

## COUNCIL MINUTES

August 15, 2016  
Council Chambers  
7:00 P.M.

**7:00 P.M.** - President Ellington called the Monday August 15, 2016 City Council meeting to order.

**ROLL CALL** Mr. Marmie, Mr. Rath, Mr. Rolletta, Mr. Blake, Mr. Bubb, Mr. Cost, Mrs. Floyd, Mrs. Fraizer, Mr. Johnson

**INVOCATION** – Mrs. Floyd

### PLEDGE OF ALLEGIANCE

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

**MINUTES of August 1, 2016** Motion by Mr. Johnson to approve the August 1, 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.**

### REPORTS OF STANDING COMMITTEES

Finance-**Received & Filed**

Service- **Received & Filed**

Personnel- **Received & Filed**

### REPORTS FROM CITY OFFICIALS

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

**Barb Jobes, Income Tax Administrator-** income tax revenue report for the period ending July 31, 2016.- **Received & Filed**

### COMMUNICATIONS

**Teresa Moats-** an email to remind members of Council about National Night Out on August 2<sup>nd</sup> - **Received & Filed**

### COMMENTS FROM CITIZENS

**William Butcher, 263 Union St-** thanked Council for inspiring him to be a part of Kiwanis

**Rick Ashcraft, owner of 506 Ballard Ave-** complained about the neighbors to the east side of his property. He stated that they have 5 vehicles out front and one in the back, he has wood on the property and burns it, the Fire Department has been called but nothing was done. He would like Property Maintenance to take care of it. He stated that one of the vehicles haven't been moved for 4-5 days and he parks in front of his property and pulls into the yard. He also complained about the cats they have outside and dogs inside.

### ORDINANCES ON SECOND READING

**By: Mr. Rath, Mrs. Floyd, Mr. Cost, Mr. Marmie, Mr. Johnson, Mr. Fraizer**

**16-31 AN ORDINANCE ESTABLISHING A BACKFLOW PREVENTION PROGRAM WITHIN THE CITY OF NEWARK AND ESTABLISHES UNIFORM REGULATIONS FOR THE PROTECTION OF PUBLIC HEALTH IN CONFORMITY WITH ALL APPLICABLE LAWS.**

**Motion by Mr. Rath to adopt Ordinance No. 16-31, second by Mr. Johnson**

**Mr. Rath-** this has to do with adopting our own testing program of backflow systems.

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

### ORDINANCES ON FIRST READING

**By: Mrs. Floyd, Mr. Cost, Mr. Marmie, Mr. Rath, Mr. Johnson**

**16-32 AN ORDINANCE AMENDING THE POSITION CLASSIFICATION, PAY RANGE, AND POSITION AUTHORIZATION TABLES OF THE DEPARTMENT OF PUBLIC SERVICE, DIVISION OF STREET MAINTENANCE AND TRAFFIC CONTROL BY CREATING TWO TRAFFIC/STREET WORKER POSITIONS.**

**Held for a second reading**

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

**By: Mr. Marmie, Mr. Cost, Mrs. Floyd, Mr. Rath, Mr. Johnson**

**16-65 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (100, General Fund \$2,664.24- Uniformed Overtime NFD)**

**Motion by Mr. Marmie to adopt Resolution No. 16-65, second by Mrs. Floyd  
Motion to adopt passed by a vote of 9-0.**

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

**By: Mr. Marmie, Mr. Cost, Mrs. Floyd, Mr. Rath, Mr. Johnson**

**16-66 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO PREPARE AND SUBMIT APPLICATIONS TO THE DEPARTMENT OF HOMELAND SECURITY, FOR FISCAL YEAR 2016 FIRE ACT GRANT PROGRAMS, IN SUPPORT OF TRAINING PROGRAMS, EQUIPMENT PURCHASES, FUNDING FOR PERSONNEL, FIRE PREVENTION, AND FIRE SAFETY PROGRAMS THROUGHOUT THE CITY.**

**Held for a second reading**

**By: Mr. Marmie, Mr. Cost, Mrs. Floyd, Mr. Rath, Mr. Johnson**

**16-67 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION- Expedite (153, Compensated Absences Fund, \$3,300.00 (Payout Clair Miller), 153, Compensated Absences Fund, \$2,600.00 (Payout Nathan Otto), 153, Compensated Absences Fund, \$31,800.00 (Payout Phil Rhoads), 153, Compensated Absences Fund, \$6,550.00 (Payout Deborah Kraning), 153, Compensated Absences Fund, \$6,908.36 (Payout Margaret Crowthers), 153, Compensated Absences Fund, \$41,200.00 (Payout Charlie Scott), 931, Inter/Intra Fund, \$6,000.00 (1<sup>st</sup> & 2<sup>nd</sup> quarter 2016 tax collection distribution), 756, Health Insurance Fund, of \$2,700,000.00, 231 Jail Diversion Fund, 35,642.00)**

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

**Mr. Marmie-we have a lot of payouts in different departments that we need to expedite in order to make sure we get them their funds immediately.**

**Motion to waive the two day reading rule passed by a vote of 9-0.**

**Motion to adopt Resolution No. 16-67 by Mr. Marmie, second by Mrs. Floyd**

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

**By: Mr. Marmie, Mr. Cost, Mrs. Floyd, Mr. Johnson, Mr. Rath**

**16-68 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (260, CDBG RLF Fund, \$75,000.00, 262, HOME RLF Fund, \$40,000.00)**

**Held for a second reading**

**By: Mr. Rath, Mr. Cost, Mrs. Floyd, Mr. Marmie, Mr. Johnson**

**16-69 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR POLYMER FOR USE IN WASTEWATER TREATMENT PROCESSES**

**Held for a second reading**

**By: Mr. Rath, Mr. Cost, Mrs. Floyd, Mr. Marmie, Mr. Johnson**

**16-70 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**

**By: Mr. Rath, Mr. Cost, Mrs. Floyd, Mr. Marmie, Mr. Johnson**

**16-71** 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.

**Held for a second reading**

**COMMENTS FROM CITIZENS**

**William Butcher, 263 Union St**-stated that he woke up to people racing down Union St and asked what the city was going to do about that, he also stated that Union Street is in pretty bad shape.

**Lesla Best, 1213 Executive Dr**- thanks for the itemized expenditures for the appropriations that is really nice to have back. Second, in accordance with Mr. Ashcraft and an article in the Advocate recently, since the County dog pound has chosen to not accept cats anymore. It used to be that I could trap the stray cats in my neighborhood and Toby would come up them up and I assume he took them to the pound. They had two rooms there for cats, now for some bogus reason don't accept cats anymore and I'm sure it's because it is a lot more work than dogs. So my question is what do the citizens of Newark do about the stray cats because there are a ton of them. The Humane Society might take them but they are chucked full too with the hoarders and people bringing them in off of the street. They can only take 60; right now they have over 70. I love cats, I have had cats but stray cats are nasty. You don't want them in your yard, you don't want them on your porch, you don't want them on your porch furniture, and they kill a lot of birds and small animals so this is a health question. I want to know what the people of Newark are supposed to do. Are they supposed to shoot them because that is what people are doing?

**MISCELLANEOUS**

**Mr. Marmie**- called for a Finance Committee meeting for Monday August 29th. The cat issue I agree it has been that way for a long period of time. I wasn't even aware that Toby was collecting cats because anytime I called him he pretty much said that there wasn't anything on the books for him to do anything. The one thing that I am going to talk about regarding Mr. Ashcraft's concerns is vehicles, we talk about it constantly it is very difficult. As long as they are licensed with proper license plates they can park as many as they wish. If there is parking along the street just because it is in front of your property doesn't mean that is your parking space, streets are available for anybody's parking. There is a time limit in which they can park a vehicle. If it becomes a huge problem the Police Department if they are available could possibly come and mark the tires but if they move it at all the time starts ticking again. This is something that we have to deal with all over the city not just particular to your area even though it is definitely a concern of yours and a problem. I just wish folks like that would just get along. As far as the fires, nowadays with the fire pits the Fire Department weighs in is it a controlled fire. You are allowed to have a fire pit. There are other things that they allow if you are conforming to their guidelines and sometimes if you even ask permission from the Fire Department they will authorize a controlled burn for a wiener roast. It is one of those things that it's not the best laws that we have but it is also to appease those law abiding citizens that are doing things correctly so they can enjoy a small fire in their patio. I know it isn't something that you want to hear but it is something that does conform within our regulations in the city. As far as the junk and things Property Maintenance does their best with the rules and regulations that they are working within. If there are junk cars and things like that if they can see them, if they are visible from the property than they can do something about it but if it is in a fenced in area then it is difficult they aren't allowed to look over the fence. If it is a privacy that is wooden they can't look over it. I'm just stating some things that I have dealt with and it's not even in your area and that is the reason why I know. We were just talking about the parking issue, there are some streets that don't have on street parking so the only place to park a vehicle is in a yard so if we have a law that states you can't park in a yard then we are taking away parking for some houses in the City of Newark and we can't do that.

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

**Mrs. Floyd**- talked about things going on downtown. She mentioned the Canal Market that is open every Tuesday and Friday. The Final Friday August 26<sup>th</sup> is a kids fest. They are going to show a movie at dusk and have all kinds of activities for kids. The Midland has a show tomorrow night, Toto is there. We are heading into fall so those things start to gear up. Lite the Night car show is coming up and the Bluegrass festival, the opening of the businesses on Church Street. I'm sure you all hear complaints about no place to park but I am downtown about 4 times a week and I can always park within a

half of a block to a block of where I am going. I might have to go around the block one extra time but there are parking places so I just want to encourage people to come to these events that are coming up in the community.

**Mr. Fraizer-** I got a wonderful newsletter this week from Newark City Schools. With the fall season comes fall sports. Opening week is this week for fall sports in Newark City Schools so I just want to encourage everybody to go out and support the new White's Field where a lot of these sports are going to be held. Hopefully Newark Football will win a couple of games this year. The schedule is looking favorable. Newark Soccer looks pretty good their first game is the 19<sup>th</sup>. I'm excited about all the work that is being done downtown and looking at the 2016 paving schedule and the projects on the books it is going to be an exciting year next year as well.

**Mr. Johnson-** I am glad to hear that the Fire Chief and his wife are home and I hope that they continue to keep progressing as they seem to be doing. Our thoughts and prayers are certainly with them.

**President Ellington-** this is a five Monday month so our next committee meeting will be August 29<sup>th</sup> and our next full Council meeting will be Tuesday September 6<sup>th</sup> at 7:00 P.M., we are closed for Labor Day on Monday September 5<sup>th</sup>.

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