

COUNCIL MINUTES

December 17, 2018
Council Chambers
7:00 P.M.

7:00 P.M. - President Ellington called the Monday December 17, 2018 Newark City Council Meeting to order.

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

INVOCATION – Mr. Blake

PLEDGE OF ALLEGIANCE- President Ellington

CAUCUS- Rule 11

Mr. Marmie- we have agreed to use Rule 11 on Resolution 18-100, 18-103, 18-104 and 18-101.

President Ellington- Resolution 18-101 was discussed at Finance Committee but it was a late item so we will need to use Rule 11 on it as well.

Motion by Mr. Marmie to excuse Mr. Bubb and Mr. Labutis, second by Mr. Fraizer

Motion carried by acclamation

By: Marmie, Cost, Rath

18-101 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (**100 General Fund: \$87,602.90- OPT; 422 Debt Service: \$87,602.90-Interest and Principal Payments**)

Motion by Mr. Marmie to waive the two day reading rule on Resolution No. 18-101, second by Mr. Fraizer

Mr. Marmie- these items have to be paid before the end of the year.

Motion passed by a vote of 8-0.

Motion to adopt Resolution No. 18-101 by Mr. Marmie, second by Mr. Cost

Motion passed by a vote of 8-0.

By: Rath, Marmie, Cost

18-100 A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO EXECUTE A CONTRACT FOR REIMBURSEMENT OF LEGAL REPRESENTATION OF INDIGENT PERSONS FOR CALENDAR YEAR 2019 WITH THE LICKING COUNTY BOARD OF COMMISSIONERS FOR THE CITY OF NEWARK, LICKING COUNTY, OHIO AND DECLARING AN EMERGENCY.

Motion by Mr. Rath to adopt Resolution No. 18-100, second by Mr. Fraizer

Director Sassen- we discussed this in committee, it is necessary to meet a deadline before the end of the year for the city and the municipal court to be reimbursed for attorney fees for indigent defendants

Motion passed by a vote of 8-0.

By: Rath, Marmie, Cost

18-103 A RESOLUTION APPROPRIATING THE REAL ESTATE KNOWN AS PARCEL #054-191250-00.00 NEWARK, LICKING COUNTY, LOCATED AT 519 ARLINGTON AVE, NEWARK, LICKING COUNTY, OHIO; AUTHORIZING THE DIRECTOR OF LAW TO PROCEED WITH A COMPLAINT FOR APPROPRIATION IN THE LICKING COUNTY COURT OF COMMON PLEAS, AND DECLARING AN EMERGENCY.

Motion by Mr. Rath to adopt Resolution No. 18-103, second by Mr. Cost

Mr. Rath- the emergency clause is on this to hit a deadline

Motion passed by a vote of 8-0.

By: Rath, Marmie, Cost

18-104 A RESOLUTION APPROPRIATING THE REAL ESTATE KNOWN AS PARCEL #054-19223400.00 NEWARK, LICKING COUNTY, LOCATED AT 443 ARLINGTON AVE, NEWARK, LICKING COUNTY, OHIO; AUTHORIZING THE DIRECTOR OF LAW TO PROCEED WITH A COMPLAINT FOR APPROPRIATION IN THE LICKING COUNTY COURT OF COMMON PLEAS, AND DECLARING AN EMERGENCY.

Motion by Mr. Rath to adopt Resolution No. 18-103, second by Mr. Cost

Mr. Rath- the emergency clause is on this to meet a deadline

Motion passed by a vote of 8-0.

MINUTES of December 3, 2018 Motion by Mr. Rath to approve the November 19, 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- 12/3/18 & 12/10/18- **Received & Filed**

Service- **Received & Filed**

REPORTS FROM CITY OFFICIALS

Stephen Johnson, City Auditor- operating report for the period ending November 30, 2018- **Received & Filed**

Barb Jobes- City Tax Administrator- tax revenue report for the period ending November 30, 2018. - **Received & Filed**

COMMENTS FROM CITIZENS

Dwayne Anderson, 914 Empire Dr B- back on our July 2nd meeting I asked for an expense budget for the Fire Department for the year of 2017 which Autumn and Lori provided for me the very next day but since then there was an article in the Advocate about unpaid EMS bills and for a 10 years period \$400,000.00 was hanging out there. What Lori told me was in the year 2017 the Fire Department had a net income of 1.5 million and that was divided up 40% to the Fire Department, 60% to the city. If that 60% would go back to the Fire Department you would have plenty of money there to build the new Fire Department Station out on the west end as wells man it. You guys are also asking for a new fire truck to lease for 10 years; within a 3 year period that could be paid for also. On page three it states of the Fire Department share of the money is spent on department personnel, capital improvements for the ambulances and administrative expenses and I believe that is already expensed out in the budget for 2017.

ORDINANCES ON SECOND READING

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

18-40 AN ORDINANCE ANNEXING CERTAIN TERRITORY, GENERALLY DESCRIBED AS BEING 0.53 ACRES MORE OR LESS LOCATED IN NEWTON TOWNSHIP TO THE CITY OF NEWARK

Motion by Mr. Rath to adopt Ordinance No. 18-40, second by Mr. Fraizer

Motion passed by a vote of 8-0

ORDINANCES ON FIRST READING

By: Marmie, Cost, Rath, Fraizer

18-45 AN ORDINANCE TO MAKE APPROPRIATIONS FOR THE EXPENDITURES OF THE CITY OF NEWARK, OHIO DURING THE YEAR ENDING, DECEMBER 31, 2019. GENERAL FUND BUDGET

Motion by Mr. Marmie to waive the two day reading rule on Ordinance No. 18-45, second by Mr. Fraizer
Mr. Marmie- this one and the next two ordinances we need to waive the two day reading rule because we have to have this completed before the first of the year otherwise we would have to go with an interim budget.

Motion passed by a vote of 8-0.

Motion to adopt Ordinance No. 18-45 by Mr. Marmie, second by Mr. Fraizer

Motion passed by a vote of 8-0.

By: Marmie, Cost, Rath, Fraizer

18-46 AN ORDINANCE TO MAKE APPROPRIATIONS FOR THE EXPENDITURES OF THE CITY OF NEWARK, OHIO DURING THE YEAR ENDING, DECEMBER 31, 2019. ALL OTHER FUND BUDGET

Motion by Mr. Marmie to waive the two day reading rule on Ordinance No. 18-46, second by Mr. Fraizer

Mr. Marmie- we need to waive the two day reading rule because we have to have this completed before the first of the year otherwise we would have to go with an interim budget.

Motion passed by a vote of 8-0.

Motion to adopt Ordinance No. 18-46 by Mr. Marmie, second by Mr. Fraizer

Motion passed by a vote of 8-0.

By: Marmie, Cost, Rath, Fraizer

18-47 AN ORDINANCE TO MAKE APPROPRIATIONS FOR THE EXPENDITURES OF THE CITY OF NEWARK, OHIO DURING THE YEAR ENDING, DECEMBER 31, 2019. GRANT FUND BUDGET

Motion by Mr. Marmie to waive the two day reading rule on Ordinance No. 18-47, second by Mr. Fraizer

Mr. Marmie- we need to waive the two day reading rule because we have to have this completed before the first of the year otherwise we would have to go with an interim budget.

Motion passed by a vote of 8-0.

Motion to adopt Ordinance No. 18-47 by Mr. Marmie, second by Mr. Fraizer

Motion passed by a vote of 8-0.

RESOLUTIONS ON SECOND READING

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

18-92 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO PREPARE AND SUBMIT APPLICATIONS TO THE OHIO ATTORNEY GENERAL FOR THE OHIO LAW ENFORCEMENT BODY ARMOR PROGRAM FUNDING DURING 2019.

Motion by Mr. Marmie to adopt Resolution No. 18-92, second by Mr. Cost

Motion passed by a vote of 8-0.

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

18-94 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (**209 Hotel/Motel Fund: \$89,824.68-Bed Tax Distribution; 100 General Fund: \$2,488.80-Fire Uniformed Overtime**)

Motion by Mr. Marmie to adopt Resolution No. 18-94, second by Mr. Fraizer

Motion passed by a vote of 8-0.

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

18-95 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A LEASE PURCHASE AGREEMENT FOR THE LEASE-PURCHASE OF A NEW ELECTRONIC SCOREBOARD FOR USE AT DON EDWARDS PARK BASEBALL FACILITY

Motion by Mr. Rath to adopt Resolution No. 18-95, second by Mr. Fraizer

Motion passed by a vote of 8-0.

RESOLUTIONS ON FIRST READING

By: Marmie, Cost, Rath

18-99 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION- Expedite (**954 Law Library Fund: \$16,092.66- Over Collection; 250 Police & Fire Pension Fund: \$29,863.36- Over Collection; 929 JEDZ1: \$31,000.00- Refunds; 931 JEDZ2: \$8,000.00; JEDD: \$50.00- Misc. Fee; 756 Insurance Fund: \$1,000,000.00- Claims**)

Motion by Mr. Marmie to waive the two day reading rule on Resolution No. 18-99, second by Mr. Fraizer

Mr. Marmie- we need to expedite these housekeeping items so the new budget can be in effect.

Motion passed by a vote of 8-0.

Motion by Mr. Marmie to adopt Resolution No. 18-99, second by Mr. Fraizer

Motion passed by a vote of 8-0.

COMMENTS FROM CITIZENS

Tim Waldron, 167 S 2nd St- spoke against the syringe exchange program that was discussed during the Service committee tonight.

Laura Cambie, 1120 Wintermute Ave- she spoke in support of the needle exchange program and encouraged Council to look into the addiction part of this and get educated. She also stated that she wants the gazebo back.

Daniel Crawford, 163 S 2nd St- shared his positive comments about what he appreciated about each Republican Councilmember. He stated that he will continue to fight for non-partisan government. He stated that he supports the needle exchange program.

Dwayne Anderson, 914 B Empire Dr- he stated that there was no way that we were going to get drugs out of our community. He encouraged Council to continue to do the good work of reducing drugs.

MISCELLANEOUS

Director Sassen- he congratulated Mr. Lang's college football team for nearly beating the Buckeyes.

Mayor Hall- through everyone's unanimous decision we have a budget for 2019, I want to thank all of the employees they worked on that budget day in and day out for trying to create efficiencies. We start the budget process in September and the general fund budget has about 500 line items so it is quite a process. Thanks also to Council that we came together on this budget so we don't have to go to an interim budget. We have good events across the community all of the time but this weekend a couple of things that stand out was the Wreaths Across America, on Saturday at our own Cedar Hill Cemetery people from the community laid out 622 wreaths at Veteran's graves and I would like to thank them for that. They are only there for a short time but if you want to drive through it is quite a sight. Sunday we had the Run, Run Reindeer 5K that was started by a local high school student but since he has left for college the Y has taken it over. They had about 360 runners and the money supports the backpack program that the Y has that feeds on the weekends more than 500 boys and girls that doesn't have other means. Happy New Year's and Merry Christmas to everyone, I hope that your holidays are safe and sound.

Mr. Cost- thank you for everyone coming tonight and Merry Christmas.

Mr. Fennell- this is the last Council Meeting of the year of my first year on Council and I'd like to thank everyone for being so welcoming and really helping me embrace this role. On the issue of the needle exchange I think anything that we can do to reduce harm and to help in any way we can we should. The needle epidemic is not going away, it is a very complicated issue and we have to attack this from multiple angles. This is just another way for us to help do this. Happy Holidays and I hope that everyone has a safe start to the New Year and I'll see you next year.

Mr. Fraizer- kudos to the administration and all the employees on the budget, with all of the complexities that we have with insurance premiums, contractual increases, raises, investment in our community, debt service payment to have the budget that we and the investment that will occur in 2019 is an absolute great thing. I look forward to next year and the amount of work that we can get done over the next 12 months. Dwayne when it comes to the fire department budget there is about 9.3 million dollars this year allocated to the fire department from the general fund budget. Some of that fund from EMS billing is helping to fund their salaries for the fire fighter employees. It is a pretty complex math equation as to why it is 40% and why it is 60% and what all does that cover in the 40%. We can get you with the Safety Director to walk you through that but the general fund is used to pay those firefighters and the non-uniformed Officers salaries. With this being the last session before the end of the year and beginning of 2019 I would like to thank everybody on Council for their time and dedication over the last three years and their patience with me. My wife and I are expecting our first child. We are looking forward to the next year and all of the opportunities that brings.

Ms. Hall- Congratulation Mr. Fraizer. Merry Christmas and Happy New Year and enjoy our square it is absolutely beautiful.

Mr. Lang- I think that it is appropriate on the last meeting of the year Mr. Waldron, Ms. Cambie and Mr. Crawford you three are regulars, it has been fun seeing you just about every Council meeting this year and thank you for speaking tonight. Dwayne thank you for speaking as well, I think Mr. Fraizer answered most of your questions. I wanted to thank firefighter/paramedic Thomas for hosting me recently at station 3. I had a really interesting day spending time with all the guys out there. Firefighter Paramedic Thompson, Blizzard, Powell and Stimple were all really welcoming they treated me like one of the guys. It was eye opening to ride Medic 3 and Engine 3 it wasn't the busiest of days but I got a like taste of what they do. Now having had the chance to ride shot gun with Police and Fire I would encourage any of my colleagues who haven't gone on those ride alongs to do it, it is a lot of fun and I think that it is important as we make decisions about what they need to do their job. I think that it is important for us to have that first person experience. Happy Holidays to everyone.

Mr. Marmie- called a Finance Committee Meeting for Monday January 7th. I want to wish everyone a very merry Christmas and Happy New Year.

Mr. Rath- I wanted to talk about my ride along as well, I did one with one of our police Officers Troy Cochran. Unfortunately it was a slow day as well we had three or four runs in the 8 or so hours that I was with him but none the less it was valuable time spent. It was nice to have the windshield time with him to hear about different things going on in the department and some of the things that Officer Cochran has stepped out above and beyond duty trying to do some different things within the department to save us some money and improve our equipment. I also had a chance to see Mr. McElfresh and the rest of his squad on engine 3 at one of our calls and even though I wasn't riding with them those guys were great about talking to me afterwards and answering all of my questions. On the needle exchange program, I appreciate those guys coming in tonight, it was very educational but unfortunately this body whether it is the Service Committee or Council At Large we really have no authority over that. We don't do resolutions of support and right now I guess it is between them and the Health Department. He called for a Service Committee meeting and wished everyone a Merry Christmas. Please remember the true meaning and the true reason behind the season. Happy New Year

Mr. Blake- I would like to thank my colleagues for another year in the books as they say. Congratulations to Mr. Fraizer and your family on the new addition. I want to wish everyone Happy Holiday, Merry Christmas I hope everyone enjoys a good time with family and loved ones. I will say that while we have no direct authority over the opinion of the syringe exchange we can call the Board of health and express our support. I think that the advocacy role is important there.

President Ellington- city hall will be closed Monday and Tuesday December 24th and 25th for Christmas and Tuesday January 1st for the New Year. Our next Committee and Council meetings will be Monday January 7th at 5:45 P.M. and 7:00 P.M. respectively. Merry Christmas and Happy New Year to everyone.

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