vote taken during executive session.

**Motion by Mr. Marmie to come out of executive session, second by Mr. Rath**

**Motion passed by acclamation.**

**President Ellington-** there were no decisions made during executive session it was a discussion about employment contracts.

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

**19-46 A** AN ORDINANCE APPROVING, ACCEPTING, RATIFYING AND ADOPTING AN EMPLOYMENT AGREEMENT BETWEEN THE CITY OF NEWARK, OHIO, AND AFSCME LOCAL 2963 AND OHIO COUNCIL 8, AFL-CIO, PROVIDING FOR THE APPLICATION OF ALL TERMS, CONDITIONS, AND BENEFITS OF SAID AGREEMENT, EFFECTIVE JANUARY

1, 2020; REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT WITH THE PROVISIONS OF SAID EMPLOYMENT AGREEMENTS AND DECLARING AN EMERGENCY.

**Motion by Mr. Marmie to adopt Ordinance No. 19-46, second by Mr. Lang**

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

**19-46 B** AN ORDINANCE REJECTING THE EMPLOYMENT AGREEMENT BETWEEN THE CITY OF NEWARK, OHIO, AND AFSCME LOCAL 2963 AND OHIO COUNCIL 8, AFL-CIO, PROVIDING FOR THE APPLICATION OF ALL TERMS, CONDITIONS, AND BENEFITS OF SAID AGREEMENT, AND DECLARING AN EMERGENCY.

**Died for lack of motion**

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

**19-47 A** AN ORDINANCE APPROVING, ACCEPTING, RATIFYING AND ADOPTING AN EMPLOYMENT AGREEMENT BETWEEN THE CITY OF NEWARK, OHIO, AND THE FRATERNAL ORDER OF POLICE, LOCAL 127, BLUE AND GOLD UNITS PROVIDING FOR THE APPLICATION OF ALL TERMS, CONDITIONS, AND BENEFITS OF SAID EMPLOYMENT AGREEMENTS AND DECLARING AN EMERGENCY

**Motion by Mr. Marmie to adopt Ordinance No. 19-47 A, second by Mr. Cost**

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

**19-47 B** AN ORDINANCE REJECTING THE EMPLOYMENT AGREEMENT BETWEEN THE CITY OF NEWARK, OHIO, AND FRATERNAL ORDER OF POLICE LOCAL 127, BLUE AND GOLD UNITS PROVIDING FOR THE APPLICATION OF ALL TERMS, CONDITIONS, AND BENEFITS OF SAID AGREEMENT FOR JANUARY 1, 2020; AND DECLARING AN EMERGENCY.

**Died for lack of motion**

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

**19-48 A** AN ORDINANCE APPROVING, ACCEPTING, RATIFYING AND ADOPTING AN EMPLOYMENT AGREEMENT BETWEEN THE CITY OF NEWARK, OHIO, AND THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL 109, PROVIDING FOR THE APPLICATION OF ALL TERMS, CONDITIONS, AND BENEFITS OF SAID AGREEMENT, REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT WITH THE PROVISIONS OF SAID EMPLOYMENT AGREEMENTS AND DECLARING AN EMERGENCY.

**Motion to adopt Ordinance No. 19-48A by Mr. Marmie, second by Mr. Barker**

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

**19-48 B** AN ORDINANCE REJECTING THE EMPLOYMENT AGREEMENT BETWEEN THE CITY OF NEWARK, OHIO, AND THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL 109, PROVIDING FOR THE APPLICATION OF ALL TERMS, CONDITIONS, AND BENEFITS OF SAID AGREEMENT, AND DECLARING AN EMERGENCY.

**Died due to lack of motion**

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

**19-49** AN ORDINANCE SETTING COMPENSATION AND STATING POLICY WITH RESPECT TO ADMINISTRATIVE TECHNICAL EXEMPT EMPLOYEES OF THE CITY OF NEWARK, OHIO; REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT WITH THIS ORDINANCE; AND DECLARING AN EMERGENCY.

**Motion by Mr. Marmie to adopt Ordinance No. 19-49, second by Mr. Barker**

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

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

**19-50** AN ORDINANCE SETTING COMPENSATION AND STATING POLICY WITH RESPECT TO MANAGEMENT AND SUPERVISORY EMPLOYEES OF THE CITY OF NEWARK, OHIO; REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT WITH THIS ORDINANCE; AND DECLARING AN EMERGENCY.

**Motion by Mr. Marmie to adopt Ordinance No. 19-50, second by Mr. Barker**

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

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

**19-51** AN ORDINANCE SETTING COMPENSATION AND STATING POLICY WITH RESPECT TO HOURLY NON- BARGAINING UNIT EMPLOYEES OF THE CITY OF NEWARK, OHIO; REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT WITH THIS ORDINANCE; AND DECLARING AN EMERGENCY.

**Motion by Mr. Cost to adopt Ordinance No. 19-51, second by Mr. Marmie**

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

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