

COUNCIL MINUTES

January 2, 2018
Council Chambers
7:00 P.M.

7:00 P.M. - President Ellington called the January 2, 2018 Newark City Council meeting to order.

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

INVOCATION – Mr. Blake

PLEDGE OF ALLEGIANCE- President Ellington

CAUCUS

MINUTES of December 18, 2017- Motion by Mr. Rath to approve the December 18, 2017 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.**

PROPOSED NEWARK CITY COUNCIL COMMITTEE ASSIGNMENTS- No objections, motion carried by acclamation.

Finance

Marmie, Chair
Blake, Vice Chair
Bubb
Fraizer
Cost

Capital Improvements

Lang, Chair
Hall, Vice Chair
Rath
Labutis
Fennell

Service

Rath, Chair
Cost, Vice Chair
Lang
Blake
Bubb

Safety

Labutis, Chair
Fennell, Vice Chair
Fraizer
Blake
Rath

Personnel

Bubb, Chair
Labutis, Vice Chair
Fennell
Hall
Lang

Recreation

Cost, Chair
Fraizer, Vice Chair
Fennell

Street

Fennell, Chair
Lang, Vice Chair
Hall
Rath

Rules

Blake, Chair
Marmie, Vice Chair
Fraizer

Blake
Labutis
Marmie

Economic Development

Fraizer, Chair
Rath, Vice Chair
Hall
Cost
Lang

Chaplains

Blake
Labutis

President Pro-tem

Bubb

Minority Leader

Cost

Ways and Means

Hall, Chair
Bubb, Vice Chair
Labutis

Budget Review

Mayor, Chair
Marmie, Vice Chair
Auditor
Service Director
Bubb
Treasurer
Blake
Cost

Majority Leader

Marmie

ADOPTION OF RULES AND ORDER OF BUSINESS OF COUNCIL- Motion by Mr. Fraizer to adopt, second by Mr. Bubb. Motion was carried by acclamation.

APPOINTMENTS- Mayor Hall Appointing Bill Cost to the City of Newark Temporary Board of Zoning District Revision. His term begins immediately to fill the term of a past member. – **No objections**

PUBLIC HEARING

By: Fraizer, Marmie, Rath, Lang

17-43 AN ORDINANCE AMENDING ARTICLE 46: MB MEDIUM INTENSITY BUSINESS DISTRICT, ARTICLE 64: LIMITED INDUSTRIAL DISTRICT, AND ARTICLE 60: DC DOWNTOWN DISTRICT OF THE ZONING CODE OF THE CITY OF NEWARK, OHIO

There were no comments for or against this ordinance. The public hearing was closed

Motion by Mr. Fraizer to adopt Ordinance No. 17-43, second by Mr. Lang

Mr. Fraizer- if you look at the recommendations from the Planning Commission there is a piece that they amended which made it a conditional use as well as ensuring there is a BZA review to make sure that all surrounding parties are notified as well as ensuring they are in compliance with the State and local regulations. I wanted to make sure that there wasn't this revolving loop. From what I understand we don't require a permit until they are issued a provisional license from the State. Moving forward since the applications have already been submitted if someone would like to open an

dispensary and they allow the application process to begin again sometime will identify a Medium Intensity District that meets the 1000 foot restriction or 700 foot restriction then they go through BZA for a conditional use they then apply for their provisional license from the State and then we issue a permit. That is how the process looks from beginning to end.

Motion by Mr. Fraizer to amend Ordinance No. 17-43 to 17-43 A that is in everyone's packet and includes the recommendation of the Planning Commission Director, second by Mr. Lang

Motion to amend Ordinance 17-43 to Ordinance 17-43 A passed by a vote of 10-0.

Motion to adopt Ordinance No. 17-43 A as amended passed by a vote of 10-0.

COMMENTS FROM CITIZENS

RESOLUTIONS ON SECOND READING

By: Rath, Floyd, Marmie, Cost, Fraizer

17-94 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE LICKING COUNTY BOARD OF COMMISSIONERS AND LICKING COUNTY EMERGENCY MANAGEMENT AGENCY FOR THE CONTINUED PROVISION OF EMERGENCY 9-1-1 COMMUNICATIONS SERVICES ON BEHALF OF ALL CITY OF NEWARK SAFETY FORCES

Motion by Mr. Rath to adopt Resolution No. 17-94, second by Mr. Fraizer

Motion passed by a vote of 10-0.

By: Rath, Floyd, Marmie, Cost

17-98 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR CERTAIN ESSENTIAL SUPPLIES FOR VARIOUS DEPARTMENTS OF THE CITY OF NEWARK, OHIO, FOR 2018.

Motion by Mr. Rath to adopt Resolution No. 17-98, second by Mr. Cost

Motion passed by a vote of 10-0.

By: Marmie, Floyd, Rath, Cost, Fraizer

17-100 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO PREPARE AND SUMIT TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) A ONE YEAR USE OF FUNDS/ACTION PLAN ALONG WITH AN APPLICATION FOR FY 2018 FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS (CDBG), AS REQUIRED BY 24 CFR PART 91.220, FOR VARIOUS PROGRAMS RELATED TO HOUSING AND COMMUNITY DEVELOPMENT.

Motion by Mr. Marmie to adopt Resolution No. 174-100, second by Mr. Fraizer

Motion passed by a vote of 10-0.

By: Rath, Floyd, Cost, Fraizer

17-101 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT FOR PARTICIPATION IN THE ODOT COOPERATIVE PURCHASING PROGRAM FOR THE YEARS 2017 THROUGH 2020.

Motion by Mr. Rath to adopt Resolution No. 17-101, second by Mr. Fraizer

Motion passed by a vote of 10-0.

COMMENTS FROM CITIZENS

Peggy Jones, 1115 Wilmington Court- she is very disappointed with what happened to the gazebo and that it was an underhanded deal. She feels that Mayor Hall has been the fall guy for this; she doesn't think that he knew that much about it. She stated that she did her own investigating and that there was one person who donated to have the gazebo moved. She stated by a phone call to that one person she doesn't believe that they knew why it was being moved other than it was in the way of construction but I think all along the person that wanted this done knew that it wasn't going to ever be put back on Courthouse grounds again. When she went to the courthouse lighting she went to where the gazebo used to be to see why it's not there and determined it is a turnaround with parking spaces. She stated the Joint

Vocational School would have been happy to help repair the gazebo at little to no cost to the city. I understand some people don't like the homeless laying in the gazebo but we don't have enough facilities in this town to take care of our homeless population. It is our job as citizens and residents to take care of these people. We have people sleeping in the garage downtown and the Canal Market on benches is the Commissioner going to have that all taken away too? I think that the Mayor and Council should have been consulted about the gazebo. I want the gazebo back and I think that the Commissioner who wanted the gazebo out of there should pay to have it come back. Nobody is going to drive down East Main Street to see it, everybody is downtown now, and it is beautiful.

MISCELLANEOUS

Law Director Sassen- I would like to welcome Mr. Labutis and Mr. Fennell. I look forward to working with you and I would remind you that we are always available if you need help working on a project or any answers you might need. I enjoy seeing everyone so well dressed tonight. I look forward to seeing all of you as well dressed every Monday night for the remaining of the year. As Mr. Ellington will attest there is usually only two of up here with a suit on and it would be nice to see all of you with a suit on, you look great. Despite my disappointment last night I will say it one more time, Go Tigers!

Mayor Hall- I too would like to welcome our two new members on Council as well as our returning ones, thank you everybody for serving and I look forward 2018.

Mr. Blake- I want to welcome Mr. Labutis and Mr. Fennell. You will find if you get talking to the city administrators' people are willing to embrace you and take you around. If Dave Rhodes gets you in his truck you will be there for half a day so just be prepared for that. Welcome sincerely, I appreciate you wanting to stand up and step up to serve in this position, not a lot of people in our city want to serve in an elected office. It is honorable that you have done so to represent your respective constituents. I want to congratulate Mr. Cost on becoming our Minority Leader. Carol Floyd served with distinction, she had that position for a long time and I look forward to working with him and all members of Council.

Mr. Bubb- welcome Mark and Sean, I wish you the best.

Mr. Cost- I want to welcome Mr. Fennell and Mr. Labutis and welcome back to all the other familiar faces. We all are looking forward to a good 2018, working to together to see what we can do for the best interest of the city.

Mr. Fennell- thank you everyone for your warm wishes. I look forward to working with everyone here and if you'll indulge me for just a minute I would like to thank a few people that are in the audience this evening. My dad, Dennis Fennell I want to thank you for through all of your legal work as an attorney and Assistant DA for showing me how important it is that we look at the law and how that everyone deserves a voice and everyone deserves an advocate, so thank you for that. To my grandmother sitting next to him through your work you showed me what a public servant is and how to serve a community for the betterment and thank you for all of your support. To my mom Shelly Woodruff, for all of her activism, V.P. of Mothers against Drunk Driving and helping to make our nation safer, showing me that if you want to make a difference and you want things to change you have to step up and actually put yourself out there. Thank you to my family for all of your examples and support, without you I wouldn't be here. For all the people who supported me, I can't express how humbled I am by all of the support I received, how proud I am to be up here and humbled I am to be here as well. I will do my best to try to make our city strong and I know I have some big shoes to fill. Carol was incredible, she set an amazing example and I hope to be every bit as involved, effective and dedicated as Carol Floyd. I want to thank everyone for this opportunity and I look forward to working with every single one of them.

Mr. Fraizer- the HHCA is doing their annual fund raiser January 13th 4:30-6:30 chicken noodle dinner, silent auction, Chinese auction, it is a great fundraiser, a lot of community engagement and I would love to see whoever would like to come. Peggy, thank you for coming and talking and swearing in Mr. Marmie, we appreciate it. The one thing that I want to see as well is transparency in government. I have always tried to advocate that so what I have been working on the last few months is a legislative tracker. We have 98 ordinances that passed this year and that is a lot of legislation with a lot of items so what I want to see is a center depository for that where people can access that, it's open to the public and Council or the public can know what has passed, who supported it and what it contained. We have a great job of the You Tube Channel where all of the videos are posted and we have packets, minutes and agendas on line as well it's just hard for people who aren't familiar with our site to use it. I think that is a step in the right direction, we are going to try to get more transparent, have more access to the people and have everybody work with the same sheet of music to see what we are looking at and to understand and have access to the video and minutes in order to have a more transparent government. That is my new year's resolution for next year. I want to congratulate everyone in the Wards for winning their elections, being willing to participate in our government and wanting to make a difference in our community. I look forward to the next two years until my election and hopefully after that as well.

Ms. Hall- I wanted to welcome Sean and Mark as well. I think that we have our work cut out for us; I look forward to working with everyone on Council. I can no longer say I am the new kid on the block; I am going to have to do my research and keep up with the procedures. I look forward to this year. Many of the administration have always said my doors open so never hesitate to call those folks. They have been very supportive.

Mr. Labutis- thank you for all of the warm well wishes as I start my time on Council, you have all been very gracious welcoming me to this position. I am humbled to be here but I am excited as well. I love the city, my family loves the city as well and I look forward to serving. I would like to thank my wife and kids for being here tonight at the first meeting. I hope to make you proud also the citizens of the Fourth Ward and the City of Newark.

Mr. Lang- welcome Mr. Labutis and Mr. Fennell, I look forward to serving with you. I look forward to everybody on both sides of the isle continuing to work with you. I would like to congratulate the Mayor, Director Rhodes, and Director Mauter for the closing of the basket I think that was a great end of the year present. Between that and the Cherry Valley sale we have really bookended Newark and we have some great reinvestments of property on both ends of the city. I am really excited to see what happens with those properties. Great job, well done Mayor.

Mr. Marmie- I want to congratulate and welcome Mark and Sean. I really appreciate your willingness to help the City of Newark and I am looking forward to working with both of you. If you are wondering why I have this laptop up here I am attempting to go green. I have asked the Clerk to no longer print out the paperwork that I will be utilizing my laptop in order to try to conserve as much as we can. I am going to do this for these meetings as well as committee meetings. I appreciate her working with me and getting the information to me. It is working out well so far. I want to wish everybody a very prosperous 2018 and I hope the City of Newark is very prosperous, as much as if not more than 2017. It was a great year for us.

Mr. Rath- a couple of pieces of legislation I am happy with tonight is 17-94 which is our partnership with the County for our 9-1-1 services we are doing that at a decreased costs with a potential of an even more decreased cost in the future and improved service. That is a great partnership, I'm happy that we continue to have that as well as the cost savings. The other is 17-101 where we are partnering with ODOT for the next several years. That enables us to increase and improve our buying power at again a cost savings. I'd like to welcome Mr. Fennell and Mr. Labutis, having a willingness to serve is much appreciated. Welcome to the crowd. Thank you to Judge Richard Wright, he has been a friend of mine for a long time that came in to swear me in, I appreciate him taking time out on this cold night. I want to wish everyone a Happy New Year. He called a Service Committee meeting for the 8th.

Mr. Marmie- called for a Finance Committee meeting.

President Ellington- Mr. Marmie I am a step behind you I brought my ipad tonight I just haven't opened it but we are getting closer. Our next Committee meeting is Monday January 8th at 5:30 P.M. and the next City Council meeting will be Tuesday January 16th City Hall will be closed on Monday January 15th for Martin Luther King Jr Day. I want to wish everyone a happy new year and thank you for coming.

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