

COUNCIL MINUTES

April 18, 2016
Council Chambers
7:00 P.M.

7:00 P.M.- President Ellington called the Monday April 18, 2016 Newark City Council Meeting to order.

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

INVOCATION – Mrs. Floyd

PLEDGE OF ALLEGIANCE

CAUCUS- Motion by Mrs. Floyd to excuse Mr. Marmie, second by Mr. Bubb. Motion was carried by acclamation.

Mrs. Floyd- Mr. Marmie and I have agreed to use Rule 11 for 16-14 because there has been some changes in the language. It doesn't affect the legislation but the title of the project has changed.

President Ellington- you are using that for 16-41

Mrs. Floyd- yes

Mr. Blake- stated that he would be abstaining from the vote on Resolution 16-30 because he serves on the Board of Directors for Behavioral Health Partners

MINUTES of April 4, 2016 Motion by Mr. Johnson to approve the April 4, 2016 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.**

APPOINTMENTS

Mayor Hall- is appointing Kim Lust to the Heath-Newark-Licking County Port Authority Board of Directors. The four year term begins June 1, 2016 and will expire May 31, 2020. – **No objections. Motion to approve was carried by acclamation**

REPORTS OF STANDING COMMITTEES

Finance- **Received & Filed**

Service- **Received & Filed**

Capital Improvements- **Received & Filed**

REPORTS FROM CITY OFFICIALS

Stephen Johnson, City Auditor- operating report for the period ending March 31, 2016. - **Received & Filed**

Barb Jobs, City Tax Administrator- income tax reports for the period ending March 31, 2016. - **Received & Filed**

COMMUNICATIONS

Lee Greenwood-an email supporting removing BSL- **Received & Filed**

David Hofer- email not in support of removing the BSL- **Received & Filed**

Chris Smith- email not in support of removing the BSL- **Received & Filed**

Greg Angeletti- typed copy of his statements from the April 4, 2016 Newark City Council Meeting- **Received & Filed**

Julie Eyrich Wall- email not in support of removing the BSL- **Received & Filed**

COMMENTS FROM CITIZENS

William Butcher, 263 Union St- wanted to know when Union Street is going to get paved and he asked when the new Cherry Valley Road was going to get done.

RESOLUTIONS ON SECOND READING

By: Mr. Rath, Mr. Cost, Mrs. Floyd

16-29 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AMENDED AGREEMENT WITH THE NEWARK DEVELOPMENT PARTNERS AS ITS AGENCY AND INSTRUMENTALITY FOR COMMERCIAL DEVELOPMENT IN THE CITY OF NEWARK.

Motion to adopt Resolution No. 16-29 by Mr. Rath, second by Mr. Bubb

Mr. Blake- I want to make a motion to make an amendment to this resolution. My amendment will be at least one member of the Board of Directors appointed by the City of Newark shall be either the President of Newark City Council or a member of City Council designated by the Council President and at least one member of the Board of Directors appointed by the City of Newark shall be a member of the Downtown Newark Association.

Motion to amend by Mr. Blake to amend Resolution 16-29, second by Mr. Rolletta

Mr. Blake- I have had some discussions with administrators and other members of Council, the intent is to have, there is currently 10 members for the Newark Development Partners Board, six of them are members of the Chamber or members of the business community and 4 of them are appointed by the City of Newark which we all vote on. Now the current four we have is the Director of Service, Director of Development, and the City Engineer and then we are a member from the Downtown Newark Association. I feel as though we, the legislative body should have some representation on that board. That is the purpose or intent of the amendment. The second part dealing with the DNA, Downtown Newark Association is to get into writing what they already do in practice.

Mrs. Floyd- I just want people to be aware, I have debated this all day long with myself because I remember when this board was first formed, when the CIC was first set up and Newark Development Partners was first set up and Marc Guthrie pushed to have a member of the DNA involved. I go to almost all of the DNA meetings and it represents a lot of the downtown community and the small businesses there. I think one thing that we need to be aware of is that if it is a member of Council that goes down there and talks to the Mayor and Mr. Rhodes you need to be aware that this board works pretty hard as I understand it and there could be some financial obligations.

Mr. Rath- I would encourage and be all for a member of the Downtown Newark Association being a member of this board, I think that it is an excellent suggestion. This is the first I have heard about this but I am a little skeptical and hesitant about a member of Council being a member of the Board. It is a commitment and an obligation. For the lack of sounding bad this is a part time position for us, not a career position, us being members of Council. Most of us have day time obligations, careers, and jobs. It is going to be very limited to who can actually be eligible to be on this board. I know the meetings are always open. I for one have attended many of the meetings myself as a Council Member. I obviously don't have a voting position on it but I have always been welcomed with open arms and been permitted and encouraged to attend when I have been able to. To be able to actually fulfill a commitment as a board member, I don't know, I would like to hear what everybody else thinks on that but I am very hesitant on that.

Mr. Bubb- can you read the amendment again please?

President Ellington- Jeremy would you read that again so we have it correct?

Mr. Blake- at least one member of the Board of Directors appointed by the City of Newark shall be either the President of Newark City Council or a member of City Council designated by the Council President and at least one member of the Board of Directors appointed by the City of Newark shall be a member of the Downtown Newark Association.

Mr. Bubb- if I could ask a follow up, this is the first I have been made aware of this. Could we get some input from a member of the administration, someone who has input on this?

Director Rhodes- Thursday morning at 8:00 at the Chamber of Commerce is the meeting. It is an open meeting; you have an opportunity to speak just as you do at a Council meeting. There are 10 members on the board; the administration only gets four picks out of the 10. Carol is right when this first came about the DNA really wanted to have a member so the Mayor gave up one of his picks for a DNA member. The DNA member that is appointed currently is Andrew Morrison. On the board that represents the administration is myself; I serve as Treasurer, Mark Mauter serves as marketing and economic development and Brian Morehead serves as the City Engineer. We are very intimately involved with the projects, this is a working board. This is a board that has many different hats and we work very hard to get things accomplished. So if a member of Council was added it would take Mr. Mauter, Mr. Morehead or myself out. You couldn't affect the Chambers six choices. You could reach out to the Chamber and ask them to appoint a Council member as one of their six choices. I would have to defer to the Law Director I don't think they are obligated to do that. If you vote for that what will happen is myself, Mr. Mauter or Mr. Morehead won't be reappointed when our term is up.

President Ellington- can I ask for a clarification Mr. Sassen. Right now these four folks are on the board and this would not take effect until one of their terms was up?

Director Sassen- correct

Mayor Hall- Jeremy and I briefly talked about it. I didn't understand the part about the guarantee of the DNA also. I was open to a Council member who would have been in place of the DNA member. Each member from this administration on that board is surely very instrumental. Everybody knows how many private dollars have come in through our CIC. It is about as effective of a CIC as there is in the state. I get a little bit hesitant to disturb that too much. I guess I will be honest and blunt to it as I generally am, I'd like to know how many have gone regularly to the meetings from this body because they are open. It is a working committee. There is a lot of commitment. There is a commitment to go out and ask people for dollars. That is how this thing works. Dave sits on the executive board and is pretty instrumental as the Service Director that signs contracts. Brian took over for Stuart Moynihan who was on that board after he resigned from the city. Brian has been very good because I think that he was sometimes our planner before we had a planner because everything includes roads and streets. What we are doing now usually every one of those meetings Brian or Roger are involved. Mark is the representative from his department on economic development. Of those four there would be a dent there somewhere. Council I understand it but I thought that it was something to potentially replace the DNA piece. Maybe there could be more dialogue that the Chamber would appoint somebody from the DNA, don't know we haven't gone down that road yet. This is a working board; hundreds of thousands of dollars have been raised, what is happening right now is amazing so I wouldn't want to disturb it too much.

Mr. Bubb- that being said, Jeremy I am not totally against this concept or idea but I don't think that I am going to support it at this time. I would like to have a little more research and again we do appropriate funds for the CIC then we would be voting on stuff that we appropriating money for, I don't know. I would like to do a little more research before I would vote in favor of this with all due respect.

Ms. Hall- Mr. Rath is correct we are all pretty busy. If there are four seats available and one would be for Council then an extra would be DNA is that correct?

President Ellington- I don't believe that is an extra it is one of the four

Ms. Hall- what would happen if none of the Council people would be able to do that? It sounds like there is a great deal of work and financial responsibilities with that. Then where would that seat be left, appointed?

Mr. Blake- the way that it is worded it would fall into your lap Mr. President.

Mrs. Floyd- can I ask Jeremy to explain like he explained to several of us as to why he thinks a member of Council should be on there. I think that we need to hear that.

Mr. Blake- the Mayor is correct we had a conversation at Ben Franklin School when we were doing the United Way walk with Deb Dingus. The addition of the DNA came by way of conversation this afternoon with the Minority Leader so that is where that language came from at the last minute. Sometimes making legislation is like making sausage as we all know. There is great value in this board I think that we all recognize that. We all recognize the good deeds that are happening downtown and recognize the good things that are happening at White's Field. There are discussions that are going to be occurring about development throughout our community. This board actually covers the whole city not just downtown Newark. As a part of those discussions I felt as the legislative body should have a liaison to that board. One of the 11 of us should serve on there just to be able to be in communications on a monthly basis to talk about the important things that are going on. The Engineer's office reports to the Service Director so I could see that position being represented fully by the Service Director. If we are concern about someone being bumped then the Service Department is represented by the Director.

Mrs. Floyd- does this piece of legislation need to be passed tonight? Is there a deadline on this?

Director Rhodes- there isn't a deadline on this particular legislation although it is a piece of legislation that when we began to talk about the amendment to the agreement with the CIC and Newark City Council. This is something that we would have to propose this to the CIC. Really what we are trying to do is get property that the city owns over to the CIC so they can put it back into development and then at that point the city gets paid for that property. We have many small pieces of property that are costing us tax dollars because if a property doesn't have a city use there are no exemptions and what we are trying to do is get those properties back to someone who will get them into service and pay the taxes.

Mr. Cost- is the money that we put in the CIC which I think is \$60,000.00; my understanding is that is used to pay the Director.

Director Rhodes- that goes into a pot that is correct. It goes into the total budget which I think the budget for this year is around \$130,000.00. The Director isn't nearly that. We pay for some things, we do some inspections and we get advice when we get ready to participate into a decision.

Mr. Cost- those city funds can't be used for a project

Director Rhodes- if you are asking if they are being used for a project I will give you an example. White's Field

Director Mauter- because they are Community Development Block Grant dollars they have to go into what is called a matrix code and every year we have to set that up. Ultimately those matrix code items or activity as they are called go into a preplanning process. To summarize, we have to do environmental for all of the dollars that we use in the community development block grant. The category code wages & salaries fits very well for using the community development block grant dollars as opposed to dispersing it through all of the different activities that the CIC may get involved in. That would become very complex and cumbersome. We had a staff meeting in our department and decided that this was the best fit and the best use of the CDBG dollars to keep them specifically for wages. They don't go towards projects primarily for that reason.

Mr. Rath- obviously this amendment has raised a lot of questions. We have discussed the resolution in committee and had a debate in committee and it sounds like this resolution needs to be discussed through committee. My own personal opinion, we have a CIC that we have put in place and has been functioning and working incredibly well in bringing public and private entities together and accomplishing a great deal throughout the entire city that we would not have been able to accomplish otherwise. In my opinion this amendment takes a member of a legislative body and puts that member into an administrative role. I don't think that is the role of a Council Member. I am not going to support the amendment. I would be in favor of bringing that amendment back to the Service Committee in the form of its own legislation but not muddy up this particular piece of legislation. Let's get this through so we can go back to accomplishing everything that we have already accomplished through this phenomenal organization.

Director Sassen- I would just like to clarify the answer that was giving to Ms. Hall's question with regard to what if no one on Council was ready, willing or able to serve. I don't believe that it is terribly accurate to say that it would fall to the responsibility of the President. If the President at any time was also not willing, ready or able to serve that seat would sit vacant. There is no way that you can legislate that the seat shall be filled if there is no one on Council ready, willing able to serve that seat it could theoretically sit vacant.

Mr. Cost- when is anyone's term up, I have no idea on that. Is this something that has to be done this minute?

Mayor Hall- I think it is another year and a half.

Director Rhodes- Several of us were just reappointed so to answer your question no it's not something that needs to be done immediately. We can get you the staggered terms of when terms are up that is not a problem. There is no appointment imminent; Brian Morehead was the last appointment.

Ms. Hall- I was going to ask about the terms also, are they two years or four years for each person, there could be an overlap.

Mayor Hall- three year terms

Mr. Rath- the final point that I want to make is that these meetings are open and as somebody who has attended a fair number of these meetings they are very welcoming of any Council member and encouraging of any Council member that would like to attend these meetings. If someone want to attend these on a regular basis and you are ready, willing and able to do so you are more than welcome. Any money that they spend that comes from the city you are going to have an opportunity to vote on it at this board as well.

Mr. Cost- confirmed the date time and location of the meetings and stated that he had not been to one these meetings before and didn't know if anybody other than Mr. Rath had attended before.

Mr. Fraizer- the main issues I have is tying the hands of the Mayor on this. I think he should be free to appoint people who are best suited for the position and it is not the legislations' position to determine in such a finite way who must be on the Newark Board of CIC. I believe that there is a distinct separation of powers that needs to exist and I believe that this legislation supersedes that so that is why I will not support it.

Mr. Blake- I have a lot of respect for what this board has done I hope everyone especially conversations that I have had with members of the administration and members of Council realize that. I think this board is one of significance because of the influence that they will have on the future of our community. That is why I believe that a seat at the table should be given to a member of Council. Just as a reminder to members of Council these are City of Newark appointments so Council votes on these so it is not just an administrative appointment. I thought that you would support it but I understand the comments that were made.

Mrs. Floyd- I think that maybe we need to think about this a little bit more. I do think that there is a real advantage to having a DNA member. The appointment was made before because it was recommended and it is not in legislation. The DNA has become a very effective organization downtown. I have been a member for a number of years and I have seen it grow and the number of people that come continues to expand. The Final Fridays are now sponsored by Park National

Bank and LMH so it has gotten more and more powerful. I think at some point we need to have that in writing as a possible appointment so it's not just the Mayor's cabinet for instance who would be the members of the CIC.

Mr. Cost- I am of the opinion that we need to table this. There is more discussion that needs to be had. I think that this should go back to committee. We can't table the amendment can we; we have to table the whole thing?

President Ellington- so are you making a motion to table all of Resolution 16-29?

Director Sassen- you can do a defacto tabling if you will but the way to so that would be you would have to pass the initial piece of legislation by defeating the amendment, passing the legislation you could then go back to Council with a new piece of legislation which enacts what Mr. Blake is trying to do.

Mrs. Floyd- that is what I would like to see us do. I would like for this to go to committee for more discussion. I think that the discussion that we have had tonight shows that we need a little more discussion. I think some people have totally made up their minds and I understand but I think we need a little more discussion.

President Ellington- we can vote on the amendment if that passes or doesn't pass we can vote on 16-29 then we can do something in committee if you like.

Ms. Hall- it sounds like your saying that Council would vote on a Council member to be part of this?

President Ellington- either that or Council President will appoint someone, which was that Jeremy? I would make an appointment then Council would vote on it. Six members of Council would have to affirm.

Mr. Blake- correct

Director Sassen- that's not what it says

Mr. Blake- but it is a City of Newark appointment, City of Newark appointments are voted on by Council

Director Sassen- not if it states otherwise in the legislation

Mayor Hall- the amendment to me doesn't exactly have to do with the legislation, its apples and oranges. I would ask that this body since we have thoroughly discussed this legislation pass it we are happy to talk about the amendment piece and bring it to committee. We can talk about the terms and the parts, I am happy to do that. I would hate to hold up a piece of legislation for something that has to do with appointments unless someone thinks the two are tied.

Motion to amend Resolution 16-29 failed by a vote of 7 (Mrs. Floyd, Mr. Fraizer, Ms. Hall, Mr. Johnson, Mr. Rath, Mr. Bubb, Mr. Cost) -2 (Mr. Rolletta, Mr. Blake)

Motion to adopt Resolution No.16-29 passed by a vote of 9-0.

By: Mrs. Floyd, Mr. Cost, Mr. Rath

16-30 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 2016 COMMUNITY DEVELOPMENT BLOCK GRANT ONE YEAR ACTION PLAN.

Motion to adopt Resolution No. 16-30 by Mrs. Floyd, second by Mr. Bubb

Motion passed by a vote of 8-0-1 abstention (Mr. Blake)

By: Mrs. Floyd, Mr. Cost, Mr. Rath

16-31 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO APPLY FOR FINANCIAL SUPPORT FROM THE STATE OF OHIO 2016 NATUREWORKS GRANT.

Motion to adopt Resolution No. 16-31 by Mrs. Floyd, second by Mr. Cost

Motion passed by a vote of 9-0.

RESOLUTIONS ON FIRST READING

By: Mrs. Floyd, Mr. Cost, Mr. Rath

16-32 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION- Expedite

Motion by Mrs. Floyd to waive the two day reading rule on Resolution 16-32, second by Mr. Bubb

Mrs. Floyd- we have payouts on this piece of legislation so we need to expedite it

Motion passed by a vote of 9-0.

Motion by Mrs. Floyd to adopt Resolution No. 16-32, second by Mr. Bubb
Motion passed by a vote of 9-0.

By: Mrs. Floyd, Mr. Cost, Mr. Rath

16-33 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

Held for a second reading

By: Mrs. Floyd, Mr. Cost, Mr. Rath

16-34 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION-CI

Held for a second reading

By: Mrs. Floyd, Mr. Cost, Mr. Rath

16-35 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO SUBMIT AN APPLICATION TO THE OHIO DEPARTMENT OF PUBLIC SAFETY OFFICE FOR FEDERAL FISCAL YEAR 2017 OHIO TRAFFIC SAFETY GRANTS PROGRAMS: SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) AND THE IMPAIRED DRIVING ENFORCEMENT PROGRAM (IDEP).

Held for a second reading

By: Mrs. Floyd, Mr. Cost, Mr. Rath

16-36 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO APPLY FOR FUNDING FROM THE UNITED STATES DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE UNDER THE BULLETPROOF VEST PARTNERSHIP GRANT PROGRAM.

Held for a second reading

By: Mrs. Floyd, Mr. Cost, Mr. Rath

16-37 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) IN CARRYING OUT THE LIC-NEWARK SRTS PROJECT AND DECLARING AN EMERGENCY

Motion by Mr. Rath to adopt Resolution No. 16-37, second by Mr. Fraizer

Mr. Rath- we have the emergency clause in this due to an ODOT timeline.

Motion passed by a vote of 9-0.

By: Mrs. Floyd, Mr. Cost, Mr. Rath

16-41 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO PREPARE AND SUBMIT AN APPLICATION TO THE OHIO DEVELOPMENT SERVICES AGENCY FOR A COMMUNITY HOUSING IMPACT AND PRESERVATION GRANT AWARD FOR PROGRAM YEAR 2016.

President Ellington- this is the piece of legislation that Mrs. Floyd was talking about in Caucus. I do have Mr. Marmie's ok via text message. This piece of legislation didn't go to committee therefore we are evoking Rule 11 where the Majority and Minority Leader agree to bring this up at Council. This is a piece of legislation that we passed in February however the name of the grant has changed since we passed the legislation and Ms. Gilkes has asked for Council to pass this resolution in place of the one from February.

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

Motion passed by a vote of 9-0.

Motion to adopt Resolution 16-41 by Mrs. Floyd, second by Mr. Cost

Motion passed by a vote of 9-0.

COMMENTS FROM CITIZENS

William Butcher, 263 Union St- asked Council to direct him in towards something he could join to be involved.

MISCELLANEOUS

Mayor Hall- I would just like to make a comment about the office that wraps around the back of Council Chambers here, the Treasures Office. The staff has worked really hard over the last few weeks with today April 18th being the deadline for taxes. I want to thank them for all the hard work they do. As many people think the 18th this year but usually the 15th is the end, it is the end for heavy work load for CPA's but it is the beginning of their workload so they will close for a couple of weeks as they process 25,000 returns. I want to thank them for all the work they do bringing in great collections.

Mrs. Floyd- called for a Finance Committee Meeting and a Street Committee Meeting

Mr. Fraizer- I attended the HHCA meeting this month at the Licking County Library and they have done some great work of compiling veteran's records. The condition is that you have to be a resident of Licking County. They have records all the way back to the Revolutionary War. If you have friends or family even active duty and they have lived in Licking County it is a great database they are building out and trying to get more inputs. The HHCA's work on North Street Park is set to take off in the next couple of months. I am really excited to see the progress that has already been made with updating the equipment and the continued progress there with additional lighting to try to reduce the scandalize activities. With it being the 18th of April and my 28th birthday it is pretty amazing being up here with these members pf Council and the administration. I am very humbled by this opportunity. I want to thank the people and the administration for working with me.

Ms. Hall- happy birthday

Mr. Johnson- happy birthday youngster. 241 years ago today some farmers stood on a bridge in Massachusetts and started what has happened and we are here probably because they did and we want to thank them for it.

Mr. Rath- today was also the running of the Boston Marathon which usually I have little to no interest in it but today I happen to know somebody who ran the marathon and accomplished two of their three goals. One was to finish and the other was to enjoy the race and the third goal that he didn't accomplish was his time goal. Congratulations to Mr. Dan Clouse. Happy Birthday Mr. Fraizer. I saw in the paper last week that the Village of Granville, is Granville still a village? Whatever they are the tiny little burg of Granville has actually started somewhat of an incubator and I think that is awesome and I encourage them to continue on with that. I encourage the City of Newark again to please seriously look at developing a business incubator within the City of Newark. There are small communities, communities our size all over the State of Ohio who are doing it incredibly successfully. It is a great opportunity for startup businesses. A great opportunity to produce jobs and once again I encourage the City of Newark to do that. I have had several people after the recent legislation that we passed contact me about requesting the city think about a dog park. He called for a Service Committee meeting.

Mr. Bubb- just wanted to remind fellow members of Council and members of the audience, Officer Todd Brunton and I believe everyone received an email about it was diagnosed with a rare form of leukemia. It is a sad story; he is a true public servant, great police officer. I have known Todd for a long time and to pray for him and his health. I wanted to remind everybody on May 15th from 2-5 at the Red Oak Pub they are having a fundraiser for him. If you can't be there I would encourage you to contact Detective Vanoy or Officer Conley to maybe donate a prize because they will be having something raffled that day. I pray for Officer Brunton and his family it is a very sad situation. Enjoy your birthday Mark.

President Ellington- next Monday Committees will meet here in this room at 5:30 P.M. then on Monday May 2 City Council will it at 7:00 P.M.

ADJOURNMENT- Motion by Mr. Rath, second by Mr. Fraizer. Motion carried by acclamation