

COUNCIL MINUTES

June 18, 2018

Council Chambers

7:00 P.M.

7:00 P.M. - President Ellington called the Monday June 18, 2018 Newark City Council Meeting to order.

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

INVOCATION – Mr. Labutis

PLEDGE OF ALLEGIANCE- President Ellington

CAUCUS- Motion by Mr. Cost to excuse Mr. Marmie and Mr. Fraizer, second by Mr. Rath. Motion was carried by acclamation.

Mr. Lang will ask to reconsider Ordinance 18-16 in Miscellaneous

18-16 AN ORDINANCE DETERMINING TO PROCEED WITH THE IMPROVEMENT OF 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, THERETO, AND DECLARING AN EMERGENCY.

MINUTES of June 4, 2018- Motion by Mr. Labutis to approve the June 4, 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. Bubb. **Motion carried by acclamation.**

REPORTS OF STANDING COMMITTEES

Finance- **Received & Filed**

Service-**Received & Filed**

REPORTS FROM CITY OFFICIALS

Stephen Johnson, City Auditor- operating report for the period ending May 31, 2018. **-Received & Filed**

Barb Jobes, City Income Tax Administrator- income tax revenue report for the period ending May 31, 2018. **-Received & Filed**

COMMUNICATIONS

Ohio Division of Liquor Control- new application for Townz Family Billards and Beverages LLC at 50 N 11th St. **-Received & Filed**

St Francis De Sales, Father Sizemore & Jim Knox- a letter to the Mayor and City Council asking that they consider closing the foot bridge on Pearl Street. **-Received & Filed**

COMMENTS FROM CITIZENS

RESOLUTIONS ON SECOND READING

By: Marmie, Cost, Fraizer, Labutis

18-43 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO NEGOTIATE AND ENTER INTO CONTRACT WITHOUT COMPETITIVE BIDDING FOR THE PURCHASE AND INSTALLATION OF NEW, HIGH-EFFICIENCY STREET LIGHTING THROUGH THE U.S. COMMUNITIES PURCHASING PROGRAM

Motion by Mr. Rath to adopt Resolution No. 18-43, second by Mr. Cost

Motion passed by a vote of 8-0.

By: Marmie, Cost, Rath, Labutis

18-44 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL

CORPORATION (100 General Fund-\$500.00: Flowers for City Hall, 100 General Fund-\$1452.08: Refund from JP Moher)

Motion by Mr. Blake to adopt Resolution No. 18-44, second by Mr. Lang
Motion passed by a vote of 8-0.

By: Cost, Fraizer, Rath, Labutis

18-45 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION- CI (335 Capital Improvement Fund-\$20,000.00: Paving of Wells Park)

Motion by Mr. Lang to adopt Resolution No. 18-45, second by Mr. Cost
Motion passed by a vote of 8-0.

RESOLUTIONS ON FIRST READING

By: Cost, Labutis, Rath

18-48 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION- Expedite (100 General Funs-\$298.49: Rebates back to State; 100 General Fund-\$9,855.00: Lease copier/printer; 153 Comp Abs-\$34,700.00: Payout Rose Peck)

Motion by Mr. Blake to waive the two day reading rule on Resolution No. 18-48, second by Mr. Rath
Mr. Blake- this legislation has payouts for employees
Motion passed by a vote of 8-0.

Motion by Mr. Blake to adopt Resolution No. 18-48, second by Mr. Rath
Motion passed by a vote of 8-0.

By: Cost, Rath, Labutis

18-49 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (100 General Fund-\$2,000.00: Donation for Mural on Church St)

Held for a second reading

By: Rath, Cost, Labutis

18-50 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE FOR THE CITY OF NEWARK, OHIO, TO ENTER INTO A LEASE AGREEMENT WITH PARK NATIONAL BANK FOR THE LEASE-PURCHASE OF FOUR (4) SNOW PLOW TRUCKS FOR USE IN THE DIVISION OF STREETS

Held for a second reading

By: Rath, Cost, Labutis

18-51 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE FOR THE CITY OF NEWARK, OHIO, TO ENTER INTO A LEASE PURCHASE AGREEMENT WITH PARK NATIONAL BANK FOR THE LEASE-PURCHASE OF NEW, HIGH-EFFICIENCY STREET LIGHTING THROUGH THE U.S. COMMUNITIES PURCHASING PROGRAM

Held for a second reading

COMMENTS FROM CITIZENS

Kim Blaney, 1407 Misty Glen- complimented the city for downtown and the farmers market as to how beautiful it is however stated that it is hard to do business in this town because of the opioid epidemic. It was also stated that he was treated rudely by the Engineers office that day when he called to ask a few questions concerning a conflict he is having with a neighboring property owner on Rice. He stated that this individual is retaliating against him and several of his tenants because he wouldn't close down the alley. He stated that the neighbor is taking their four wheel drive and turfing up the area of property between the street and the sidewalk and since it's not his property but he is responsible for maintaining it he should have a right to protect it even though when called the police tell him they don't have any jurisdiction.

Timothy Theodora 235 English Ave- he discussed his concerns about staffing and equipping the fire station that the city is planning on building. He is also concerned about cross manning of the station since fire fighters in station two where

he lives would be used to staff the new station five. He asked if it would be possible to just connect Baker and Evans and take Baker all the way to King then see what the response time is after that before station five is built. The area at the Thornwood Crossing looks good and I love what they have done with the bridge but Barnes has a billboard in Granville Township and he wanted to know why Kessler needed another one a short distance from that one.

MISCELLANEOUS

Mr. Labutis- called a Safety Committee meeting for July 2nd.

Mr. Lang-

Motion to reconsider Ordinance 18-16, second by Mr. Rath

Mr. Lang- the purpose of reconsidering is to allow sufficient time for residents who received letters an opportunity to object if they desire. The ordinance simply just passed too soon because we were still within that objection period so we need to reconsider it to move it outside of that period.

Mr. Bubb- I will abstain from voting on this matter since I serve on the Home Owners Association Board.

Law Director Sassen- this is a legal issue that the city is faced with, we have residents there that have the legal right to express their objection which one of them did today. We need to give them ample opportunity to come to full Council and express their opinion this is to allow them that meaningful opportunity. I appreciate the support by Mr. Lang's motion because this is something that we legally need to do.

President Ellington- if we get 6 votes it will be reconsidered and then it would be like starting again.

Director Sassen- it takes 7 votes, the original ordinance was phrased as an emergency; motion to reconsider takes the same amount of votes as a motion to adopt.

Motion to reconsider passed by a vote of 7-0-1 Mr. Bubb abstaining

Motion by Mr. Lang to table Ordinance 18-16 to July 2nd, second by Mr. Rath

Motion passed by a vote of 7-0-1 Mr. Bubb abstaining.

Mr. Lang- Mr. Theodora, thank you for coming and I appreciate your comments regarding the fire station and the billboard. Regarding Ordinance 17-52 that we passed with all due respect to the Advocate I think one of the things that was left out of that piece is that we passed a nearly identical measure back in February with very similar facts. The proposed location wasn't on the map, the Planning Commission rationale for rejecting it was largely because they didn't want to reopen the map and it was clear by looking at the map had that location been a part of the map when we drew it, it would have been a billboard location. When we voted on 17-53 back in February there were 7 of us that voted the same on both issues there were three of us who changed their minds. One of us made a significant issue out of the fact that there were some political donations made by somebody who would benefit from that legislation. I don't know if I agree with the wisdom of trying to win political points by taking a shot at colleagues but quite frankly there was only one of us who were talking about an individual involved and their party affiliation when they talked about their choice in this matter. I don't think that we should ever play party politics when it comes to how a property owner can use their property. Left out of all of this was the fact there is a church over there that can really benefit from the revenue that they are going to get from this measure that we passed. It's not always as cut and dry as to who is benefitting I think that we need to be consistent in making our decision and it wasn't enough for me that this wasn't on the map when the map was drawn. I think that we should always assume the best out of everyone; I think everyone up here is doing their best job to protect the people they were sworn to represent. I think that we can disagree philosophically but I don't think that it ever needs to get personal. Turning to the fire station I think that Chief Connor did a great job on Thursday at the town hall meeting, he took a lot of questions and described the fire and EMS in great detail. He did a great map that shows the response times all over the city. Where we want to put station 5 we have a zone that is nearly 7 minutes and one that takes nearly 8 minutes that we want to put this fire station right on top of it. When I see response times of 7 and 8 minutes and I am told by the Chief that we need to get there by 4 to save someone's life it is clear wherever you want to put the people that we got they are not in the right place to service the whole city. We have donated land, \$380,000.00 from a prior station build and an administration that is willing to look at increasing staff as well as working on equipment needs to satisfy an urgent need. I think that it is important that we move forward with the plans. I think if we can give the administration and Chief Connor time to be able to take measures now to plan for this I think that we will be able to do it. They have already talked about applying for SAFER grants to improve our numbers from 79 to 81 next year. We also need to start planning our budget to move forward to adjust for the equipment needs. I think moving forward with this puts the right kind of pressure on everybody to get this fixed and to improve the safety services that we provide.

President Ellington- Tim I don't know if you know or not but when they put that billboard up on the church property the other one will go down.

Mr. Rath- the billboard that will go down is the one at Cherry Valley Rd and Reddington Road not necessarily the Barnes. The one at Cherry Valley and Reddington is in a more residential than a business neighborhood and it is more of an eyesore for that neighborhood. I am very excited about taking one down and putting another up by the highway. I think that is going to serve that neighborhood much better. I guess we are making progress investigating that 911 incident that I spoke about two weeks ago. I know Mr. Labutis the Safety Chair had a meeting with our Police Chief and Safety Director; I am looking forward to hearing more about that. I have an appointment scheduled to meet with the Licking County Sheriff Department and I am looking forward to that conversation to find out where our breakdown is; if it is an ongoing thing or if it is a single incident. We need to find a resolution to make sure that it doesn't happen again for our citizens of Newark. He called for a Service Committee meeting.

Mr. Blake- called a Finance Committee meeting for July 2nd. I wanted to comment about 18-45 which we passed in support of the improvements happening at Wells Park. Today at Kiwanis Mr. Mayor and Jeff Hotchkiss with the Parks Department came and he received a donation of \$6,800.00 from Kiwanis for improvements to that park. It is nice to see our Parks Department working with our service organizations such as Kiwanis to make some really needed improvements at Wells Park. The drainage of the softball field is going to be corrected, increased parking, handicap accessibility with the bathrooms and the shelter house will be done. There are going to be some really nice improvements there for a park that is heavily used. Thank you Mr. Mayor for focusing on the parks, specifically Wells Park. I understand that they are going to have some type of signage that states that Kiwanis participated in that project. I want to thank the gentleman for coming forward regarding the fire station. I think that the town hall meeting that we had last week that our Fire Chief did an excellent job. He did almost two hours of questions and answers with the people that were in attendance. We have a top notch administrator heading our Division of Fire and EMS. I think the world of Mr. Connor and am glad that he was able to provide that. I hope that is just the beginning of discussions to come because there are other people in our community that have real concerns where the direction is for safety in our community. You mentioned the cross staffing, we are going to share staffing from the fire station closet to your home to the proposed location and that is very concerning. There is no real connection road to quickly get from the proposed location to North 21st Street. Baker Blvd is not going to be done there is no funding for that currently so that is a question of concern. Are we shifting the concerns of having long response times in one area of our community to increasing response times now to another area of our community? There are quite a few questions that still need to be answered in addition to the equipment that we are going to be placing in that area, the mileage that is on the equipment and then quite frankly the human mileage that is on our staff. We have a lot of staff members within the Division of Fire and EMS that are already highly stressed and we are going to stress them even more by adding an additional facility. I look forward to having continued discussions with Councilmembers and the administration to see what is the proposal, what is the plan moving forward? The second point that you brought up was the billboard and I will clearly say that the Planning Commission was opposed to that, we did receive communications from Granville officials who were opposed to that and most importantly to me was that the owner of the Cherry Valley Lodge who has invested millions of dollars into that facility was opposed to this. If we are talking about job creation, maintaining jobs and maintaining the facility at one of the major entrances to our city I take his concerns in very deeply. Anyone who makes an investment into a piece of property with that kind of money I think that needs to be considered and I think that was something that was clearly ignored. That is what I said what I said and did what I did because I was referred to in the gentleman's earlier comments. I will just stand by what I said and everything is public record so I don't need to say anything more.

Mr. Bubb- I just wanted to remind everybody about the Summerfest June 21, 22 and 23 at the historic jail parking lot. There are three days of events with vendors, live entertainment and I will be down there volunteering on Friday.

President Ellington- I appreciate everyone coming tonight. Our next meetings will be on Monday July 2nd committees at 5:45 P.M. and Council at 7:00 P.M.

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