

COUNCIL MINUTES

March 6, 2017

Council Chambers

7:00 P.M.

7:00 P.M. - President Ellington called the Monday March 6, 2017 Newark City Council Meeting to order.

ROLL CALL- Mr. Fraizer, Ms. Hall, Mr. Johnson, Mr. Marmie, Mr. Rath, Mr. Rolletta, Mr. Blake, Mr. Bubb, Mr. Cost, Mrs. Floyd

INVOCATION – Mr. Johnson

PLEDGE OF ALLEGIANCE

CAUCUS

MINUTES of February 21, 2017 Motion by Mr. Rath to approve the February 21, 2017 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. Cost. **Motion carried by acclamation.**

REPORTS OF STANDING COMMITTEES

Finance- **Received & Filed**

Service- **Received & Filed**

Capital Improvement- **Received & Filed**

Personnel- **Received & Filed**

REPORTS FROM CITY OFFICIALS

COMMUNICATIONS

Mayor Hall- will present a proclamation for Developmental Disabilities Awareness month.

Roger Loomis, Utilities Superintendent- liens for past due water, sewer and storm water bills in the amount of \$18,933.67- **Received & Filed**

COMMENTS FROM CITIZENS

Sandy Park, 15 S 3rd St Candlewick Commons- she stated she is one of 42 residents that live there and have been dealing with children that are gathering around McDonalds in large groups loitering and being destructive and knocking people down. She was asking for the City's help with this problem. She stated they have called the police numerous times.

President Ellington- thank you we will pass that along to the Safety Director.

ORDINANCES ON SECOND READING

By: Rath, Marmie, Cost, Floyd, Johnson, Fraizer

17-05 AN ORDINANCE EXTENDING THE AUTHORITY OF THE TEMPORARY BOARD OF ZONING DISTRICT REVISION

Motion by Mr. Rath to adopt Ordinance 17-05, second by Mr. Fraizer

Motion passed by a vote of 10-0.

By: Cost, Floyd, Rath, Johnson, Fraizer

17-06 AN ORDINANCE AMENDING CHAPTER 618 OF THE CODIFIED ORDINANCES OF THE CITY OF NEWARK, OHIO TO REGARDING THE REQUIREMENT THAT ALL DOGS BE LEASHED AND UNDER THE REASONABLE CONTROL OF SOME PERSON

Motion by Mr. Fraizer to adopt Ordinance 17-06, second by Mr. Cost

Mr. Fraizer- this is in order to clean up the leash law. The penalties were removed so this is a housekeeping item to make sure that our books are correct.

Motion passed by a vote of 10-0.

By: Floyd, Cost, Marmie, Rath, Johnson

17-07 AN ORDINANCE VACATING A FUTURE STREET RIGHT-OF-WAY AS SHOWN ON THE PLAT OF THE VILLAGE OF DEER RUN PHASE 1 SUBDIVISION, AS RECORDED IN PLAT BOOK 14, PAGE 218-219 OF THE LICKING COUNTY PLAT RECORDS; SAID RIGHT-OF-WAY IS LOCATED BETWEEN 1407 AND 1427 MISTY GLEN DRIVE.

Motion by Mrs. Floyd to adopt Ordinance 17-07, second by Mr. Cost

Mrs. Floyd- there is no objection from neighbors they have all signed off on this.

Motion passed by a vote of 10-0.

ORDINANCES ON FIRST READING

By: Rath, Cost, Floyd, Johnson, Marmie

17-08 AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AND RESOLUTIONS AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; PROVIDING FOR THE ADOPTION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; AND DECLARING AN EMERGENCY.

Motion by Mr. Rath to adopt Ordinance 17-08, second by Mrs. Floyd

Mr. Rath- this is a housekeeping ordinance to bring our books up to date and it is an emergency simply to meet a deadline.

Motion passed by a vote of 10-0.

By: Fraizer, Cost, Floyd, Johnson, Marmie, Rath

17-09 AN ORDINANCE AMENDING THE POSITION CLASSIFICATION, PAY RANGE OF THE INCOME TAX OFFICE, BY ABOLISHING ONE (1) REVENUE CLERK 1 AND CREATING ONE (1) REVENUE CLERK 2 AND SETTING COMPENSATION THEREFORE, AND DECLARING AN EMERGENCY.

Motion by Mr. Bubb to adopt Ordinance 17-09, second by Mr. Marmie

Motion passed by a vote of 10-0.

RESOLUTIONS ON SECOND READING

By: Marmie, Floyd, Cost, Rath, Johnson, Fraizer

17-09 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO SUBMIT AN APPLICATION TO THE OHIO DEPARTMENT OF PUBLIC SAFETY FOR AN AWARD OF FISCAL YEAR 2017-2018 FUNDING UNDER THE OHIO EMS TRAINING AND EQUIPMENT GRANT PROGRAM.

Motion by Mr. Marmie to adopt Resolution No. 17-09, second by Mr. Fraizer

Motion passed by a vote of 10-0.

By: Johnson, Cost, Floyd, Rath, Fraizer

17-10 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 TWO (2) DUMP TRUCKS FOR THE STREETS AND TRAFFIC CONTROL DIVISION

Motion by Mr. Johnson to adopt Resolution No. 17-10, second by Mrs. Floyd

Motion passed by a vote of 10-0.

RESOLUTIONS ON FIRST READING

By: Marmie, Johnson, Cost, Floyd, Rath

17-11 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (621 Water Dept Fund-\$50,000.00: Vehicles)

Held for a second reading

By: Rath, Marmie, Cost, Floyd, Johnson, Fraizer

17-12 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ACCEPT BIDS AND SELL CERTAIN SURPLUS PERSONAL PROPERTY NOW OWNED BY THE CITY OF NEWARK, OHIO, AND DECLARING THAT SUCH PROPERTY IS NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE, AND DECLARING AN EMERGENCY.

Motion by Mr. Rath to adopt Resolution No. 17-12, second by Mr. Fraizer

Mr. Rath- there was an emergency declared on this to meet advertising deadlines.

Motion passed by a vote of 10-0.

By: Johnson, Cost, Floyd, Fraizer, Marmie, Rath

17-13 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE FOR THE CITY OF NEWARK, OHIO, TO ENTER INTO A LEASE AGREEMENT WITH HEARTLAND BANK FOR THE REFURBISHMENT AND REHABILITATION OF ONE FIRE APPARATUS FOR THE DIVISION OF FIRE

Held for a second reading

COMMENTS FROM CITIZENS

Greg Renda- I am a resident of the 6th District, I live on Horns Hill across from the Trout Club. I am here to ask some questions regarding a sewer assessment project that has been proposed. I attended a meeting on February 8th at the Trout Club where I was informed that there was a petition by the Fairway Estates development to have a sewer project that would connect their neighborhood to a full system that would be needed to be constructed from Earl Drive to Welcome Drive. This project was requested by this neighborhood to eliminate a lift station at that neighborhood. I am one of the 28 residents along Horns Hill that would be included in this project even though the people along Horns Hill didn't petition for this project. I have conducted a survey of individuals that are on Horns Hill and found out that there are many residents who don't need their system replaced that are in opposition to this project. I have some questions, this project is already listed as a construction project on the city's website; if 75% of the individuals in this petition area do not agree to this project I am wondering if the city will move forward with this type of project anyway. In general if the city decides to expand city sewer systems is that funded through a special assessment or is it funded through the city's capital improvement; my other question is if a neighborhood owns a lift station it is the property of that neighborhood what is the process for the city to take over maintenance of that, is there a process or how does the city come up with plan to take over the maintenance of such lift station?

MISCELLANEOUS

Mayor Hall- both of the citizens who have questions stick around we will talk to you after the meeting. I will renew my good luck and good will to the Newark High basketball teams. This is the third time in a row the girls have won District.

Mr. Fraizer- exciting things with the Newark High basketball teams but I'm also really excited about the legislation before buying dump trucks, refurbishing fire vehicles, cleaning up our books and also having a public auction. I want to say kudos to the administration for moving everything forward and this Council for trying to set appropriate priorities.

Mr. Johnson- I want to congratulate Development Disabilities for serving our county for 50 years.

Mr. Marmie- called a Finance Committee meeting. I too want to echo my congratulations to the Developmental Disabilities Department. As the council member of the ward that Mr. Renda resides I will just give you some opinions and philosophy of the past administration has had. I'm not going to say this is what the current administrations philosophy is but it is always the goal of the City of Newark to have water and sewer in front of every single residence. Those are always done as an assessment. The only time there is any type of special funding is if there is a development that requires it and they have assisted with that. You then have a tap available to you. The reason why it is always a goal of the City of Newark to make sure that is always available, in particular sewer is because the EPA has strict mandates and rules. There actually probably isn't a septic system that is in compliance with current standards therefore anything that goes wrong they can't fix that, they are not allowed to hardly do anything to that. I don't know of any kind of requirement or a precedence that has been done as far as if 75% of the individuals don't agree to that because again it is something that the city is trying to do for the betterment of the city. As far as the process for the maintenance of a lift

station that is already in place and the city of Newark does assist in the maintenance of that lift station. That lift station was never intended to be a permanent part of our system; it was considered a temporary fix because honestly it goes right over the hill and right into my neighborhood. It was always the intent for that lift to be temporary until a certain percentage of that area was developed and it was always the intent to take it from Welcome down to Randy. One of the reasons why it is coming to fruition and it is being looked at is because there is more development in that area that is hopefully going to occur. That lift station can't support much more than what it currently has. I don't know if that is the administration's final answer that has been the philosophy out of the years of my experience on City Council. The city always wants to get anybody and everybody in the City of Newark on water and sewer because that is a responsibility of city government your infrastructure is in place for all citizens. The Wildcats are doing great, both basketball teams are doing great, before we meet again March Madness will have started and baseball I about to begin. It is a great time of year.

Mr. Rath- called a Service Committee meeting.

Mr. Blake- I wanted to comment on Greg's comments, I have sort of been in the loop with email exchanges and phone calls. I am aware that a few members of Council attended that meeting he referred to. My question is related to the process. What is the process when we deal with these types of situation? I want to make sure that we have a fair process for when these situations come up for people that the process is being followed consistently for the people in favor of it as well as the people not in favor of it and whatever the process is make sure that it is clearly communicated to all parties involved.

Mr. Bubb- I will speak to your comments Greg, I thought that meeting was very informative. I thought Roger Loomis and Brian Moorehead were very clear in the project. I think to elevate your concerns somewhat the requesters of that petition have requested the petition be reworded because of residents like yourself on Horns Hill Road won't be assessed unless you decide to tap on to the new sewer. You wouldn't be mandated to do it but you would have the option. With that being said if you chose not to tap on at that point if your system messed up in a couple of years you'd be hit with the cost a onetime charge compared to over 15 years if the project were to go through. No capital improvement monies are used for that it is done through the Water Department of our city. Mr. Loomis can bond money and get it back through the taps throughout the year. I think that is where it stands now. The residents who have petitioned have asked that residents on Horns Hill not be mandated but if they choose to they can tap on. I hope that helps some, I'll be glad to talk to you more about it.

Mrs. Floyd- in the 7th Ward there is a block watch meeting going on tomorrow night at the GMP Hall on Hudson Ave. On Thursday there is a Historic Hudson Community Association meeting at the GMP Hall and our speaker is going to be Fred Ernest who is the Director of the CIC, the Newark Development Partners and one of the things he is going to talk about is the Group Newark Vision 2028 and while I am mentioning that I want to remind people that there is going to be a community meeting March 22nd from 6:00-8:00 P.M. at 31 West to look at what the steering committee came up with and to have some community input. This is a 6 month process so this is just the beginning of planning for what is going to happen in Newark in the next 10-20 years. She congratulated the Newark High girls and boys basketball teams and discussed the bridge on Mt. Vernon Road that will close traffic going back and forth to the north end for a week starting Sunday March 19th until March 24th. There are maps on the city's website.

President Ellington- the next Committee Meeting will be Monday March 13th at 5:30 P.M. and the next Council meeting is Monday March 20th at 7:00 P.M. Thanks you for your attendance and your input.

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