

COUNCIL MINUTES

November 5, 2018
Council Chambers
7:00 P.M.

7:00 P.M. - President Ellington called the Monday November 5, 2018 Newark City Council Meeting to order.

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

INVOCATION – Scott Hayes

PLEDGE OF ALLEGIANCE

CAUCUS- Motion by Mr. Lang to excuse Mr. Marmie, second by Mr. Fraizer. Motion carried by acclamation

MINUTES of October 15, 2018 Motion by Mr. Labutis to approve the October 15, 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**

Capital Improvement- **Received & Filed**

COMMUNICATIONS

Roger Loomis, Water Administrator- liens for past due water, sewer and storm water bills in the amount of \$21,979.01- **Received & Filed**

PUBLIC HEARING

By: Rath, Cost, Marmie

18-23 AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY GENERALLY DESCRIBED AS 451 VAN TASSEL AVENUE, CITY OF NEWARK, LICKING COUNTY, OHIO FROM THAT OF MEDIUM INTENSITY BUSINESS ZONING DISTRICT TO GENERAL BUSINESS ZONING DISTRICT

Vincent Russo- I am the applicant who requested this zoning change. The intent is to put a restaurant in that location and that is why we asked for a zoning change. On that particular block on the east side of North 21st Street is up against a residential area so it had a lower zoning classification but on the west side of 21st Street to the north and south of that property it is all General Business which is why we asked for that zoning designation. I think that there was one lesser designation that would have accommodated a restaurant but we just asked to be in line with the other zoning classifications.

Motion by Mr. Rath to adopt Ordinance No. 18-23, second by Mr. Fraizer

Motion passed by a vote of 9-0.

COMMENTS FROM CITIZENS

Tiffany Lawrence, 84 Manning St- my family has lived there in the same house for over 50 years and I am incredibly concerned about the recycling center that was opened on Manning St. Over the summer pest and terrible smells have been increasingly problematic especially flies and mice. It has been brought to my attention that it has been abandoned and it is still filled with garbage and pests still persist. I am concerned because the company that opened has a history of the same behaviors and I don't want to see that happen in

my neighborhood. I would like to know why they were allowed to open and what and is going to be done about this issue.

ORDINANCES ON FIRST READING

By: Rath, Cost

18-34 AMENDING AN ORDINANCE PASSED ON SEPTEMBER 17, 2018 PROVIDING FOR THE ISSUANCE OF NOT EXCEED \$5,000,000 OF BOND ANTICIPATE NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING THE COST OF REPLACEMENT OF WATER MAIN AND SERVICE LINES AND ALL NECESSARY APPURTENANCES, INCLUDING FITTINGS; AND TO PROVIDE ADDITIONAL FUNDS TO PAY FOR OTHER WATER SYSTEM IMPROVEMENTS, AND DECLARING AN EMERGENCY.

Motion by Mr. Blake to adopt Ordinance No. 18-34, second by Mr. Fraizer

Motion passed by a vote of 9-0.

RESOLUTIONS ON SECOND READING

By: Marmie, Cost, Rath, Lang

18-79 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO PREPARE AND SUBMIT APPLICATIONS TO THE DEPARTMENT OF HOMELAND SECURITY, FOR FISCAL YEAR 2018 FIRE ACT GRANT PROGRAMS, IN SUPPORT OF TRAINING PROGRAMS, EQUIPMENT PURCHASES, FUNDING FOR PERSONNEL, FIRE PREVENTION, AND FIRE SAFETY PROGRAMS THROUGHOUT THE CITY.

Motion to adopt Resolution No. 18-78 by Mr. Blake, second by Mr. Cost

Motion passed by a vote of 9-0.

By: Marmie, Cost, Rath, Lang

18-81 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO PREPARE AND SUBMIT APPLICATIONS TO THE OHIO DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2018 EDWARD BYRNE JUSTICE ASSISTANCE GRANT (JAG-LE) FUNDING.

Motion by Mr. Blake to adopt Resolution No. 18-81, second by Mr. Fraizer

Motion passed by a vote of 9-0.

By: Marmie, Cost, Rath, Lang

18-82 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (**661 Sewer Dept Fund-\$50,000.00: Professional Services; 621 Water Dept Fund-\$50,000.00: Professional Services**)

Motion by Mr. Blake to adopt Resolution No. 18-82, second by Mr. Fraizer

Motion passed by a vote of 9-0

RESOLUTIONS ON FIRST READING

By: Rath, Cost

18-83 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 2019 FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS (CDBG), AS REQUIRED BY 24 CFR PART 91.220, FOR VARIOUS PROGRAMS RELATED TO HOUSING AND COMMUNITY DEVELOPMENT.

Held for a second reading

By: Rath, Cost

18-84 APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION.
(100 General-\$763.13: Machinery & Equipment; 100 General Fund-\$925.00: Fire Safety Supplies)
Held for a second reading

By: Rath, Cost

18-85 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION- CI (335 Capt Imp-\$80,000.00: Maintenance of Streets; 335 Capt Imp-\$34,000.00: Maintenance Bldg/Ground; 335 Capt Imp-\$10,500.00: NFD Back up vehicle; 335 Capt Imp-\$4,500.00: NFD Washer & Dryer)
Held for a second reading

By: Cost, Rath

18-86 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION- Expedite (153 Comp Abs-\$7,600.00: Payout for David Bardsley)

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

Mr. Blake- this is a payout for an employee.

Motion passed by a vote of 9-0.

Motion to adopt Resolution No. 18-86 by Mr. Blake, second by Mr. Fraizer

Motion passed by a vote of 9-0.

COMMENTS FROM CITIZENS

MISCELLANEOUS

Mayor Hall- I want to thank Scott Hayes for coming in this evening and sharing some of his ideas. On Friday night Licking Memorial held their Lifetime Achievement reception and Chris Meyer was awarded that and I wanted to congratulate him. It was a nice turn out and well received. Yesterday was the Toy Run. It went from the Walmart in Heath down to our Salvation Army. They think that it might have been the largest ever, potentially 1000 motorcycles. Each motorcyclist had to submit one unwrapped toy, what a great way to start out the season.

Mr. Blake- I want to thank Tiffany Lawrence and her mother for coming in tonight. I think that they are out in the hallway trying to see Safety Director Baum so hopefully they will get an opportunity to speak to him about the issues on Manning St. I need to call on behalf of Councilman Marmie a Finance Committee meeting.

Mr. Fraizer- I want to thank Scott Hayes and Vertical 196 for the work they are planning on doing and for the grand opening. Anything that we can do to ease the situation and find opportunities for people to get help should absolutely be embraced. I want to thank Director Mauter for coming and speaking to the committee today about the 2019 funding of the CDBG. The HHCA is going to have a meeting Thursday at 7:00 P.M. It is election Tuesday coming up tomorrow so good luck Jeremy on the election and encourage everyone to vote and be informed and make your voice heard at the polls.

Ms. Hall- I too would like to thank Scott Hayes for his efforts for the homeless and I think that might just be a beginning and thank you Mr. Mauter for your report.

Mr. Labutis- I want to thank Scott Hayes again for being here and for the great things he is doing for the city and it bridges a gap of something that wasn't there previously. I think that it is just the beginning and I am extremely proud of him and today he was able to change 38 lives. Make sure to vote tomorrow.

Mr. Lang- I would like to commend the citizens that are putting on the Citizens Police Academy. Mr. Rath and I had the pleasure of going out to the Newark firing range this past week and we had a very impressive demonstration from the Special Ops group. I won't steal Mr. Rath's thunder but Canine Unit did a very

interesting demonstration. They do some very challenging things and make it real easy. When that comes around again I advise anybody who has the opportunity to take that program to seize that opportunity. I would like to remind everybody to go vote tomorrow. There is one issue in particular I would urge everyone to vote no on Issue 1. While I do think that it does seem to address some very important issues in our community I don't think that it is the right way to go about it. I would like to point out that along with the Ohio State Bar Association and the Ohio Divisional Conference all 7 of our local elected judges have opposed that and most telling this past weekend the Ohio Society of Addiction medicine that is a group representing all the doctors that specialize in addiction medicine have out to oppose this. This is not about having or not having compassion for those that are addicted it is about whether or not we are addressing it and we are going to cause more good than harm. I think what is going to come out with the way Issue 1 is written is the opposite. We have some great judges here in Licking County and I am here for this particular issue because what it may do to our drug courts here locally, to what it may do to our municipal court budgets and I don't want to take discretion away from those judges. I would urge everyone to get out and vote and vote no on Issue 1.

Mr. Rath- we have not had the opportunity to test the taser yet but I am looking forward to Mr. Lang stepping up and volunteering for that. It was interesting taking a bite from Bear one of our canine officers. It is incredibly intimidating and exhilarating; to put it simply it scared the crap out of me but when it was all said and done it was very fun. I appreciate Bear taking it easy on me and not missing the pad. I want to encourage everyone to get out there and do their civic duty tomorrow as I do every Monday before an election. I never endorse and individual candidate or an issue or encouraged anybody how to vote before in the nine years that I have been up here but I am going to implore you to vote no on Issue 1 it is that important that I will say it from right here. It will cost lives, it will take away valuable treatment programs, and it will be devastating to the State of Ohio. It will do nothing that it says it will do in the first four lines of the way that it was written. Not only that it is a constitutional amendment so it will take years and millions and millions of dollars to change it if everything I am saying is right or even if part of what I am saying is right. It is not a law it is a constitutional amendment so it will take forever and a lot of effort to fix it if it is wrong. As far as I know everybody that is an authority on the subject says that it is wrong, at least within the State of Ohio. All of the yes money and yes imploring and yes advertising is coming from outside the State of Ohio. Please, please vote no on Issue 1 I feel that strongly about it. I want to thank Scott Hayes for coming and doing the work that he is doing. I would like to call a Service Committee meeting.

President Ellington- I would like to thank Scott Hayes for his participation tonight, and thank Jennifer for sitting in, you did a great job thank you. Our next committee meeting will be Monday November 19th at 5:45 P.M. and the next Council Meeting will be Monday November 19th at 7:00 P.M. The Personnel Committee will reconvene to discuss two more items right after this.

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