

## COUNCIL MINUTES

**May 4, 2015**

Council Chambers

7:00 P.M.

7:00 P.M. - President Ellington called the Monday May 4, 2015 Newark City Council Meeting to order.

**ROLL CALL-** Mr. Marmie, Mr. Rath, Mr. Blake, Mr. Bubb, Mr. Cost, Mrs. Floyd, Mr. Guthrie, Ms. Hall

Absent: Mr. Johnson and Mr. Rolletta

**INVOCATION** – Mrs. Floyd

**PLEDGE OF ALLEGIANCE-** President Ellington

**CAUCUS-** Motion by Mrs. Floyd to excuse Mr. Rolletta and Mr. Johnson, second by Mr. Marmie. Motion passed by acclamation.

Mr. Blake announced that since he is on the Board of both the South Newark Civic Association and The Behavioral Health Partners he would be abstaining from voting on Resolution No 15-28.

**MINUTES-** of April 20, 2015 Newark City Council Meeting. Motion by Mr. Rath second by Mr. Bubb to approve the minutes as presented and the reading be dispensed with in view of the fact each member of Council has received written summary of same. **Motion carried by acclamation**

### REPORTS OF STANDING COMMITTEE

Finance- **Received & Filed**

Service- **Received & Filed**

Economic Development- **Received & Filed**

Personnel- **Received & Filed**

### COMMUNICATIONS

**William Moats-** supporting the 911 dispatch system as it is now and asking that it not be changed- **Received & Filed**

**Daniel Crawford-** asking City Council to put it to the voters as whether to merge the City 911 dispatchers with the County- **Received & Filed**

**Katy Blanton, Cincinnati Pit Crew Founder & President-** invited members of Council to the Ohio Pibble March (OPM) on Saturday May 30<sup>th</sup> at the Ohio Statehouse west lawn at noon. The event is to raise awareness about breed specific legislation and to promote responsible ownership. - **Received & Filed**

### COMMENTS FROM CITIZENS

**William Butcher-** 263 Union St, thanked the city for taking care of the pot holes in the alley behind where he lives

**Terry Lyle-** 294 Stare Rd, in support of the City repealing the BSL in its' ordinances.

**Misty Schmidt-** 39 S 4<sup>th</sup> St, read a letter that was emailed to Council on behalf of Bill DeVore an AFSCME representative. In the letter he asked City Council to table the legislation on the agenda and that the Administration work with NPD to come up with a plan that doesn't compromise the safety of the citizens of Newark and involves bringing back the Fire/EMS dispatch operation and with the money being saved used to upgrade the technology that NPD is using.

### ORDINANCES ON THE FIRST READING

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

**15-11 AN ORDINANCE AMENDING THE POSITION CLASSIFICATION, PAY RANGE, AND POSITION AUTHORIZATION TABLES OF THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT BY THE ABOLISHMENT OF ONE (1) TRANSIT OPERATIONS COORDINATOR, COMMUNITY DEVELOPMENT**

**Held for a Second Reading**

**By: Cost, Floyd, Rath**

**15-12** AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AND A RESOLUTION AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; PROVIDING FOR THE ADOPTION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; AND DECLARING AN EMERGENCY.

**Motion by Mr. Cost to adopt Ordinance No. 15-12, second by Mr. Bubb**

**Motion passed by a vote of 8-0.**

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

**15-13** AN ORDINANCE AUTHORIZING AND DIRECTING THE NEWARK CITY SAFETY DIRECTOR TO CERTIFY TO THE LICKING COUNTY AUDITOR, THE SUM OF \$91,008 INCURRED BY THE NEWARK CITY PROPERTY MAINTENANCE DIVISION WITH RESPECT TO PROPERTY MAINTAINENCE 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 THE SECOND READING**

**By: Cost, Floyd, Rath**

**15-28** 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 2015 COMMUNITY DEVELOPMENT BLOCK GRANT ONE YEAR ACTION PLAN

**Motion by Mrs. Floyd to adopt Resolution No. 15-28, second by Mr. Bubb**

**Motion passed by a vote of 6-1-1 (Nay-Marmie), Abstaining (Mr. Blake)**

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

**15-29** A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO PREPARE AND SUBMIT APPLICATIONS TO THE OHIO GOVERNOR'S OFFICE OF CRIMINAL JUSTICE SERVICES FOR FISCAL YEAR 2015 EDWARD BYRNE JUSTICE ASSITANCE GRANT FUNDING.

**Motion by Mr. Blake to adopt Resolution No. 15-29, second by Mr. Cost**

**Motion passed by a vote of 8-0.**

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

**15-30** 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 2016 OHIO TRAFFIC SAFETY GRANTS PROGRAMS: SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) AND THE IMPAIRED DRIVING ENFORCMENT PROGRAM (IDEP).

**Motion by Mr. Blake to adopt Resolution No. 15-30, second by Mr. Bubb**

**Motion passed by a vote of 8-0.**

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

**15-32** 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 THE OFF-SITE DISPOSAL OF BIOSOLIDS FROM NEWARK'S WASTEWATER TREATMENT PLANT.

**Motion by Mr. Cost to adopt Resolution No. 15-32, second by Mrs. Floyd**

**Motion passed by a vote of 8-0.**

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

**15-33** A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH SPECIALIZED LEGAL COUNCIL FOR THE PURPOSE OF DEVELOPING AND IMPLEMENTING A PROGRAM OF TAX INCREMENT FINANCING FOR THE RIVER TRAILS DEVELOPMENT AND SURROUNDING AREAS

**Motion by Mr. Cost to adopt Resolution No. 15-33, second by Mr. Bubb**

**Motion passed by a vote of 8-0.**

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

**15-34** A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT, SUBJECT TO THE APPROPRIATION OF FUNDS, FOR THE WILRICH AND YORKSHIRE DRIVE WATERLINE PROJECT.

**Motion by Mr. Cost to adopt Resolution No. 15-34, second by Mr. Bubb**

**Motion passed by a vote of 8-0.**

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

**15-35** A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE AND THE DIRECTOR OF PUBLIC SAFETY TO NEGOTIATE A CONTRACT WITH THE LICKING COUNTY BOARD OF COMMISSIONERS AND LICKING COUNTY EMERGENCY MANAGEMENT AGENCY, SUBJECT TO THE APPROPRIATION OF FUNDS, FOR THE PROVISION OF EMERGENCY 9-1-1 COMMUNICATIONS SERVICES ON BEHALF OF THE CITY OF NEWARK, DIVISION OF POLICE

**Motion by Mr. Cost to adopt Resolution No. 15-35, second by Mr. Bubb**

**Mr. Guthrie-** I am going to vote against this but I am grateful to all those who voted to modify this, sort of slow the process down but I philosophically can't bring myself to support the concept. I know I have said a number of times and I know it might be somewhat dangerous territory inviting bargaining unit employees to come in and speak on an issue like this but I would have liked to have seen the officers be given explicit invitation to come in and speak pro or con about this subject because of the safety ramifications of what we could end up doing here.

**Motion passed by a vote of 7-1 (Guthrie)**

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

**15-36** 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.

**Motion by Mr. Cost to adopt Resolution No. 15-36, second by Mrs. Floyd**

**Motion passed by a vote of 8-0.**

**By: Cost, Floyd, Blake, Rath**

**15-37** APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION  
**(670 Garfield McKinley Fund: Operating Transfer& Storm lines-\$448,930.03)**

**Motion by Mr. Blake to adopt Resolution No. 15-37, second by Mrs. Floyd**

**Motion passed by a vote of 8-0.**

**By: Cost, Floyd, Blake, Rath**

**15-38** A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO PREPARE AND SUBMIT AN APPLICATION TO THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE 2015 TRANSPORTATION ALTERNATIVES PROGRAM TO PARTIALLY FUND THE RIVERVIEW BIKE TRAIL – PHASE 1 PROJECT.

**Motion by Mr. Blake to adopt Resolution No. 15-38**

**Motion passed by a vote of 8-0.**

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

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

**15-39** APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION- Expedite (153 Comp Abs: \$30,600.00-Detective Melanie Angle & Officer Paul Davis, 153 Comp Abs: \$13,700.00- Payout Gregg Coffman)

**Motion By Mr. Blake to waive the two day reading rule on Resolution No. 15-39, second by Mrs. Floyd**

**Mr. Blake-** this has to do with payouts for employees

**Motion passed by a vote of 8-0.**

**Motion by Mr. Blake to adopt Resolution No. 15-40, second by Mrs. Floyd**

**Motion passed by a vote of 8-0.**

**By: Cost, Floyd, Rath**

**15-40** A RESOLUTION IN SUPPORT OF ADDING THE NEWARK EARTHWORKS TO THE UNITED NATIONS EDUCATION, SCIENTIFIC, AND CULTURAL EDUCATION ORGANIZATION'S LIST OF WORLD HERITAGE SITES.

**Held for a Second Reading**

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

**15-41** APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (334 Construction Note Fund: \$2,532,700.18-Downtown Fire Station)

**Held for a Second Reading**

**By: Cost, Floyd, Rath**

**15-42** A RESOLUTION OF INTENT TO APPROPRIATE THE REAL ESTATE KNOWN AS PARCEL # 054-244170-00.000, NEWARK, LICKING COUNTY, FOR MAINTAINING AND IMPROVING 30<sup>th</sup> AND CHURCH STREETS WITHIN THE CITY OF NEWARK, OHIO; AUTHORIZING THE MAYOR TO GIVE NOTICE TO THE OWNER OF SUCH LANDS AS REQUIRED BY LAW; AND DECLARING AN EMERGENCY.

**Motion by Mr. Cost to adopt Resolution No. 15-42, second by Mr. Rath**

**Motion passed by a vote of 8-0.**

**By: Cost, Floyd, Rath**

**15-43** A RESOLUTION OF INTENT TO APPROPRIATE THE REAL ESTATE KNOWN AS PARCEL # 054-235770-00.000, NEWARK, LICKING COUNTY, FOR MAINTAINING AND IMPROVING 30<sup>th</sup> AND CHURCH STREETS WITHIN THE CITY OF NEWARK, OHIO; AUTHORIZING THE MAYOR TO GIVE NOTICE TO THE OWNER OF SUCH LANDS AS REQUIRED BY LAW; AND DECLARING AN EMERGENCY.

**Motion by Mr. Cost to adopt Resolution No. 15-43, second by Mr. Bubb**

**Motion passed by a vote of 8-0.**

**By: Cost, Floyd, Rath**

**15-44** A RESOLUTION OF INTENT TO APPROPRIATE THE REAL ESTATE KNOWN AS PARCEL # 054-242994-00.000, NEWARK, LICKING COUNTY, FOR MAINTAINING AND IMPROVING 30<sup>th</sup> AND CHURCH STREETS WITHIN THE CITY OF NEWARK, OHIO; AUTHORIZING THE MAYOR TO GIVE NOTICE TO THE OWNER OF SUCH LANDS AS REQUIRED BY LAW; AND DECLARING AN EMERGENCY.

**Motion by Mr. Cost to adopt Resolution No. 15-44, second by Mr. Bubb**

**Motion passed by a vote of 8-0.**

**By: Cost, Floyd, Rath**

**15-45** A RESOLUTION OF INTENT TO APPROPRIATE THE REAL ESTATE KNOWN AS PARCEL #054-240852-00.000, NEWARK, LICKING COUNTY, FOR MAINTAINING AND IMPROVING 30<sup>th</sup> AND CHURCH STREETS WITHIN THE CITY OF NEWARK, OHIO; AUTHORIZING THE MAYOR TO GIVE NOTICE TO THE OWNER OF SUCH LANDS AS REQUIRED BY LAW; AND DECLARING AN EMERGENCY.

**Motion by Mr. Cost to adopt Resolution No. 15-45, second by Mr. Rath**

**Motion passed by a vote of 8-0.**

#### **COMMENTS FROM CITIZENS**

**William Butcher-** 263 Union St, weather forecast given and he asked for the Flint Festival to come back to downtown

**Paul Moran-** 63 N 4<sup>th</sup> St, he pointed out that the Advocate didn't do an article on the public meeting that was held at Crossroads Baptist Church where recovering addicts gave testimonies. He asked that the Mayor do a proclamation to recognize Donna Gibson for her hard work and dedication to working with addicts.

#### **MISCELLANEOUS**

**Mr. Marmie-** regarding 15-35 with it coming back to Council, I am in uncharted waters. It has never occurred where we have gotten it back and been a part of the negotiation process with the contract so I am curious as to how we are going to do that because usually negotiations are done in private but yet we are a public entity and we have public meetings so if they have to try to negotiate and come to us how can they discuss with us or with the public what that is because then it could be in violation of the negotiation? Will we go into executive session? Is that something that we would be allowed to do, authorized to do or should do? This is uncharted water we have never been a part of the process. I would like to know that at some point or another. I really do appreciate and applaud the folks who came down for 15-40 especially the children. I am going to speak on what has happened in the past. We have turned down so many resolutions of support because we have told folks that we don't do resolutions of support unless it has to do with a need to obtain financing or something along those lines. So if we are starting a new precedence what are the new rules and what are we going to allow and not allow as far as resolutions of support because we have not allowed them in the past. That is another thing that I would like to know going forward.

**Mr. Blake-** I want to echo what Paul Moran was discussing. I thought that the Bridges out of Poverty event last Thursday was very moving. Donna Gibson who is an employee of Mental Health America deals with several other agencies in our community dealing with substances abuse, mental health issues and returning citizens. Former convicts who have finished their sentencing and now are trying to become productive citizens in our community. It is a very good program and the work that's occurring there should be applauded because mental health issues and addiction is sort of the hidden epidemic that is occurring in our city and it is happening in every part of our city. This Saturday Mound City is starting off their opening day. He called for a Finance Committee meeting also.

**Mrs. Floyd-** this Thursday is the National Day of Prayer. It starts at 12:20. Blessed Sacrament and St Francis come and sings a few songs. The last two or three years the First Presbyterian Church has sponsored the community round tables.

These are meetings held at 12:00 and lunch is provided. You can just donate a little bit of money for the food if you like. They are the first Wednesday in June, July and August. In June the Mayor is going to speak.

**Mr. Guthrie-** he mentioned Linda Lignum from our community who he thinks has become a rising star in the field of art. Her husband Steve used to come to City Council meetings an awful lot and was a good advocate for our community. They have retired to Florida and Linda took up art and has pieces in galleries all over Florida and pieces in Roscoe Village right now. I guess I am a little biased to her she did a magnificent portrait of my granddaughter. She is a magnificent artist in the caliber of Dee Hall.

**President Ellington-** Mr. Marmie on 15-40 that was my call. I allowed that to happen basically because they felt they needed Council's support to get their World Heritage site recognition. I know we have been strict on that but that is why I allowed it. I am not sure that we are going to change the policy much. If it is something that would probably help the city I guess I am going to allow it again. I would be the one to be upset at on that one.

Next Monday the 11<sup>th</sup> we have Committee meeting and then Monday the 18<sup>th</sup> is Council. Thank you again for your attendance and helping us get through this meeting.

**ADJOURNMENT- Motion by Mr. Cost to adjourn, second by Mr. Rath. Motion carried by acclamation. 7:50 P.M.**