

COUNCIL MINUTES

May 7, 2018

Council Chambers

7:00 P.M.

7:00 P.M. - President Ellington called the Monday May 7, 2018 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. Blake

PLEDGE OF ALLEGIANCE- President Ellington

CAUCUS Rule 11 18-42 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO PARTICIPATE IN THE ODOT WINTER CONTRACT (018-19) FOR ROAD SALT AND DECLARING AN EMERGENCY.

MINUTES of April 16, 2018 Motion by Mr. Rath to approve the April 16, 2018 Newark City Council Minutes as presented and the reading be dispensed with in view of the fact each member of Council has received written summary of same, second by Mr. Fraizer. **Motion carried by acclamation.**

REPORTS OF STANDING COMMITTEES

Finance- **Received & Filed**

Service- **Received & Filed**

Safety- **Received & Filed**

Personnel- **Received & Filed**

COMMUNICATIONS

Ohio Division of Liquor Control- new application for Pitmasters Friendly BBQ at 1081 N 21st Street. - **Received & Filed**

Anonymous resident of Green Bay Wisconsin- wrote to Council stating why they would like the Freemasonic Lodge removed from Newark- **Received & Filed**

COMMENTS FROM CITIZENS

William Butcher, 263 Union St- asking for Union Street to be paved and wants to know what the city is going to do about people not stopping for emergency vehicles

Fred Martin 427 Glen Eagles Dr- spoke in favor of Resolution 18-34 on the agenda for a first reading. He stated that it was important to Fairway Estates in the way of a safety perspective, a cost perspective and an environmental perspective.

ORDINANCE ON FIRST READING

By: Rath, Cost, Labutis, Fraizer

18-10 AN ORDINANCE AMENDING CHAPTER 618 OF THE CODIFIED ORDINANCES OF THE CITY OF NEWARK, OHIO WITH REGARD TO CITY OWNED OR OPERATED DOG PARKS

Held for a second reading

By: Labutis, Cost, Marmie, Rath, Fraizer

18-11 A ORDINANCE AMENDING THE POSITION CLASSIFICATION AND POSITION AUTHORIZATION TABLES OF THE CITY OF NEWARK, DIVISION OF ENGINEERING, BY CREATING THE POSITION OF ENGINEERING / ZONING ADMINISTRATIVE ASSISTANT (1), AND SETTING COMPENSATION THEREFORE, AND ABOLISHING ONE SECRETARY 1 POSITION.

Motion by Mr. Bubb to waive the two day reading rule on Ordinance No. 18-11, second by Mr. Fraizer

Mr. Bubb- City Engineer Brian Morehead has asked that we waive the two day reading rule because we have a retirement that will be occurring soon and he would like to get that new person in place because the person in that place has many years of knowledge and he would like her to be able to pass some of that on while she is still here.

Motion passed by a vote of 10-0

Motion by Mr. Bubb to adopt Ordinance No. 18-11, second by Mr. Fraizer

Motion passed by a vote of 10-0.

RESOLUTIONS ON SECOND READING

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

18-26 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. 18-26, second by Mr. Cost

Motion passed by a vote of 10-0.

By: Marmie, Cost, Fraizer, Rath, Labutis

18-28 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 2018 EDWARD BYRNE JUSTICE ASSISTANCE GRANT FUNDING.

Motion by Mr. Marmie to adopt Resolution No. 18-28, second by Mr. Fraizer

Motion passed by a vote of 10-0.

By: Rath, Marmie, Cost, Fraizer, Labutis

18-29 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 2018 TRANSPORTATION ALTERNATIVES PROGRAM TO PARTIALLY FUND TWO FUTURE PROJECTS.

Motion by Mr. Rath to adopt Resolution No. 18-29, second by Mr. Cost

Motion passed by a vote of 10-0.

By: Rath, Labutis, Marmie, Cost, Fraizer

18-30 PRELIMINARY LEGISLATION COOPERATING WITH ODOT FOR THE REPLACEMENT OF CHERRY VALLEY ROAD BRIDGE WITHIN THE CITY OF NEWARK.

Motion by Mr. Rath to adopt Resolution No. 18-30, second by Mr. Fraizer

Motion passed by a vote of 10-0.

RESOLUTIONS ON FIRST READING

By: Marmie, Cost, Rath, Labutis

18-31 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION- Expedite

Motion to waive the two day reading rule on Resolution No. 18-31 by Mr. Marmie, second by Mr. Fraizer

Mr. Marmie- we have expenses, payouts and bills that need to be expedited

Motion passed by a vote of 10-0.

Motion by Mr. Marmie to adopt Resolution No. 18-30, second by Mr. Fraizer

Motion passed by a vote of 10-0

By: Marmie, Rath, Cost, Labutis

18-32 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

Held for a second reading

By: Marmie, Cost, Rath

**18-33 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION - CI
Held for a second reading**

By: Rath, Cost, Rath, Labutis

18-34 A RESOLUTION DECLARING THE NECESSITY OF IMPROVING PROPERTIES IN AND ABUTTING FAIRWAY ESTATES SUBDIVISION AND ALONG HORNS HILL ROAD BY UPGRADING THE EXISTING SANITARY SEWER SYSTEM AND INSTALLING A NEW GRAVITY SEWER SYSTEM AND THE NECESSARY APPURTENANCES.

Held for a second reading

COMMENTS FROM CITIZENS

William Butcher, 263 Union St-he would like to see his street paved this summer

Daniel Crawford, 168 S 2nd St- discussed his mother being his inspiration to be in politics and how compassionate and caring she was. He dedicates his political endeavors to her. He discussed his concern about a pattern of gentrification in the city.

MISCELLANEOUS

Safety Director Baum- please keep the family of Kelly Miller who was the Director of Licking County Probation for several years in your thoughts and prayers he passed Saturday night unexpectedly. We retired a Police Supervisor Scott Snow last week and this morning we promoted Travis Delancy in his place. I don't often do this but Scott Snow spent a lot of time in the detective bureau and he was an investigator that was second to none. His experience was sought after by other surrounding agencies as well as agencies out of state who asked him to come in and review cold cases. He solved one cold case for them. We were lucky to have his public service for the years that we had him.

Law Director Sassen- along the lines of Daniel's comments but on a much lighter note I thought that I would offer a little historical antidote, today if she was still alive it would have been my mother's 90th birthday . Tomorrow is the 73rd anniversary of VE Day and also not coincidentally Harry Truman's birthday. The war actually ended on May 7th but the Federal Government decided they would claim May 8th to be VE Day as a tribute to the sitting President Harry Truman. My mother who was 17 years old at the time was very upset by that and she never got over it. My only point being that when you make decisions that seem like no brieners always remember that there is somebody who is going to be offended and they won't forget.

Mr. Fraizer- I want to encourage everyone to go out and vote tomorrow, vote for the Newark High School renewal and your local candidates of preference. Having these off lections where there's not a presidential candidate typically is low voter turnout so your vote does really go a long way and your participation really does matter. Fred thank you for coming and sharing your views on Fairway Estates, William thank you for your weather report, Daniel my sympathies on your mother. When it comes to the gentrification in the community, there are some checks already in place having a low income tax rate of 1.75%, low water rates, low property tax rates, low cost of living when it comes to housing; we do have some level of transportation, it's not the best that we can. We also see the quality of life that seems to keep improving especially with the revitalization of our parks and the continuous investment of our government.

May 10th the HHCA is doing their monthly meeting it is going to be at the Buckeye Winery, they are also going to do a tour of the Lewi Sullivan building for a \$5.00 donation with a \$100.00 match from the HHCA to encourage the revitalization efforts. May 12th is the HHCA yard sale as well as the plant sale for the master gardeners. I would like to also call an Economic Development Committee meeting, I know we didn't get to that today because of the schedule but we are looking forward to an update from the Economic Development Department. I would also like to thank the Parks Department for their participation in the HHCA community clean up

Mr. Labutis- I would like to thank Joe Paul of the Property Maintenance Department, there was a block watch meeting in the 4th Ward that he was able to attend and address some concerns about properties in the area. He explained the process and things can and can't do from his office. I appreciate him being there and giving them the information that they needed. I want to thank Domestic Court Relations Magistrate Deborah Lang and Judge Duke Frost. They had a Law Day even last week at the Courthouse that was fantastic. I want to congratulate them on a great event. Today is my wife Hope's Birthday so I would like to wish her a happy birthday.

Mr. Lang- I would like to thank everyone who came out for Law Day as Mr. Labutis mentioned my wife was one of the organizers. I would also like to thank Mr. Fraizer and Mr. Labutis for joining me to speak about the job of City Council and the legislative process. It was an interesting day and well attended. I hope folks can make it next year. I enjoy the recent discussion by Our Voice Ohio on the opioid addiction crisis and how it is being reported. I think that it was a really

great opportunity for the whole community to come together; I certainly met a lot of different folks from different walks of life. I want to remind everyone that Sam Quinones is speaking tomorrow at Newark High School at 6:00 the tickets are free but I think that you need to go online and get those. I had the pleasure of listening to Sam speak today at the Bar Association. His book Dreamland is a fascinating and easy read and I recommend it. One of the things that he said today that stuck with me was the antidote to heroin isn't not in a lock zone its community and I think that is really important that we all keep that in mind as we attend different meetings and try to pull people together. Us coming together as a community is what is going to solve that issue. It is a really important message and I highly recommend everyone going tomorrow.

Mr. Marmie- called for a Finance Committee Meeting

Rule 11

By: Marmie, Cost, Rath, Labutis

18-42 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO PARTICIPATE IN THE ODOT WINTER CONTRACT (018-19) FOR ROAD SALT AND DECLARING AN EMERGENCY.

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

Mr. Marmie- ODOT releases this event in which we can participate in and they sent us an email about but not in time for us to get the legislation on this agenda and we don't have time if we wait until the next one so we have to expedite this to meet their deadline to get a better deal on our salt.

Motion passed by a vote of 10-0.

Motion by Mr. Marmie to adopt Resolution No. 18-42, second by Mr. Cost

Motion passed by a vote of 10-0.

Mr. Marmie- Daniel I do appreciate your story about your mother, I have lost both of my parents so I know how you feel. As far as the gentrification of the issue on the foot bridge I don't see it as that issue not only that you say that you don't want anybody else to bring it up again and then you bring it up and discuss your points. The whole thing is that we can't ignore any kind of a safety issue that is happening within the City of Newark. There still has been two incidents since everything has been put into place as far as the safety on the side of the bridge where the school is however it's not just about the safety of that side of the bridge it's also about the safety of the citizens on the other side of the bridge too because if it continues to attract negative activity we want to make sure to protect both sides of that bridge not just the one. I agree that we need to make sure that we look at all of the other safety issues if people could not use it but the main thing is that we still need to discuss it because we know that there is a safety concern in that area. It doesn't mean that we are going to close the bridge we still have to make sure that we are addressing safety concerns no matter where it is or what part of the city it is and it has nothing to do with gentrification and that should never be the issue brought forward from this point on it is a matter of a safety issue.

Mr. Rath- called a Service Committee Meeting. There is a comedy event going on next Thursday May 17th called Raise the Woof. It is put on by the Police Department to raise money for the K-9 dog they are going to be buying. Tickets are \$20.00 each, I have two left that I bought or you could see Officer Shaw in the back of the room and he has tickets if you are interested. These guys have put on a lot of fundraiser and put in an awful lot of work to raise enough money to do this so my hat goes off to them. I want to encourage everyone to vote tomorrow. I know Mr. Fraizer mentioned the Newark High School levy and I know residents in the 3rd Ward will also be voting on the Granville levy and I am interested to see how that turns out, hopefully they will support that.

Mr. Blake- I want to thank Councilman Fennell actually he and I have been working together on an issue and planning for the inaugural June 9th Pride Festival and I want to thank him for all of his leadership that he has shown over the last several weeks. As far as an economic development perspective Don Boyd with the Ohio Chamber of Commerce was recently quoted as saying that supporting policies that make people feel welcome is good for business not only with attracting talented individuals but promoting commerce throughout a whole community. Secondly we know that Amazon is searching for another headquarters location and one of their criteria is the acceptance of the LGBTQ community members. Even here locally we have seen business and organization step up like OSU Newark, Denison University, Park National Bank, Licking Memorial Health systems, they all now have are involved in part with the June 9th Pride Festival. I believe that the people in Newark believe in love and acceptance and I hope that our elected leaders get to the same stage it just makes good business sense to serve and respect all people. The second point that I want to make tonight is about Ordinance 18-13 that we had a discussion about earlier tonight at committee. I think that it is short sided to think as issues in a silo. I think that when we start talking about our division of fire and where we are going to be locating fire stations and where we are going to be staffing and equipping the people that serve our community all of this can be done in a holistic approach so the idea of it being not germane to the discussion I think is short sided. I also want to say that this issue about the location of the fire station has been talked about for years so

having it now we need to be thoughtful about the discussions that we have regarding our safety forces especially our Division of Fire. I hope in the future we can continue discussions and have a hard discussion about how we are staffing that division and how we are equipping that division because if you talk to the Fire Chief there are serious issues there and we need to bring those into the light.

Mr. Fennell- thank you Daniel for speaking and for the passion that you always bring to the table and all of your civic engagement. I encourage everyone to show up and vote and please consider supporting Newark City Schools. Thank you Mr. Blake, it has been an interesting few weeks. I definitely didn't anticipate the issue of lighting the Courthouse for Pride would become such a large issue. Mostly I think that because when I moved here in all of my experiences here in Newark being a part of the LGBTQ community has never been an issue. I never felt discriminated against here in Newark. I felt nothing more than warm welcomes so that is why I think that a lot of it struck me a little bit disconcerting to face that. I will say that the out pouring support that we have had from local businesses and community leaders and regular citizens has been something that I think we need to acknowledge and make sure that people realize this is not something that is coming from an entirely negative place that there is a lot of support and love in this community. Newark by and large from what I have found is an incredible and accepting place.

President Ellington- thank you Mr. Fennell, I would agree. Monday May 21st Committees will meet at 5:45 P.M. and City Council will meet at 7:00 P.M. thank you all for coming.

ADJOURNMENT- 7:40 P.M.