

## COUNCIL MINUTES

July 17, 2017

Council Chambers

7:00 P.M.

**7:00 P.M.** - President Ellington called the Monday July 17, 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. Lang, Mr. Mangus

**INVOCATION** – Mrs. Floyd

**PLEDGE OF ALLEGIANCE-** President Ellington

### CAUCUS

**MINUTES of July 5, 2017** Motion by Mr. Rath to approve the July 5, 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.**

### REPORTS OF STANDING COMMITTEES

Finance-**Received & Filed**

Personnel-**Received & Filed**

Safety-**Received & Filed**

### REPORTS FROM CITY OFFICIALS

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

**Barb Jobses, City Tax Administrator-** income tax revenue reports for the period ending June 30, 2017. **-Received & Filed**

**PETITIONS-** petition received by property owners in and abutting Fairway Estates Subdivision to upgrade the existing sanitary sewer system and install a new gravity sanitary sewer system and appurtenances. **-Received & Filed**

### COMMENTS FROM CITIZENS

**Kim Beem, P.O. Box 663 Johnstown-** she discussed a personal incident where she claims to have been on the receiving end of telecommunication harassment but that there has been no charges filed and no arrests made. She was asking for Council to do something about Judge Higgins and our Law Director not pursuing charges in addition to the probation department. She compared it to the incident in May where Mr. Hartless killed the 2 women and an officer before killing himself asking them to not allow these people to bully her into suicide because she had attempted that already in June. She stated that former Councilperson Rhonda Loomis was investigated for harassing her while she was at work and then subsequently terminated for that. She asked Council to hold the Law Director accountable for not pursuing the charges against Mrs. Loomis.

**Kris Tolliver, 381 Claredon St-** she asked for information about the house at 374 Claredon Street. She stated there weren't any utilities in the house, her and her husband have been mowing it and the owner stated to her that he is receiving bills from the city for property maintenance that he isn't paying along with taxes and a house payment. She wanted to know who was responsible for this property.

**Jim Foster, 903 Dietrach Ct-** he stated that he has been told for the last 8 years that the 21<sup>st</sup> Street railroad is going to get fixed. He also stated that the rail bed is below the road now on the 30<sup>th</sup> Street railroad. He wants River Road closed up because of speeders. He would like to have a Waffle House in Newark.

**Greg Renda, 2239 Horns Hill Rd-** he was there to voice concern about the city's special assessment procedure regarding the petition that was on the agenda tonight for residents of Fairway Estates. He was concerned about the petition being re-written. The first petitions there were 69 households and have been changed to 44 so essentially 25 households that will be affected by this project will not have the chance to determine if this project goes forward. Basically they will be able to get this project done without achieving the 51 property owner's agreement to this project. I'm concerned that we are re-writing the rules to make it so this petition works that is not taking in consideration the ORC

## **ORDINANCES ON FIRST READING**

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

**17-30** AN ORDINANCE AMENDING THE POSITION CLASSIFICATION, PAY RANGE AND DEPARTMENT AUTHORIZATION TABLES OF THE DEPARTMENT OF ADULT PROBATION, BY CREATING THE CLASSIFICATION OF PROBATION OFFICER SPECIALIST AND PROBATION OFFICER OF ADULT PROBATION, AND SETTING THE COMPENSATION THEREFORE, AND ABOLISHING THREE PROBATION OFFICER II POSITIONS AND SEVEN PROBATION OFFICER 1 POSITIONS.

**Held for a Second Reading**

## **RESOLUTIONS ON SECOND READING**

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

**17-44** APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION-CI (335, Capital Improvement Fund, \$16,169.00- moving city seal)

**Motion to adopt Resolution No. 17-44 by Ms. Hall, second by Mr. Fraizer**

**Motion passed by a vote of 10-0.**

**By: Marmie, Rath**

**17-45** A RESOLUTION WAIVING THE LICENSING FEES PRESCRIBED BY SECTION 812.03 OF THE CODIFIED ORDINANCES OF THE CITY OF NEWARK FOR THE OPERATION OF CIRCUS BY THE HEATH-MOUNDBUILDERS KIWANIS CLUB

**Failed due to lack of motion**

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

**17-47 A** A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF NEWARK TO ENTER INTO A COMMUNITY DEVELOPMENT BLOCK GRANT FUNDED SUBRECIPIENT AGREEMENT WITH THE HEREINAFTER NAMED ORGANIZATIONS TO CARRY OUT ACTIVITIES INCLUDED WITHIN NEWARK'S FY 2017 COMMUNITY DEVELOPMENT BLOCK GRANT ONE YEAR ACTION PLAN.

**Motion by Mr. Mamrie to adopt Resolution No. 17-47 A, second by Mrs. Floyd**

**Motion passed by a vote of 10-0.**

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

**17-48** 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

**Motion by Mr. Rath to adopt Resolution No. 17-48, second by Mr. Cost**

**Motion passed by a vote of 10-0.**

## **RESOLUTIONS ON FIRST READING**

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

**17-49** APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION- Expedite (231 Probation Improvement Grant Fund-\$25,000.00: Correction Supplies, 297 EMS Grant Fund-\$625.00: EMS Supplies)

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

**Mr. Marmie-** these departments need these supplies as quickly as possible so we need to expedite this.

**Motion passed by a vote of 10-0.**

**Motion to adopt Resolution No. 17-49 by Mr. Marmie, second by Mrs. Floyd**

**Motion passed by a vote of 10-0.**

## COMMENTS FROM CITIZENS

**Jim Foster, 903 Dietrach Ct-** who is my Councilmember?

**President Ellington-** it is Mr. Mangus

## MISCELLANEOUS

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

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

**Mr. Blake-** I want to welcome Mr. Lang, now Sunday after church they will have someone else to harass. I want to thank Director Rhodes, we have been talking about South 21<sup>st</sup> Street and that railroad crossing for many years but I do think the meetings that we have recently had have been productive. I am kind of like you waiting for the dirt to turn over there before I believe it but we did get some good commitments from the railroad so I am hopeful that they will fulfill their word they gave to the city. We had this petition on our agenda tonight talking about the Fairway Estates subdivision sewer line project and at some point it would be nice to get information stating what the process is. There was a first petition that went through then they reduced the number of properties in the petition to go for the second petition so it would be nice if the Law Director's office or someone could provide us with information. It was on our agenda tonight but we didn't take any action so what does that actually mean? It does seem like where is the fairness in this if they went for one petition then are reducing the number to go on to another.

**Assistant Law Director Clippinger-** we retained outside special counsel on this given the intricacy of the project. I will have them put together a packet of some sort to explain the process. There are different percentages for different actions. I was only involved in the beginning but we can try to provide more information to Council about the process and how it works.

**Mr. Bubb-** I just want to welcome Mr. Lang, he will be a nice addition to Council and I work forward to working with you.

**Mr. Cost-** I just want to say what a great weekend we had with the local heroes with the Clydesdales, Jazz and Ribs Fest and the car show. We had a lot of activity in Newark and it is nice to see it happening. It is a great place to be. Welcome Jon.

**Mrs. Floyd-** I too was going to mention the Jazz and Ribs fest and the Clydesdales being here. Welcome Jonathan we're glad you're here. I want to mention that the Final Friday for July is coming up July 28<sup>th</sup>. The Midland is doing a movie this month Singing in the Rain for citizens over 60 in the city and county paid for by the Senior Citizens Levy, it's free and it is \$5.00-6.00 otherwise. Final Friday is going to be a history and art walk. They are going to have artists down the alleys on the north and south side of the square. The alley that goes toward the Canal Market on the south side of the square and the alley that goes down by the Golden Wok on the north side of the square. Some people are going to have artists in front of or inside of their businesses. There will be musicians as well as well as historians to explain the happenings in Newark.

**Mr. Fraizer-** the HHCA will be having a North Street picnic in the park on July 30<sup>th</sup> from 2-4, councilmembers are invited. The HHCA has had a recent project to put a community garden in there and we actually have vegetables so that is a mark of success. I would like to thank the Engineer's office and the Service Director for releasing the 2017 paving schedule and Pierson is on that list which is a great benefit to the city considering how much Pierson is used and all of the feedback that we get about it needing repaired. Jon welcome to Council. Ms. Tolliver make sure you see me afterwards and we'll make sure we put you in touch with the right people to see what we can do with that vacant property. I would imagine they are not paying the maintenance fees they are getting billed for. Thank you to all of the first responders during the flooding and all the success with that. I would also like to thank the construction crews on the bridge for all of the progress they are making. I am excited for it to open.

**Ms. Hall-** welcome Jonathan and Mrs. Tolliver I would like to speak to you afterwards also.

**Mr. Lang-** thank you for all the warm welcomes it is really nice to be up here with you guys, I have been out there for a while and these seats are more comfortable. It is an honor to be serving with all of you and representing the City of Newark. It has been a fun summer; we have been downtown a lot for dates with my wife it seems like there is something every weekend. I love to see the way the city is coming alive and am really happy to be part of it.

**Mr. Mangus-** welcome Mr. Lang

**President Ellington-** there is no meeting next Monday it is a five Monday month. The next meeting will be Monday July 31<sup>st</sup> for committees at 5:30 and Council will meet Monday August 7<sup>th</sup> at 7:00.

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