

## COUNCIL MINUTES

June 5, 2017

Council Chambers

7:00 P.M.

**7:00 P.M.-** President Ellington called the June 5, 2017 Newark City Council Meeting to order

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

**INVOCATION** – Mrs. Floyd

**PLEDGE OF ALLEGIANCE-** President Ellington

**CAUCUS-**Motion by Mrs. Floyd to excuse Mr. Mangus, second by Mr. Marmie. Motion carried by acclamation  
**Mrs. Loomis, 864 W Church St-** gave a summary of Charter Review Commission meetings and the vote on the issues.

**President Ellington-** announced that the Monday July 3<sup>rd</sup> Council meeting will be moved to Wednesday July 5 at 7:00 P.M. due to the fireworks celebration at the Newark Campus.

**MINUTES of May 15, 2017-** Motion by Mr. Rath to approve the May 15, 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. Johnson. **Motion carried by acclamation.**

### REPORTS OF STANDING COMMITTEES

Finance- **Received & Filed**

Safety- **Received & Filed**

### REPORTS FROM CITY OFFICIALS

**Barb Jobes, City Tax Administrator-** income tax revenue reports for the period ending May 15, 2017. - **Received & Filed**

### COMMENTS FROM CITIZENS

**Jen Kanagy, 2584 Upland view Ct-** spoke against the moratorium

**Daniel Crawford, 163 S 2<sup>nd</sup> St-** spoke against Ordinance 17-22 regarding the moratorium and the use of the emergency clause.

**Alyssa Baker, 60 Lees Dr, Hebron-** she apologized for not attending meetings before, during and after the campaign for the decriminalization of marijuana and felt if she had it was possible the administration would have felt differently about the initiative. She spoke against the moratorium.

**Jarin McCoy, 427 Eddy St-** spoke against the moratorium of dispensaries. He is a veteran of the Army who was injured in Iraq and spoke of the benefits of medical marijuana from personal experience dealing with the pain from his injuries during combat.

### ORDINANCES ON SECOND READING

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

**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**

**Motion by Mr. Rath to adopt Ordinance No. 17-21, second by Mr. Bubb**

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

### ORDINANCES ON FIRST READING

**By: Cost, Floyd**

**17-22 AN ORDINANCE AUTHORIZING A MORATORIUM ON THE PROCESSING OR APPROVAL OF ANY APPLICATION**

FOR CERTIFICATE OF ZONING CLEARANCE, BUILDING OCCUPANCY PERMIT, OR ANY OTHER PERMIT OR APPROVAL REQUIRED UNDER THE ZONING CODE FOR ANY PREMISES THAT WOULD ENABLE THE RETAIL SALE OR DISPENSING OF MEDICAL MARIJUANA FOR A PERIOD OF 180 DAYS; AND DECLARING AN EMERGENCY

**Motion by Mr. Cost to adopt Ordinance No. 17-22, second by Mrs. Floyd**

**Mr. Cost-** after last week's discussion of what qualifies and what doesn't qualify as emergency legislation I am not sure that I can justify the use of the emergency clause. When this legislation was written the thought was as quickly as possible make sure that we didn't have all of these inquires come in right now before we were prepared to deal with them. After the discussions I realized that part of this group isn't for this what's so ever let alone the emergency part. I don't feel I can justify the emergency and I would like to have the opportunity to take this vote when everyone is here. I would like to make a motion to amend this legislation by removing the emergency clause.

**Motion by Mr. Cost to amend Ordinance No. 17-22 to remove the emergency clause, second by Mrs. Floyd**

**Mr. Marmie-** point of order. Once the emergency clause has been presented and has been read for the first time an emergency must be voted on upon that meeting and it came to the floor as an emergency it must be voted on as an emergency.

**President Ellington-** Mr. Sassen is that correct?

**Director Sassen-** I disagree. Any piece of legislation can be amended and you can amend to remove the emergency clause. If the motion to amend is passed it comes an ordinary piece of legislation. The original motion to adopt would essentially become moot and the legislation is then scheduled for a seconding reading at the next Council meeting.

**President Ellington-** just for a little clarification for the audience, an emergency piece of legislation takes 7 votes to pass. Legislation takes 6 votes to pass so if it were to get 6 votes it would pass anyways but not as an emergency. Mr. Cost is asking to remove the emergency clause which means it would have to be held for a second reading in two weeks.

**Mr. Marmie-** I still question the chair, Roberts Rules of Order and our rules state it is an emergency and if you amend this it is still on the table, the only thing that could change it would be a motion to table it.

**President Ellington-** where is that in our rules?

**Mr. Marmie-** an emergency clause must be voted upon. If it comes to the table as an emergency it is on our agenda for tonight and was read as an emergency the emergency is voted upon at first reading.

**Mr. Blake-** it is rule 10

**President Ellington** read over rule 10 in Council's Rules and stated that he felt that Mr. Marmie seemed correct. He asked Director Sassen if he is saying it can be amended.

**Director Sassen-** where does it say it can't be amended to remove the emergency clause?

**President Ellington-** it doesn't say it can't be amended

**Director Sassen-** a motion to amend can be on any portion of a piece of legislation including removing the emergency clause.

**Mr. Marmie-** why did we do it previously the other way? It happened about 7-8 years ago we were not allowed to remove the emergency clause.

**Director Sassen-** I don't recall that happening.

**Mr. Marmie-** I don't believe you were here at that point, it may have even been longer than that.

**Director Sassen-** I have been here 12 years

**President Ellington-** I don't happen to remember that either but that doesn't mean it didn't happen.

**Mr. Marmie-** I'm not saying that a piece of legislation can't be amended but it was presented as an emergency and it came to the table tonight, a motion and a second is on the table so you either vote on it or it dies. Without the emergency clause on it we wouldn't have had a motion or a second.

**President Ellington-** it wouldn't be being discussed tonight.

**Mr. Cost-** I know it has come as an emergency but I was under the impression as Mr. Sassen said any piece of legislation can be amended and I am just asking for an amendment to remove the emergency clause. I don't think it is necessary to be there and I am looking for the courteous to have full Council here to vote on something that I think is incredibly important.

**President Ellington-** so you are asking to amend this to remove the emergency clause which takes 6 votes so if you don't get 6 votes then we will be voting on it as an emergency, correct?

**Director Sassen-** that is correct

**President Ellington-** that is the way we are going to go.

**Mr. Fraizer-** I don't approve of amending this and removing the emergency clause. We have been talking about this for about a month now and have had plenty of time to research this and everybody is aware that this vote is occurring today. It is unfortunate that Mr. Mangus can't be here. That being said this will extend the time it will take us to vote on this by two weeks and I believe for the businesses that want to do business here it is important they receive the clarity on moratorium also for the people who are seeking treatment I think by extending it we will be doing them a disservice.

**Motion to amend Ordinance 17-22 failed by a vote of 5 Yes (Cost, Floyd, Hall, Bubb, Johnson -4 No (Marmie, Rath, Blake, Fraizer)**

**Mrs. Floyd-** I am in favor of the legislation, I just wanted to mention I too read the article about Johnstown but this legislation only deals with the dispensing not of growing and processing.

**Mr. Fraizer-** we have been dealing with this a lot and one of the things I did for Council was I went to [medicalmarijuanaohio.gov](http://medicalmarijuanaohio.gov) for transparency for this transition. I sent it over to the Clerk to print the 68 pages of preliminary rules associated with dispensaries and that should be in your mailboxes for you to review as well. When it comes to dispensaries in Newark, Ohio it is very clear. By removing the ability to have dispensaries here through a temporary moratorium that could likely impact the application process or by not addressing the zoning concerns and not even setting up the criteria for people to do business here. We are going to limit access to health care. Individuals with PTSD, ALS, childhood epilepsy, they are the ones seeking this treatment and to tell people with serious condition they have to travel outside of the city despite residing here is not fair to them . It is discouraging business throughout all aspects of this new industry. We are discouraging a new industry from doing business here and that is something that I don't want to do and don't recommend. We see the issues in our community with addiction, recovery and incarceration. Anything that we can do to have a positive impact with that is a positive thing. I hope this Council will set the tone for our state and our community in order to encourage businesses to come here and to set the course of action in place to set the framework for individuals who want to do business in our community. I hope Council members in their wisdom will vote no on this and will recognize that we should encourage businesses being here let alone businesses that can have a direct impact on 20 serious illnesses for individuals that have been lacking treatment up to this point.

**Mr. Blake-** I think since I have been on Council this Council has supported legislation in reference to breed specific legislation where we were no longer targeting specific animals, LGBT legislation and this legislation tonight, I feel as though we've made strides to be open to our community. Our community is full of 60,000 individuals who make their own decisions and we as Council shouldn't make decisions as to limiting access or economic development in our city. I find myself in rare agreement with Mr. Fraizer on several points. I just want to say kudos to your work in the Economic Development Committee and tonight.

**Mr. Cost-** once again I would like to say that I am not trying to discourage businesses in the City of Newark, not whatsoever. I am not looking at these guidelines concerning the growth or processing, my concern is on the dispensary when it is a retail sale that reaches out to the public. I am not against medical marijuana or its' use. I have absolutely no doubt that it can benefit people. I want to thank you for coming and telling your stories. My concern is that we have some guidelines and some parameters from the State that we can use to do things properly for the city.

**Mr. Bubb-** I would like to ask the Mayor and or the administration a question regarding the timeframe. For the record and for here you can always amend a moratorium because the administration has to enforce this, has to set up the zoning what they are comfortable with on the timeframe.

**Mayor Hall-** We are just talking about dispensing and the rules are complete on that yet so I guess when that application would be complete would be complete is when we are complete. Those rules are supposed to be decided on September 8<sup>th</sup> of this year with a goal of having dispensing by next year in September. It could be earlier that was the deadline. It is done on the cultivation side; the processing is the next thing to complete then the dispensing. If the rules are passed in September I think it will be a couple of months after that before the applications come out so I don't see anything happening until the fall. It will probably be next year before there is dispensing.

**Mr. Bubb-** I just wanted the input for the folks that weren't here at the last committee meeting. I'm not opposed to medical marijuana dispensing but I also want the city to get it right therefore I am going to support the moratorium.

**Mr. Fraizer-** the hypocrisy of the situation is not lost on me where processing rules have not been established yet we are not seeking a moratorium on that. The hypocrisy behind the fact that we don't feel comfortable with this direction but we are not treating all marijuana businesses the same is not lost on me as well. If we want to set up a framework for people to do businesses we should do it holistically and not pick and choose which industries we

want to encourage and which ones we want to discourage. If we want an industry to be here we should treat it equally. I recommend again that individuals on this Council don't send the wrong message to the business community, to potential investors in state and out of state that want to do business with us. Once again I understand that the rules are there. We can set our rules; we can set our framework before the State comes in line and get it right so we don't have any surprises. We can leverage the guidelines they have in order to set a concrete foundation and once again we can be proactive instead of reactive.

**Motion failed by a vote of 4 Yes (Bubb, Cost, Floyd, Hall) - 5 No (Marmie, Rath, Blake, Fraizer, Johnson)**

**By: Cost, Floyd**

**17-23 AN ORDINANCE SETTING COMPENSATION AND STATING POLICY WITH RESPECT TO POLICE AND FIRE CHIEFS AND DEPUTY CHIEFS OF THE CITY OF NEWARK, OHIO; REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT WITH THIS ORDINANCE; AND DECLARING AN EMERGENCY.**

**Motion by Mr. Bubb to adopt Ordinance No. 17-23, second by Mrs. Floyd**

**Mr. Fraizer-** I have some serious concerns when it comes to put in compensation for an extended period of time without having the necessary revenue in place in order to support that. What we have seen are mandatory raises of 1.75 %, 1.75 %, and 1.5 % over the next three years through our Union binding contracts. With that being said we are looking at a similar increase with our non-union employees. What we are seeing in our tax collections is a decrease of \$100,000.00 to projected values. What we are seeing is increased expenses through healthcare and other aspect of running our administrative government. We already have 88% of our general fund budget dedicated to wages and compensation and I view that continuing to set the tone of increased spending of our government will likely impact our capital improvements, our debt situation in our continued operations and the ability to actually service our government and our citizens. I don't see how we can continue to pass pay increases. I know we want to compensate our people who do a wonderful job but until we get our revenue streams and budget in line we really have to draw a line somewhere that says we can no longer afford pay increases and we have to find new ways in order to support our government.

**Mrs. Floyd-** we know that most of the workers in the City of Newark are going to get these raises and to deny them to the next four groups we are talking about, I don't think we can. I know the budget is going to be tight. I hope things improve as time goes on but I will support this legislation.

**Mr. Marmie-** this particular piece of legislation as well as the next three I am going to state my opinions on collectively. I don't believe in paying for something that we don't know how we are going to pay for. I don't believe we are being fiscally responsible if we do that. I was told by the administration that if we don't do this more people will join the unions. Last time I checked I don't believe that our Fire and Police Chiefs are authorized to join the union. The comment that other employee's all get these raises and these entities do not well elected and appointed officials haven't received raises and it is ok because they are elected and appointed. Now as you noticed in committee I did vote for the hourly non-bargaining unit because hourly employees I do view that they should be treated equally and fair to the other hourly employees but the supervisory and management employees that are not part of the union, what are the difference between them and elected and appointed officials? I still don't believe we should vote for this not having a plan in place on how we are going to afford it. You can't spend what you don't have and we were told from the first bargaining that we couldn't afford the first one and all three have went through and there are going to be raises for all three unions. I don't believe that we can push this through. I also asked on another piece of legislation why a particular position wasn't listed on there, I've never received an answer back on that. It just went on wasted ears I suppose. I was told I would get an answer and I never did. I don't necessarily agree with doing this and particularly if we don't have a plan. I am going to make a motion to table this legislation to a period unspecified in which I want this Council to be able to hear answers as far as how are we going to fund this.

**Motion to table Ordinance 17-23 by Mr. Marmie, second by Mr. Fraizer**

**Motion to table failed by a vote of 5 yes (Marmie, Rath, Blake, Fraizer, Johnson)- 4 No(Bubb, Cost, Hall, Floyd)**

**Mr. Marmie-** so it takes 6 to table?

**President Ellington-** it still takes 6 to table it no matter what

**Mr. Marmie-** I find that disheartening because I really felt like similar to what Mr. Cost said if somebody wanted additional information, additional time I would have entertained the motion to table even what he had but he never presented it. I just find it very disheartening that happened but very well.

**Mr. Rath-** I am going to support these pieces of legislation but because we didn't table the legislation it doesn't get the administration off the hook, we still need to know what the plan is? We still need to know what is going to happen; we still need to know how we are going to pay for this. We still have plenty of an opportunity in the future for someone to come

forward and tell us what that is. I know I for one am not real excited about robbing Peter to pay Paul. I have supported that in the past having been told that won't happen again, I won't support that in the future.

**Motion to adopt Ordinance No. 17-23 passed by 7-2 (Marmie, Fraizer) vote**

**By: Cost, Floyd**

**17-24** AN ORDINANCE SETTING COMPENSATION AND STATING POLICY WITH RESPECT TO MANAGEMENT AND SUPERVISORY PERSONNEL OF THE CITY OF NEWARK, OHIO; REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT WITH THIS ORDINANCE; AND DECLARING AN EMERGENCY.

**Motion by Mr. Bubb to adopt Ordinance No. 17-24, second by Mrs. Floyd**

**Mr. Fraizer-** once again I want to point to the fact that we are having decreasing tax revenues, we are having increased expenses and we are continuing to provide pay raises to various parts of our government. There has got to be a point where we draw a line and say we can't support additional increases to our employees regardless of how well they do, regardless on how the bargaining units are treated and once again I want to voice my objection to the direction we are going.

**Motion passed by a vote of 7-2 (Marmie, Fraizer)**

**By: Cost, Floyd**

**17-25** AN ORDINANCE SETTING COMPENSATION AND STATING POLICY WITH RESPECT TO HOURLY NON- BARGAINING UNIT EMPLOYEES OF THE CITY OF NEWARK, OHIO; REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT WITH THIS ORDINANCE; AND DECLARING AN EMERGENCY.

**Motion by Mr. Bubb to adopt Ordinance No. 17-25, second by Mr. Cost**

**Mr. Fraizer-** once again I want to voice my objection to pay raises that are unsubstantiated and unfunded

**Motion passed by a vote of 7-2 (Marmie, Fraizer)**

**By: Cost, Floyd**

**17-26** AN ORDINANCE SETTING COMPENSATION AND STATING POLICY WITH RESPECT TO ADMINISTRATIVE TECHNICAL EXEMPT EMPLOYEES OF THE CITY OF NEWARK, OHIO; REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT WITH THIS ORDINANCE; AND DECLARING AN EMERGENCY.

**Motion by Mr. Bubb to adopt Ordinance No. 17-26, second by Mr. Fraizer**

**Motion passed by a vote of 8-1 (Marmie)**

**By: Marmie, Cost, Floyd**

**17-27** AN ORDINANCE TO PROVIDE FOR THE ISSUANCE OF NOT TO EXCEED \$91,000.00 OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING THE COST OF FIRE ENGINE IMPROVEMENTS AND ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

**Motion by Mr. Marmie to adopt Ordinance No. 17-27, second by Mrs. Floyd**

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

## **RESOLUTIONS ON SECOND READING**

**By: Rath, Cost, Floyd**

**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.

**Motion by Mr. Rath to adopt Resolution No. 17-30, second by Mr. Fraizer**

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

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

**Motion by Mr. Rath to adopt Resolution No. 17-32, second by Mr. Marmie**

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

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

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

**Motion by Mr. Johnson to adopt Resolution No. 17-35, second by Mr. Fraizer**

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

**By: Marmie, Cost, Floyd, 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)**

**Motion by Mr. Marmie to adopt Resolution No. 17-36, second by Mrs. Floyd**

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

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

**By: Marmie, Flyd, Cost**

**17-37 APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (100, General Fund, \$500.00- Bldg Grnd Maint; DISAPPROPRIATION 100, General Fund, \$8,619.22- Salaries & benefits; 100, General Fund, \$8,619.22- Custodial Services; 266, NSP-RLF Fund \$2,000.00- Demolition projects)**

**Held for a second Reading**

**By: Marmie, Floyd, Cost**

**17-38 APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION- Expedite (424, TIF Fund, \$75,000.00 -TIF Payment to schools)**

**Motion to waive the two day reading rule for Resolution No. 17-38 by Mr. Marmie, Second by Floyd**

**Mr. Marmie-** we have had these funds in our possession for quite a while now and they should have been paid out to the schools so we are going to expedite this to get them their money as quickly as possible.

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

**Motion to adopt Resolution No. 17-38 by Mr. Marmie, second by Mrs. Floyd**

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

#### **COMMENTS FROM CITIZENS**

**Daniel Crawford, 163 S 2<sup>nd</sup> St-** it was an honor to serve on behalf of the city. The Charter Review Commission was a learning experience in a lot of respects. I thoroughly enjoyed it although I didn't get the results that I wanted out of it but I was still very pleased to have been a part of that process. I am going to take up the cause of strongly advocating week after week if I have to for the formation of a Charter Review Study Group on non-partisan elections. I think this is crucial to the functioning of our city. If we get it on the ballot and it fails then that is the will of the people. That is what I want it to come to, let the people of Newark have a vote, let them decide once and for all whether we want non-partisan elections. If it fails then that is the will of the people and I will respect our democratic process.

**Mary Robinson, 845 W Locust St-** she was there to complain about 847 W Locust St and the operation of a commercial daycare at that address. She stated that she has been trying for 5 years to get it stopped. She stated that two years ago the Law Director's office set the owner a notice to stop because they are in a low density residential area and they are only allowed to have 6 children maximum per shift. She stated that she asked for a zoning change but the city denied her request. She had wanted to discuss it with Mr. Mangus since it is in his

Ward. She asked what she needs to do to get someone to take action to protect her rights and make her abide by the law like the rest of us.

## **MISCELLANEOUS**

**Director Mauter-** the Department of Development was awarded a United States Environmental Protection Agency Assessment grant for \$300,000.00. The Assessment Grant will allow us to help pay for phase I and phase II for assessments for properties that could potential be listed as Brownfield. It can be used in the Union Street corridor area and can also be used in the Mount Vernon Road corridor area along 4<sup>th</sup> Street. I'm very proud of that achievement it is a very competitive grant to get. Just a quick update on the department, as you know we are 100% grant funded and the primary source of our funding comes from the Community Development Block Grant funds. The origination of the source of those funds comes from the US Department of Housing and Urban Development. Each year in order to qualify to continue to receive those funds we have to submit a CAPER Report which stands for Consolidated Annual Performance and Evaluation Report. The observations that HUD looks at for the assessment includes how we do or consolidated planning process, management of grant funds, progress and how we carry out our programs and policy activities, compliance with program requirements, accuracy of our performance reports and accomplishments that we meet our department objectives. The bottom line to all of this is that we received a very favorable report from the HUD people and it basically says that we have determined that you have the capacity to continue implementing and administrating your program activities in accordance with the applicable statutory requirements and as a result we have determined that your progress is satisfactory and your report acceptable.

**Mayor Hall-** I would like to offer city condolences to the family of Tony Phillips. Tony passed away this past week, he was a retired Licking County Sheriff's Deputy and upon his passing he was assisting our Adult Probation office. He will be sadly missed and give the best of wishes to his family. He was only 53 with a young wife a couple of young kids. It was quite shocking.

**Mr. Marmie-** called for a Finance Committee meeting. I want to thank all of the folks that came to this meeting and spoke. Mr. McCoy I want to particularly thank you for your service and the information that you provided. I will just not dispute but Colorado isn't just medical marijuana so the tax revenue is going to be a huge number. Mr. McCoy stated the 62 million he stated earlier in his comments was just medical marijuana.

Mrs. Robinson I appreciate you bringing that to our attention hopefully we will be able to get you some answers or responses. There are areas in our zoning where we could do something about that. Thanked everyone who served on the Charter Review. It is always good to research and debate about everything we do within the city. Finally I want to comment on the pay raises. I know we are going to hear more about that this year because those are retroactive so we are going to have to do some shifting of money this year in order to pay for those unless they are being paid for out of attrition or people leaving. I will be asking every finance committee what are plan is and making sure that we stay on top of this because it is going to be a huge concern. I want to make sure that it doesn't come down to the budget is here we don't have any plans, we don't know what we are going to do then have to cut in to capital improvements or another fund. We need to have a plan as soon as possible as to how we are going to pay for these in order to make sure we stay solvent, paving roads and that we don't have to sacrifice the other services in the infrastructure for these changes that were passed. I will also continue to ask for an answer to my question that I asked in the last committee that I didn't get a response on.

**Mr. Rath-** I also want to say thank you to the members that served on the Charter Review. It is kind of a thankless job and we thank you for going through that. Alyssa Baker I want to thank you for coming in tonight and talking, you spoke very well. Jarin McCoy and your friend with you I want to thank you for coming. I have heard and read a lot of cases like yours. It is nice to meet somebody face to face that has been through it. Thank you both for your service.

**Mr. Blake-** I too want to thank members of the Charter Review for their service. Broader than just the dispensary issue that we were debating tonight, I just don't feel comfortable banning things so that is why I voted the way I did. I want to recognize Jarin for speaking tonight; it takes courage especially in a room full of people you don't know. Fortunately I have been attending meetings within our addiction recovery services and I have heard similar stories. So I say that it is unfortunate that you are not unique because it is affecting many people in our community and families in our community. I am glad you were here to share that and to be able to get to a point in your life that you can look back and reflect upon that.

**Mr. Bubb-** I would like to echo the Mayor's comments about Tony Phillips. He was a great man. I knew Tiny for a long time. He did a lot in the law enforcement world including helping with Heath track and Field. He will be

missed. I want to recognize our new Deputy Chief Brandon Metzger in the audience. Congratulations on your promotion. I also want to thank the members of the Charter Review Commission for their services and time.

**Mr. Cost-** I want to thank everybody who took place in the discussion regarding the dispensaries and the moratorium. The reason that I didn't ask to table that issue is because it started out being tabled. The moratorium was what I felt was an additional step so I still feel comfortable with the fact that the discussion on the dispensaries has been tabled. I would also like to congratulate Barbara Gilkes for her public safety award that she was granted by the Newark Police Department.

**Mrs. Floyd-** I thought that I'd mention that Mr. Mangus is absent tonight because he is taking his 12 year old daughter to New York City to spend the summer studying ballet. For those of you haven't been on the newly opened South Second Street please do so, it looks so nice. I want to thank all of those who came to speak it always helps us to get some information. I would like to thank you two gentlemen for your service. I would like to that the Development department on the Brownfield Grant. We certainly have a lot property around town that has had a business on it that needs to be cleaned up which can be used for additional economic development. I too would like to thank the Charter Review Commission members. Daniel I might be interested in helping you with or committee.

**Mr. Fraizer-** Mr. Mauter thank you for going to the opening of the Sky dome at the Works. Your dedication to development as well as the funding sources and making it work with often decreasing grant funds from the National level. Thank you for your service and willingness to take on additional responsibility to make the Economic Development Department work. When it comes to the legislation before us tonight I am glad to see that Council voiced an opinion of opportunity for our community and a willingness to set aside fear and a lack of understanding and try to promote something a little better. I have documents from my research to pass out to the committee on my recommendation on zoning. I am also going to be submitting into your mailboxes 68 pages of dispensary rules. The hope is that in our safety committee we can review with the Safety Director the possibility of implementing legislation to promote transparency and protection. One of the items I am recommending is three dispensaries as maximum in the City of Newark. I am recommending that dispensaries be zoned in a general office district. I also recommend within a mile of industrial areas or in business corridors also through fares in order to promote appropriate response times. We also have the ability to require licenses so I am also recommending licensing fees for cultivator I, cultivator II, processing and dispensaries to be paid to the city and requiring licensing from the state. We also have the ability to look at the rules that are being placed forward by the State and requiring as part of our licensing the same documentation required by the state. With that we should be able to set a proper foundation in which companies can do business here and we can be ahead of the game compared to other municipalities in the State. I encourage you all to come to the Safety Committee next Monday and have your input as well.

**Ms. Hall-** thanked the two guys in the audience for their service. I'm not against medical marijuana I just think that we need more answers and a little more discussion. I have friends who would love to get it too. Thank you Mr. Mauter for your update, anytime we can get a grant is a wonderful thing.

**Mr. Johnson-** I never considered the moratorium a ban in any way sense or form I always thought it was an opportunity to rethink what we are going to do and I think we need to continue to rethink what we're doing. I want to thank everybody who participated tonight. I'm sorry that we didn't have a full Council to vote on that which I didn't like.

**President Ellington-** I wanted to thank the Charter Review members for all of their hard work. I appreciate everyone coming tonight. Next Monday is committees at 5:30 P.M. Council meets again Monday June 19<sup>th</sup> at 7:00 P.M. again our July 3<sup>rd</sup> Council meeting has been moved to Wednesday July 5<sup>th</sup>.

**ADJOURNMENT-** Motion Mr. Rath to adjourn, second by Mr. Cost. Motion carried by acclamation. 8:30 P.M.