

COUNCIL MINUTES

June 19, 2017

Council Chambers

7:00 P.M.

7:00 P.M. – President Ellington called the Monday June 19, 2017 Newark City Council Meeting to order

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

INVOCATION – Mr. Johnson

PLEDGE OF ALLEGIANCE

CAUCUS- RULE 11

President Ellington- in miscellaneous we will be discussing Resolution 17-43 with the agreement of Mrs. Floyd and Mr. Marmie.

MINUTES of June 5, 2017 Motion by Mr. Johnson to approve the June 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. Rath. **Motion carried by acclamation.**

REPORTS OF STANDING COMMITTEES

Economic Development- 5/30/17- **Received & Filed**

Personnel- 5/30/17- **Received & Filed**

Finance- **Received & Filed**

Service- **Received & Filed**

Safety- **Received & Filed**

REPORTS FROM CITY OFFICIALS

Stephen Johnson, City Auditor- operating report for the period ending May 31, 2017. - **Received & Filed**

Barb Jobes, City Tax Administrator- income tax revenue reports for the period ending May 31, 2017. - **Received & Filed**

COMMUNICATIONS

Ohio Department of Agriculture- notification of an aerial treatment in our area for the control of the Gypsy Moth during the middle of June. - **Received & Filed**

COMMENTS FROM CITIZENS

ORDINANCES ON FIRST READING

By: Rath, Cost, Floyd, Johnson

17-28 AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 1281 WEST MAIN STREET, CITY OF NEWARK, LICKING COUNTY, OHIO, FROM THAT OF GO – GENERAL OFFICE ZONING DISTRICT, TO LB – LIMITED INTENSITY BUSINESS ZONING DISTRICT.

Referred to Planning Commission

RESOLUTIONS ON SECOND READING

By: Marmie, Cost, Floyd, Rath, Johnson

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)

Motion by Mr. Marmie to adopt Resolution 17-37, second by Mrs. Floyd
Motion passed by a vote of 10-0.

RESOLUTIONS ON FIRST READING

By: Marmie, Cost, Johnson

17-39 APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION- Expedite (929 JEDZ1-\$500.00: Refunds; 931 JEDZ2-\$572,000.00; 100 General Fund-\$1457.70: Overtime NFD; 100 General Fund-\$1,000.00: Law Enforcement Supplies; 153 Compensated Absence Fund-\$13,800.00-Payout)

Motion by Mr. Marmie to waive the two day reading rule on Resolution 17-39, second by Mrs. Floyd

Mr. Marmie- we have some payouts and other items that need to be expedited so I would appreciate if Council Waived the two day reading rule.

Motion passed by a vote of 10-0.

Motion to adopt Resolution 17-39 by Mr. Marmie, second by Mrs. Floyd

Motion passed by a vote of 10-0.

By: Cost, Marmie, Johnson

17- 40 APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (670 Garfield McKinley Fund-\$197,396.43: Stormwater Lines, principal)

Held for a second reading

By: Rath, Marmie, Cost, Johnson

17-41 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO PARTICIPATE WITH A DEVELOPER IN THE COST FOR CONSTRUCTION OF AN OVERSIZED SANITARY SEWER WHICH WILL PERMIT SERVICE TO AREAS BEYOND THE DEVELOPER'S NEED.

Held for a second reading

By: Rath, Marmie, Cost, Johnson

17-42 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACTS, SUBJECT TO THE APPROPRIATION OF FUNDS, FOR VARIOUS CONSTRUCTION PROJECTS AND DECLARING AN EMERGENCY.

Motion by Mr. Rath to adopt Resolution 17-42, second by Mr. Cost

Mr. Rath- this is for the replacement of the retaining wall and fence and sidewalk improvements at Cedar Hill Cemetery. It has been an eyesore and a nuisance in the past and now it has become a safety issue. They would like to get to it as quickly as weather allows that is why we are using the emergency clause.

Motion passed by a vote of 10-0.

COMMENTS FROM CITIZENS

Chris Albeniz, 669 S Grant Ave, Columbus- I work for a campaign called Marcy's Law. This is a citizen initiated Constitutional Amendment that will be on the ballot this November. The text of the amendment that is Marcy's Law has already been certified by the Attorney General and can't change. Marcy's Law enforces the rights of victims.

MISCELLANEOUS

Mr. Marmie- called a Finance Committee meeting. I would also like to at this time evoke rule11 and consider Resolution 17-43.

By: Marmie, Cost, Rath, Johnson

17-43 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION.

President Ellington- I know this was a late item that didn't get to committee that is why we are using rule 11. This is when the Majority and Minority Leader to decide to bring legislation forward without going to committee this allows them to do that.

Motion by Mr. Marmie to waive the two day reading rule on Resolution 17-43, second by Mrs. Floyd

Mr. Marmie- the judge sis speak at the committee and said this needed to be expedited it is for the termination of employee and we need to expedite this in order to get the funds to them.

Motion to waive the two day reading rule passed by a vote of 10-0.

Motion by Mr. Marmie to adopt Resolution 17-43, second by Mrs. Floyd

President Ellington- we are having a discussion down here about 17-43, I don't think that it was a termination I think he was changing the hours of the magistrate.

Mr. Marmie- you're right

Mr. Rath- called a Service Committee Meeting.

Mr. Blake- told the gentleman who spoke about Marcy's Law that he would be interested in any handouts he may have after the meeting. He thanked his mom for attending the meeting.

Mr. Bubb- he asked fellow Council members and people in the audience to support all of the businesses on North Park Place during the construction because it is a tough time for them because of traffic and we need to make sure they survive during this construction period. I encourage everyone to do their best to try to get down there once a week.

Mrs. Floyd- the Final Friday for June is June 30th and it is a car show. It was on South 3rd Street like it was last year where the food truck festival was near where Lil Bear used to be. Canal Market will also be going on that day. On July 8th I think is the date there is a Carl Etherington Day that is sponsored by the jail. Carl Etherington is the young man that was hung in Newark. It is a day to highlight what happened there because he was taken from the jail down to the corner of the square.

Mr. Fraizer- thank you Chris for speaking and letting us know about Marcy's Law. I too would be interested in hearing more about it but if you have the Attorney General and the Licking County Prosecutor endorsing it that seems like a step in the right direction for protecting victim rights and encouraging appropriate judicial steps in order to protect victims and not make them revisit the crime that are out against them. I got two pieces of mail this week, one from the Licking County Humane Society of their annual report as well as the Licking County Foundation regarding their annual presentation of awards. I want to highlight the good work those two organizations are doing in our community and they continue to provide funds and means to protect and enable economic development and making the appropriate steps to keep moving us forward.

Mr. Johnson- I have submitted my letter of resignation to President Ellington that is effective June 30, 2017 but there is a Capital Improvement meeting next week. I want you to know that I have enjoyed my years on Council. I am very proud of our city and our Council especially our ability to develop a positive vision of the city. I think we stepped up to change Pit Bulls to vicious dogs and all dogs that attacks and should be labeled that way. We voted to eliminate discrimination at all levels, gender, race, age and disability. We haven't hidden from medical marijuana, it still needs positive work but our Federal Government needs to get their heads out of the smoke and deal with the positives of medical marijuana. We have selected two fine leaders as Chief of Police and Fire Chief; we tried to educate the public about the additional taxes and the need without success but we still need money. We can't depend on our state or national funds to come our way. I want to thank the voters that gave me the opportunity to serve. Voters remember what the President does, what the Governor does and the state and national representatives have little effect on your lives but what these City Councilmembers do has great effect on your life. I thank my wife, son and family for putting up with my political aspirations. I want to thank members of Council and the administration for support. Keep up the good work.

President Ellington- Curtis you have done a great job since you have been here and I know speaking for all of us up here we will all miss you and thank you for your service.

Our next committee meeting will be next Monday June 26th and the next Council meeting will be Wednesday July 5th.

ADJOURNMENT- Motion by Mr. Johnson, second by Mr. Rath