

## COUNCIL MINUTES

May 15, 2017

Council Chambers

7:00 P.M.

**7:00 P.M.** - President Ellington called the Monday May 15, 2017 Newark City Council Meeting to order.

**ROLL CALL-** Mr. Johnson, Mr. Mangus, Mr. Marmie, Mr. Rath, Mr. Blake, Mr. Bubb, Mr. Cost, Mr. Fraizer, Ms. Hall

**INVOCATION** – Mr. Johnson

**PLEDGE OF ALLEGIANCE-** President Ellington

**CAUCUS-** Motion by Mr. Marmie to excuse Mrs. Floyd, second by Mr. Johnson. Motion carried by acclamation

**MINUTES of May 1, 2017** Motion by Mr. Rath to approve the May 1, 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. Fraizer. **Motion carried by acclamation.**

### APPOINTMENTS

**Mayor Hall-** appointing Phil Claggett to the City of Newark Temporary Board of Zoning District Revision. His term begins immediately to fill the term of a past member. - **No objections. Motion carried by acclamation.**

### REPORTS OF STANDING COMMITTEES

Finance-**Received & Filed**

Service- **Received & Filed**

Economic Development- **Received & Filed**

Capital Improvement- **Received & Filed**

### REPORT OF CITY OFFICIALS

**Stephen Johnson, City Auditor-** operating report for the period ending April 30, 2017.- **Received & Filed**

**Barb Jobes, City Tax Administrator-** income tax revenue reports for periods ending March 31, 2017 & April 30, 2017-  
**Received & Filed**

### COMMUNICATIONS

**Roger Loomis, Utility Superintendent** – lien for past due water, sewer and stormwater bills totaling \$10,467.53-  
**Received & Filed**

### COMMENTS FROM CITIZENS

**Sue Grey, 100 Penny Ave-** on the way in we talked to the Safety Director Steve and he told us we need to go elsewhere to voice our concerns. He said the greasy wheel gets something done so we will approach from a different angle and contact some different people to see if we can get our neighborhood cleaned up.

### ORDINANCES ON FIRST READING

**By: Marmie, Cost, Johnson, Rath**

**17-16** TO PROVIDE FOR THE ISSUANCE OF \$1,120,000.00 OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING THE COST OF VARIOUS STREET AND PARKING LOT IMPROVEMENTS, SIDEWALK CONSTRUCTION AND LIGHTING IMPROVEMENTS AND ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

**Motion by Mr. Marmie to adopt Ordinance No. 17-16, second by Mr. Fraizer**

**Motion passed by a vote of 9-0.**

**By: Marmie, Cost, Johnson, Rath**

**17-17 AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$1,155,000.00 CAPITAL IMPROVEMENT BONDS AND DECLARING AN EMERGENCY**

**Motion by Mr. Marmie to adopt Ordinance No. 17-16, second by Mr. Fraizer**

**Motion passed by a vote of 9-0.**

**By: Marmie, Cost, Johnson, Rath**

**17-18 AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$395,000.00 LANDFILL IMPROVEMENT BONDS AND DECLARING AN EMERGENCY**

**Motion by Mr. Marmie to adopt Ordinance No. 17-16, second by Mr. Fraizer**

**Motion passed by a vote of 9-0.**

**By: Marmie, Cost, Johnson, Rath**

**17-19 AMENDING TWO ORDINANCES PASSED ON APRIL 3, 2017 PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$2,000,000 OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING THE COST OF BUCKEYE CORRIDOR STORMWATER PLAN SEWER IMPROVEMENTS AND ALL NECESSARY APPURTENANCES THERETO AND FOR THE ISSUANCE OF NOT TO EXCEED \$1,000,000 OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING THE COST OF WATER SYSTEM IMPROVEMENTS AND ALL NECESSARY APPURTENANCES THERETO, RESPECTIVELY AND DECLARING AN EMERGENCY.**

**Motion by Mr. Marmie to adopt Ordinance No. 17-16, second by Mr. Fraizer**

**Motion passed by a vote of 9-0.**

**By: Rath, Marmie, Cost, Johnson**

**17-21 AN ORDINANCE AMENDING CHAPTER 1054, SECTION 1054.16 OF THE CODIFIED ORDINANCES OF THE CITY OF NEWARK, OHIO REGARDING THE STORMWATER MANAGEMENT CODE**

**Held for a second reading**

#### **RESOLUTIONS ON SECOND READING**

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

**17-28 A RESOLUTION DESIGNATING ALLOCATION OF HOTEL LODGING EXCISE TAX REVENUE GENERATED PURSUANT TO CHAPTER 892 OF THE CODIFIED ORDINANCES OF THE CITY OF NEWARK, OHIO**

**Motion by Mr. Marmie to adopt Resolution No. 17-28, second by Mr. Cost**

**Motion passed by a vote of 9-0.**

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

**17-29 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO, TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT, SUBJECT TO THE APPROPRIATION OF FUNDS, FOR CONSTRUCTION OF ANAEROBIC DIGESTER AT THE WASTEWATER TREATMENT PLANT**

**Motion by Mr. Rath to adopt Resolution No. 17-29, second by Mr. Fraizer**

**Motion passed by a vote of 9-0.**

#### **RESOLUTIONS ON FIRST READING**

**By: Rath, Cost**

**17-30 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO TO APPLY FOR, ACCEPT AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND AGREEMENT ON BEHALF OF THE CITY OF NEWARK FOR PLANNING, DESIGN AND/OR CONSTRUCTION OF WASTEWATER FACILITIES (ANAEROBIC DIGESTER PROJECT) AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN.**

**Held for a second reading**

**By: Rath, Marmie, Cost, Johnson**

**17-31** 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 AND DECLARING AN EMERGENCY

**Motion to adopt Resolution No. 17-31 by Mr. Rath, second by Mr. Fraizer**

**Motion passed by a vote of 9-0.**

**By: Rath, Marmie, Cost, Johnson**

**17-32** A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT FOR THE PURCHASE OF CERTAIN REAL PROPERTY ON BEHALF OF THE CITY OF NEWARK APPURTENANT TO THE DON EDWARDS PARK

**Held for a second reading**

**By: Marmie, Cost, Johnson, Rath**

**17-33** A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO PREPARE AND SUBMIT AN APPLICATION TO THE OHIO DEPARTMENT OF PUBLIC SAFETY, OFFICE OF CRIMINAL JUSTICE SERVICES FOR A 2017 OHIO COMMUNITY-POLICE RELATIONS GRANT.

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

**Mr. Marmie-** we need to expedite this to meet the deadline that can't wait the additional three weeks.

**Motion passed by a vote of 9-0.**

**Motion by Mr. Marmie to adopt Resolution No. 17-33, second by Mr. Fraizer**

**Motion passed by a vote of 9-0.**

**By: Rath, Cost, Marmie, Johnson**

**17-34** 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. 17-34, second by Mr. Fraizer**

**Motion passed by a vote of 9-0.**

**By: Marmie, Cost, Johnson, Rath**

**17-35** APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION- CI (335 Capt Imp-\$14,624.00: Land Improvements)

**Held for a second reading**

**By: Cost, Johnson, Rath**

**17-36** APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (332 Evans Blvd Construction Fund-\$140,782.15: Maintenance of Streets)

**Held for a second reading**

**COMMENTS FROM CITIZENS**

**MISCELLANEOUS**

**Mr. Johnson-** I want to comment on the very sad situation that happened in Kirkersville and the sad situation that I see because I work in the Clerk's office and the see the number of CPO's that got out. We have a really angry world out there and I think it is very unfortunate. I hope that we can do more to make it a better place to live.

**Mr. Mangus-** I want to echo Mr. Johnson's comments

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

**Mr. Rath-** called a Service Committee meeting

**Mr. Blake-** called for an Economic Development Committee meeting. I want to remind Council that there is a Newark Addiction Recovery Reception is Wednesday May 24<sup>th</sup> at the Denison Art space. That is a nice way for us to support the programs that our Chief and Officer Trent Stanford and volunteers are supporting.

**Mr. Cost-** I had the honor today to attend the dedication ceremony for the Veterans Administration Community Clinic that they rededicated in the name of Daniel Canard who was a Vietnam Veteran. I would also like the opportunity to speak to you two ladies because I didn't understand your comment.

**Mr. Fraizer-** called a Safety Committee meeting I want to say a big thank you, it is police appreciation week. Prior to the events in Kirkersville we had shots fired and a police chase. It has been a difficult week for the Police Officers in our community and our appreciation does really need to go out to them for the job that they do the danger they put themselves in and the impact it can have on the families. We owe a deep set of gratitude to first responders, especially the Police Officers that walk into danger. It is tragic the way that it ended for the victims and their families especially the weekend of Mother's Day. The other issue that I wanted to touch on was the medical marijuana issue in the City of Newark. I want to caution Council on its' next steps because we do want to promote a business friendly environment in our community. We want to follow State laws and guidelines and we should not act rash in our concern and drive to find a solution to this. I feel Council should take the appropriate measures to guarantee a safe transition but do not promote a moratorium in the efforts of a prohibition.

**Ms. Hall-** I agree with Mr. Fraizer and Mr. Johnson. I don't think that violence is just domestic it is drug related throughout our city. Our officers are in harm's way many times so thank you for your comments. I would also like to speak to you ladies away.

**President Ellington-** Mr. Fraizer I would like to agree with your police comments, it has been a tough week here throughout Central Ohio. Our next committee meeting will be Tuesday May 30<sup>th</sup> because City Hall is closed for Memorial Day Monday May 29<sup>th</sup>. Our next City Council meeting will be in three weeks, June 5<sup>th</sup> at 7:00 P.M.

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