

## COUNCIL MINUTES

September 18, 2017

Council Chambers

7:00 P.M.

**7:00 P.M.** - President Ellington called the Monday September 18, 2017 Newark City Council Meeting to order.

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

**INVOCATION** – Mr. Fraizer

**PLEDGE OF ALLEGIANCE-** Ellie Mangus

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

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

Service- **Received & Filed**

### REPORTS FROM CITY OFFICIALS

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

### COMMUNICATIONS

**Mayor Hall-** to present a proclamation for Hunger Action Month

**Ohio Division of Liquor Control-** a new application for Family Dollar Stores of Ohio Inc.- **Received & Filed**

**Daniel Crawford-** an email regarding nonpartisan elections and a plea for the creation of a Charter Review study group- **Received & Filed**

### COMMENTS FROM CITIZENS

### ORDINANCES ON FIRST READING

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

**17-34** AN ORDINANCE TO PROVIDE FOR THE ISSUANCE OF \$5,040,000 OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF REFUNDING OUTSTANDING BOND ANTICIPATION NOTES PREVIOUSLY ISSUED FOR THE PURPOSE OF PAYING THE COST OF REPLACEMENT OF WATER MAIN AND SERVICE LINES AND ALL NECESSARY APPURTENANCES INCLUDING BUT NOT LIMITED TO HYDRANTS, VALVES AND FITTINGS; AND TO PROVIDE ADDITIONAL FUNDS TO PAY FOR OTHER WATER SYSTEM IMPROVEMENTS AND DECLARING AN EMERGENCY

**Motion by Mr. Marmie to adopt Ordinance 17-34, second by Mrs. Floyd**

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

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

**17-35** AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$1,150,000 VARIOUS PURPOSE REFUNDING BONDS AND DECLARING AN EMERGENCY

**Motion by Mr. Marmie to adopt Ordinance 17-35, second by Mrs. Floyd**

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

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

**17-36** AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$1,200,000 STORM SEWER IMPROVEMENT REFUNDING BONDS AND DECLARING AN EMERGENCY

**Motion by Mr. Marmie to adopt Ordinance 17-36, second by Mrs. Floyd**  
**Motion passed by a vote of 9-0.**

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

**17-37 AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$1,050,000 LANDFILL RECLAMATION PROJECT REFUNDING BONDS AND DECLARING AN EMERGENCY**

**Motion by Mr. Marmie to adopt Ordinance 17-37, second by Mrs. Floyd**  
**Motion passed by a vote of 9-0.**

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

**17-38 AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$1,600,000 STORM SEWER IMPROVEMENT REFUNDING BONDS AND DECLARING AN EMERGENCY**

**Motion by Mr. Marmie to adopt Ordinance 17-38, second by Mrs. Floyd**  
**Motion passed by a vote of 9-0.**

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

**17-39 AN ORDINANCE AUTHORIZING AND DIRECTING THE NEWARK CITY SAFETY DIRECTOR TO CERTIFY TO THE LICKING COUNTY AUDITOR THE SUM OF \$165,262.06 INCURRED BY THE NEWARK CITY PROPERTY MAINTENANCE DEPARTMENT WITH RESPECT TO PROPERTY MAINTENANCE VIOLATIONS TO BE PLACED AS A LIEN UPON CERTAIN PARCELS OF REAL PROPERTY SITUATED IN THE CITY OF NEWARK, OHIO.**

**Held for a Second Reading**

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

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

**17-60 A RESOLUTION PROPOSING THE CREATION OF A SPECIAL IMPROVEMENT DISTRICT (DOWNTOWN NEWARK SPECIAL IMPROVEMENT DISTRICT, INC.) ALONG WITH THE REQUIRED PETITIONS, THE INITIAL ARTICLES OF INCORPORATION, AND THE PROPOSED PLAN FOR SERVICES FOR THE SPECIAL IMPROVEMENT DISTRICT**

**Motion by Mr. Rath to adopt Resolution 17-60, second by Mr. Cost**  
**Motion passed by a vote of 9-0.**

**By: Floyd, Cost, Rath**

**17-61 APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION-CI (335, Capital Improvement Fund, in the amount of \$24,497.00: City Building Projects)**

**Motion by Mr. Lang to adopt Resolution 17-61, second by Mr. Fraizer**  
**Motion passed by a vote of 9-0.**

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

**By: Marmie, Floyd, Cost**

**17-62 APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION- Expedite (153, Compensated Absences Fund, \$5,400.00 -Payout Brody Maring; 100, General Fund, \$700.00- Donation and Grant for supplies/equipment; 100, General Fund, \$175.00- Replacement of SCRAM unit strap; 100, General Fund, \$4,851.10- City Hall Maintenance Projects)**

**Motion by Mr. Marmie to waive the two day reading rule for Resolution 17-62, second by Mrs. Floyd**  
**Mr. Marmie- we have a payout for an individual and bills that need paid now that is why we need to expedite this**  
**Motion passed by a vote of 9-0.**

**Motion by Mr. Marmie to adopt Resolution 17-62, second by Mrs. Floyd**  
**Motion passed by a vote of 9-0.**

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

**17-63** 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 17-63, second by Mr. Cost**

**Mr. Rath-** this is an auction for surplus items as well as impounded vehicles and bicycles on Saturday October 28<sup>th</sup> and we need to meet advertising deadlines that is the reason for the emergency.

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

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

**17-64** A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO PREPARE AND SUBMIT APPLICATIONS TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENTS PROGRAM AND TO EXECUTE CONTRACTS AS REQUIRED.

**Held for a Second Reading**

## **COMMENTS FROM CITIZENS**

### **MISCELLANEOUS**

**Mrs. Floyd-** called for a Street Committee Meeting

**Mr. Fraizer-** I'm really excited about what we had on the agenda tonight, we has a special improvement tax district and a lot of bond reorganizations to manage our long term debt and we continue to see progress in our community.

Throughout this year we have seen the debate back and forth on the medical marijuana issue. The State Government has released their final laws regarding dispensaries, I reviewed it and am working on legislation to give to the Law Director to compile to form and hopefully will be brought to committee in three weeks. Highlights as far as what the rules state, Rule 3796 according to the State of Ohio is 500 feet from a school, church, library, public playground and public park as well as 500 feet from an addictive services. They have also categorized the state into multiple districts of which we reside in district 4 consisting of Licking, Knox, Morrow and Delaware County of which three dispensaries are allowed. The legislation that I want to present is to provide adequate zoning and sufficient oversight for the City of Newark in order to make sure we are aware of what dispensaries are provided provisional licenses, what dispensaries have permanent licenses and set a framework in place to make sure they maintain a communication channel to keep us up to date and their compliance with the State. I wanted to make that announcement to keep everybody on the same page to work through this issue as diligently and effectively as possible.

**Mr. Lang-** called for a Capital Improvement Committee Meeting

**Mr. Mangus-** thanked President Ellington for allowing their guest to help with the pledge of allegiance.

**Mr. Marmie-** called for a Finance Committee Meeting and called for a Personnel Committee Meeting for Mr. Bubb

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

**President Ellington-** thanked Ellie Mangus for helping him with the pledge, the next committee meeting will be September 25<sup>th</sup> at 5:30 P.M. and the next City Council Meeting is Monday October 2<sup>nd</sup> at 7:00 P.M.

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