

## COUNCIL MINUTES

September 4, 2018

Council Chambers

7:00 P.M.

**7:00 P.M.** - President Ellington called the Tuesday September 4, 2018 Newark City Council Meeting to order

**ROLL CALL**- Marmie, Rath, Blake, Bubb, Cost, Fennell, Fraizer, Hall, Labutis, Lang

**INVOCATION** – Mr. Labutis

**PLEDGE OF ALLEGIANCE**- President Ellington

### CAUCUS

**MINUTES of August 20, 2018** Motion by Mr. to approve the August 20, 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.. **Motion carried by acclamation.**

### REPORTS OF STANDING COMMITTEES

Finance- **Received & Filed**

Service- **Received & Filed**

### REPORTS FROM CITY OFFICIALS

**Barb Jobes, City Tax Administrator**- income tax reports for the period ending August 15, 2018. - **Received & Filed**

### COMMUNICATIONS

**Ohio Division of Liquor Control**- transfer application for Pataskala Flowers Ltd on 1351 W Main Street. - **Received & Filed**

**Kim Beem**- 4 emails received regarding a situation with Officer Colles- **Received & Filed**

**Robert Mellars**- letter to Chief Connell regarding traffic control at 4 way stops particularly at Woods Ave and Moull Street and Woods Ave and Shields Street. - **Received & Filed**

**Ohio Division of Liquor Control**- new liquor license request for Pitmasters Friendly BBQ at 1081 N 21<sup>st</sup> Street. - **Received & Filed**

**Chris Montgomery**- a petition signed by neighboring property owners requesting that the alley between S 32<sup>nd</sup> St and S 33<sup>rd</sup> Street that runs from Shide to Hollar in the Glenwood Addition be paved. - **Received & Filed**

### COMMENTS FROM CITIZENS

**Kim Beem, 91 E North St**- she discussed the contents of her emails to Council

**Linda Mossholder, 224 Green Meadow Dr**- she wanted to make Council aware of the fact that there is a lack of running water fountains downtown around the square that she believed was working prior to the construction that occurred downtown and she also stated that the Service Director is already working on the situation.

**Clifford Simon, 199 Isabelle Rd**- stated that he has been trying to get the light at Isabelle and National Rd upgraded for the last two years and is asking for it again now that construction is happening with sidewalks and new curb cuts on Isabelle. He also stated that a staff member of the Engineer's office told him that they are considering removing that light and that they had been doing a study. He stated his concerns about having the light removed and the safety hazards that could cause. He stated that he thought that the speed limit should also be lowered to 25 MPH through there.

### ORDINANCES ON SECOND READING

**By: Cost, Marmie, Rath, Fraizer, Lng**

**18-25 AN ORDINANCE AMENDING CHAPTER 218 OF THE CODIFIED ORDINANCES OF THE CITY OF NEWARK, OHIO, REGARDING MANDATORY ETHICS TRAINING FOR CERTAIN ELECTED AND APPOINTED OFFICIALS**

**Motion by Mr. Blake to adopt Ordinance No. 18-25, second by Mr. Marmie**

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

## **ORDINANCES ON FIRST READING**

**By: Rath, Marmie, Lang**

**18-28** AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY GENERALLY DESCRIBED AS 1621 N 21<sup>ST</sup> STREET, CITY OF NEWARK, LICKING COUNTY, OHIO, FROM THAT OF GO- GENERAL OFFICE ZONING DISTRICT TO GC- GENERAL COMMERCIAL ZONING DISTRICT.

**Referred to Planning Commission**

**By: Rath, Marmie, Lang**

**18-29** AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY GENERALLY DESCRIBED AS 158 MYRTLE AVENUE, CITY OF NEWARK, LICKING COUNTY, OHIO, FROM THAT OF GO- GENERAL OFFICE ZONING DISTRICT TO GC- GENERAL COMMERCIAL ZONING DISTRICT.

**Referred to Planning Commission**

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

**18-30** AN ORDINANCE ACCEPTING THE DEDICATION TO PUBLIC USE OF THE STREETS IN TIMCYN WOODS SUBDIVISION, PHASE 3.

**Motion by Mr. Rath to waive the two day reading rule on Ordinance No. 18-30, second by Mr. Fraizer**

**Mr. Rath-** the developer for this project is ready to start selling lots and begin construction so to not hold them up we are asking so expedite this.

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

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

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

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

**18-31** AN ORDINANCE AUTHORIZING AND DIRECTING THE NEWARK CITY SAFETY DIRECTOR TO CERTIFY TO THE LICKING COUNTY AUDITOR, THE SUM OF \$255,0532.37 INCURRED BY THE NEWARK CITY PROPERTY MAINTENANCE DIVISION WITH RESPECT TO PROPERTY MAINTAINENCE VIOLATIONS TO BE PLACED.

**Held for a second reading**

## **RESOLUTIONS ON SECOND READING**

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

**18-65** A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (**100 General Fund-\$24,246.00: Copier Payoff; 661 Sewer Dept Fund-\$20,000.00: Paving Program; 621 Water Dept Fund-\$15,000.00: Paving Program; 100 General Fund-\$3,335.90: Reimbursement of Overtime funds**)

**Motion by Mr. Marmie to adopt Resolution No. 18-65, second by Mr. Fraizer**

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

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

**18-66** AUTHORIZATION FOR THE CITY OF NEWARK TO PICK UP THE STATUTORILY REQUIRED CONTRIBUTION TO THE OHIO PUBLIC EMPLOYEES RETIREMENT SYSTEM FOR THE EMPLOYEES OF CITY PURSUANT TO INTERNAL REVENUE CODE SECTION 414(H) (2).

**Motion by Mr. Marmie to adopt Resolution No. 18-66, second by Mr. Cost**

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

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

**18-67** A RESOLUTION AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY NOW OWNED BY THE CITY OF NEWARK, OHIO TO NEWARK DEVELOPMENT PARTNERS AS ITS AGENT FOR INDUSTRIAL, COMMERCIAL, DISTRIBUTION, AND RESEARCH DEVELOPMENT

**Motion by Mr. Rath to adopt Resolution No. 18-67, second by Mr. Fraizer**

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

## **RESOLUTIONS ON FIRST READING**

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

**18-70 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (100 General Fund-\$1,730.00: Copier Payoff; 100 General Fund-\$625.00: Fire Safety Supplies; 209 Hotel/Motel Bed Tax Fund-\$ 27,000.00: Bed Tax)**

**Held for a second reading**

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

**18-71 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION - Expedite (100 General Fund-\$20,000.00: Temp Services)**

**Motion by Mr. Marmie to waive the two day reading rule for Resolution No. 18-71, second by Mr. Fraizer**

**Mr. Marmie-** this is for temporary summer help to pay for their services.

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

**Motion by Mr. Marmie to adopt Resolution No. 18-71, second by Mr. Cost**

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

## **COMMENTS FROM CITIZENS**

**Clifford Simon, 199 Isabelle Rd-** he stated that he would like to see the workers who cut the grass at the cemetery try not to blow the grass against the headstones.

## **MISCELLANEOUS**

**Mr. Marmie-** called a Finance Committee Meeting.

**Mr. Rath-** called for a Service Committee Meeting.

**Mr. Blake-** thank Clifford and the two Mike's for coming to the meeting tonight and for reaching out to him about his concerns about the light at Isabelle Road and that he was right the Principal of Benjamin Franklin School also has concerns about the light at Isabelle being removed regarding safety for the school kids. He stated that they would set up a meeting with the Service Director to get everyone in the same room that has interest in the subject. He thanked Director Baum for having an impromptu meeting with one of his constituents prior to the Council meeting. He thanked Director Baum also for speaking at the Downtown Newark Association meeting regarding homelessness and several of the concerns businesses have regarding homelessness. I appreciate your comments this morning and I think that there are ways where Police can be useful in situations but I also think that there are some ways our social service agencies can step up and get directly involved rather than it just being a police action all the time. He thanked Mrs. Mossholder for coming in and speaking about the water fountains and the homelessness. Director Rhodes is working on that but we will follow up on that. He reminded everyone about the Kiwanis fish fry on Thursday evening for Camp O'Bannon.

**Mr. Bubb-** reminded everyone that this Saturday is Lite the Night Cruise In downtown Newark.

**Mr. Fraizer-** he thanked Clifford for coming in I liked all your comments. This administration has put a lot of time and effort into Cedar Hill Cemetery to make that what it deserves. I think that you are talking to the right people about your concerns regarding the light. He thanked Linda Mossholder for coming in and discussing the drinking fountain situation. I'm sure that it can be fixed and that it is absolutely necessary. He reminded everyone that River Round Up is Saturday. He thanked Downtown Cycles and Director Rhodes for letting him ramp at Flory Park. September 15<sup>th</sup> there is a transportation meeting. Everett Park and the Skate Park continue to make great progress. He thanked the administration and the Chief for coming forward with legislation for a new fire truck. It is absolutely something that we need and I am glad to see us continually make

investments in our community and infrastructure for the benefit of our community.

**Ms. Hall-** thanked Clifford for coming and talking about Isabelle. She also expressed her concerns about people running through the light there at Isabelle and National Dr.

**Mr. Lang-** thanked Mr. Simon for his comments. I mowed a cemetery when I was in high school and know that it is a challenging thing to do and hopefully we can continue to make that cemetery look nice. I absolutely agree with your concerns about the light at Isabelle Road and like Mr. Fraizer said I think that you are talking to the right folks. The Engineer's Department will take a good look at that and hopefully we can all get on the same page and do what is needed there. Thanked Mrs. Mossholder for everything that she does in our community to service the homeless and those that are down on their luck. I appreciate you bringing the water fountains to our attention. I'm glad to hear that Director Rhodes is on it. I will continue to extend my offer if there is an opportunity to donate water please continue that communication. He thanked Officer Beech for getting the speed trailer out on Londondale after we had a dog get hit there a few weeks ago.

**President Ellington-** thanked everyone for coming out and for their opinions. Ms. Beem I have forwarded your emails to the Safety Director also. He thanked Clifford for coming in and his comments as well as Mike and Mike. Our next meeting will be September 17<sup>th</sup> committees at 5:45 P.M. and Council will begin at 7:00 P.M.

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