

## COUNCIL MINUTES

**September 21, 2015**

Council Chambers

7:00 P.M.

7:00 P.M.- President Ellington called the Monday September 21, 2015 Newark City Council Meeting to order

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

**INVOCATION** – Mrs. Floyd

**PLEDGE OF ALLEGIANCE-** President Ellington

**MINUTES-** of September 8, 2015 - Motion by Mr. Rath 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, second by Mr. Johnson. **Motion carried by acclamation**

### APPOINTMENTS

**Mayor Hall-** is appointing Mark Mauter to the Etna Corporate Park Joint Economic Development Zone 2 Board. Term begins immediately and expires October 19, 2016. - **Received & Filed**

**Mayor Hall-** is appointing Mark Mauter to the Etna Corporate Park Joint Economic Development Zone 1 Board. Term begins immediately and expires December 31, 2015. - **Received & Filed**

**Mayor Hall-** is appointing Brian Morehead to the Board of Directors of Newark Development Partners Community Improvement Corporation. Term begins immediately and expires December 31, 2015. - **Received & Filed**

**Mayor Hall-** is appointing Mark Mauter to the Licking County Tax Incentive Review Council. Term begins immediately and expires December 31, 2015. - **Received & Filed**

### REPORTS OF STANDING COMMITTEE

Finance - **Received & Filed**

Service- **Received & Filed**

Economic Development- **Received & Filed**

Capital Improvement- **Received & Filed**

### COMMUNICATIONS

**Paul Moran-** written statement of his comments during September 8, 2015 Newark City Council Meeting.- **Received & Filed**

**Bob Diebold-** an email to Council urging them not to merge with the Licking County 911 Center- **Received & Filed**

### COMMENTS FROM CITIZENS

**William Butcher, 263 Union St-**spoke about the potholes in the alley behind where he lives and a weather update.

**Daniel Crawford, 163 S 2<sup>nd</sup> St-** I am going to comment on 15-76, I know this is a hard vote for a number of you well actually all of you I'm sure. I come here as I did earlier in the year thinking about my children first and foremost. I am concerned about this path that we could be taking. I wish the same thing has been done for the firefighters as this, some kind of listening session at the Library to hear what the public had to say about it. I know there are going to be people on both sides but most people I have encountered have been opposed to the outsourcing of this service, a vital service at that. The thing that comes to mind for me is that we have to distinguish between how government operates and how business operates. You can't operate the two the same they don't exist for the same purposes. Outsourcing the service for a business you risk ruining the quality of service and losing customers. Reducing the quality of service within public service though can cost lives and that is where I am really concerned. I'm not saying that is what is going to happen. I am sure the dispatchers at the County are fully capable of doing their job but even if one life is cost as a result of this, whether it is a citizen or Police Officers, I don't know there is a lot that weighs on your conciseness. I hope all of these are fully considered.

## **ORDINANCES ON SECOND READING**

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

**15-25** AN ORDINANCE AMENDING CHAPTER 890 OF THE CODIFIED ORDINANCES OF THE CITY OF NEWARK, OHIO REGARDING THE LEVYING AND COLLECTION OF MUNICIPAL INCOME TAXES

**Motion by Mr. Bubb to adopt Ordinance 15-25, second by Mrs. Floyd**

**Motion passed by a vote of 10-0.**

## **RESOLUTIONS ON THE SECOND READING**

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

**15-76** A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE AND THE DIRECTOR OF PUBLIC SAFETY ENTER INTO CONTRACT WITH THE LICKING COUNTY BOARD OF COMMISSIONERS AND LICKING COUNTY EMERGENCY MANAGEMENT AGENCY 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 15-76, second by Mr. Bubb**

**Mr. Guthrie-** I think everybody probably knows where I am on this but I feel like I need to state my peace. Obviously most of us on this Council learned to count and have a pretty good idea where the votes are here. I think that we all need to express our own feelings about issues. I think Daniel's term crucial hit the nail on the head. This is a long term deal in a short term document that is in front of us. I'm not trying to criticize the Sherriff's office or the County 911. I actually think the Teamsters are a great Union and I think AFSCME is a great Union but this is about the safety of our citizens and the long term interest here. I think everybody has seen the email that Roger Stollard sent. Over the years Roger and I haven't agreed on everything but I tell you he has been right on the money on this and the fact that he is no longer a City employee he feels that he can call it like it is. I think he has been accurate. I want to start with this item and others that we have been dealing with in the Fire Department are issues in my opinion that should be negotiated between the bargaining units and the administration. They are bargaining table issues and I wish that is where these discussions were occurring but they aren't. By taking these steps and arbitrarily ignoring our employees' rights to bargain these types of matters in my opinion is going to prove to be costly to our City, costly in the form of legal fees that frankly we can't afford. The people of Newark overwhelmingly rejected Senate Bill 5 a few years ago and I want to repeat overwhelmingly and yet we continue to go down this path, ignoring what I believe is a moral obligation of bargaining with our City employees in good faith. Regarding the credibility of our Fire and Police Chief, they are both highly creditable and I am proud to be able to call them Chief. However both Chiefs on this issue are carrying the administrations water. We errored and I am ashamed of my vote when we extended the probationary period of these two fine professionals because by doing so we hindered them from speaking as openly about these issues as I believe they would have. Because they are in essence as probationary employees at will employees. I think it was a mistake again and I regret my vote on that extension. I apologize to the two Chiefs because they should not have that extended probationary period beyond the statutory requirement. They are both good soldiers for the administration but I am not convinced that they believe what they are doing is the right thing by farming out Police dispatch to the County and by opening the door to part time work force for Firefighters and Safety Inspectors. One thing that is painfully obvious is frankly we have been paying the County too much for fire dispatch in the past that is obvious by this contract. If we are going to go down the path of farming out police dispatch we should not be looking at a two year negotiated contract. We should be looking at a long term contract that allows small cost of living increases annually. My friend, I hope he is still my friend after I say this. Mr. Rhodes is a good negotiator but he is also a very good political calculator. Davis knew that if he could bring Council a contract that would on the surface save us money the administration would have the majority of the members of this Council over the barrel. The County was smart enough to only agree to a two year deal because once the mechanics of having a dispatch system in the City and the employees, the quality, long term employees who operate that system once they are long gone we are over a major barrel when this contract is re-negotiated. After our dispatch structure is blown up, in my opinion this ill

thought agreement we will have no leverage, none, nodda, zilch to negotiate a good contract in two years with the County. I won't be here in January but I will likely still be a taxpayer. I would like to say in my opinion Council will regret this agreement. The truth is it is really the taxpayers of Newark who have the potential of regretting this agreement because by the time they realize the quality service that is lost it will be too late to turn back. Newark will be stuck in an irreversible costly agreement which has the potential to expose our Police Officers and our citizens to safety related failures. Now I hear that Police Officers are going to be taken off the street to dispatch calls during the transition period. With an obvious shortage of Police personnel we are taking Officers off of the street to dispatch calls for the few Officers that are left to answer them. I can't say how disappointed I am that we are going down this path but I am glad that one of my last votes on this Council is to vote no against this legislation.

**Ms. Hall-** I would just like to say that I am going to vote no as well for many of the same reasons. I recently had a really bad experience with 911. There was an incident in my backyard with the neighbor and I needed an Officer. Three times I gave my address and three times the address went in wrong. By the time I got through my house the Officer was coming down the street and I had to flag him down. He said they gave him the wrong address. I could have been on the back porch knocked out I don't know this woman was kind of crazy. That turned my head. After talking to AFSCME, I toured 911 and the Police Station as well and I don't want to see anyone lose their job. Like Mr. Guthrie said we are going to lose a lot of long time, long term people. Therefore I am going to vote no.

**Mr. Rolletta-** I am going to be voting no on this proposal. It would appear the real cost savings would not come from sending Police Dispatch services to the County but the real cost savings would come from re-negotiating the terms of our Fire/EMS dispatch contract with the County to a price that is fair to our City. By re-negotiating that contract we could accomplish cost savings that could be used to upgrade our Police Dispatchers' equipment. We could save \$200,000.00 a year and keep our City safe by keeping our excellent dispatchers with their intimate knowledge of our City and Police Officers under local control. If we remove our Police dispatching services now in two years we will be at the mercy of the County when it comes to pricing. They could raise the price and we won't have anything to fall back on. Why does the County that has charged us for over a decade get rewarded with more of our money?

**Motion carried by a vote of 7-3 (Mr. Guthrie, Ms. Hall, Mr. Rolletta)**

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

**15-78 APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION**

**(100 General Fund-\$2,799.39; 100 General Fund-\$7,113.80; 293 AG Demo Grant Fund-\$32,064.14; 100 General Fund-\$27, 648.71; DISAPPROPRIATION 100 General Fund- \$10,000.00; 100 General Fund-\$10,000.00)**

**Motion by Mr. Blake to adopt Resolution 15-78, second by Mrs. Floyd**

**Motion passed by a vote of 10-0.**

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

**15-79 APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION- CI**

**(335 Capital Improvement Fund-\$ 34,000.00)**

**Motion by Ms. Hall to adopt Resolution 15-79, second by Mr. Rath**

**Motion passed by a vote of 10-0.**

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

**15-80 A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR**

**Motion by Mr. Blake to adopt Resolution 15-80, second Mrs. Floyd**

**Motion passed by a 10-0 vote.**

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

**15-81** 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.

**Motion by Mr. Cost to adopt Resolution 15-81, second by Mr. Bubb**

**Motion passed by a vote of 10-0.**

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

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

**15-83** APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION  
**(100 General Fund- \$6,746.25; 623 Water Projects Fund- \$4,000,000.00 (Note Renewal); 263 Lead Based Grant Fund- \$9,377.81; 247 Downtown Special Imp Fund -\$94.84; 231 Probation Improvement Grant Fund- \$11,848.00)**

**Held for a Second Reading**

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

**15-84** A RESOLUTION DECLARING THE PERIODIC REVIEW OF THE JOINT ECONOMIC DEVELOPMENT ZONE 1 CONTRACT UNNECESSARY AND CANCELING THE REVIEW MEETING BETWEEN THE CITY OF NEWARK AND THE BOARD OF TRUSTEES OF ETNA TOWNSHIP, OHIO

**Held for a Second Reading**

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

**15-86** A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO PREPARE AND SUBMIT APPLICATIONS TO THE OHIO DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2015 EDWARD BYRNE JUSTICE ASSISTANCE GRANT (JAG-LE) FUNDING.

**Held for a Second Reading**

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

**15-87** A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO PREPARE AND SUBMIT TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) A ONE YEAR USE OF FUNDS/ACTION PLAN ALONG WITH AN APPLICATION FOR FY 2016 FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS (CDBG), AS REQUIRED BY 24 CFR PART 91.220, FOR VARIOUS PROGRAMS RELATED TO HOUSING AND COMMUNITY DEVELOPMENT.

**Held for a Second Reading**

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

**15-88** APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION-CI  
**(335 Capital Improvement Fund- \$11,667.00 (Traffic Control Software License Payment 1 of 3))**

**Held for a Second Reading**

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

**15-89** A RESOLUTION APPROPRIATING THE REAL ESTATE KNOWN AS PARCEL # 054-280590-00.000, NEWARK, LICKING COUNTY, LOCATED AT 174 MT. VERNON RD., NEWARK, LICKING COUNTY, OHIO; AUTHORIZING THE DIRECTOR OF LAW TO PROCEED WITH A COMPLAINT FOR APPROPRIATION IN THE LICKING COUNTY COURT OF COMMON PLEAS; AND DECLARING AN EMERGENCY.

**Motion by Mr. Cost to adopt Resolution 15-89, second by Mrs. Floyd**

**Mr. Cost-** this is an emergency based on an ODOT deadline.

**Motion passed by a 10-0 vote**

**COMMENTS FROM CITIZENS**

**William Butcher, 263 Union St-** stated that he has noticed motorists haven't been pulling over for emergency vehicles. He also stated he toured the new fire station and it was the most beautiful station he has ever seen. He thanked everyone for the tour.

**Paul Moran, 63 N 4<sup>th</sup> St-** he stated that recently there were Newark Fire unused envelopes retrieved from a trash can and that someone with the City must have done that because no one else has access to City property. He was upset about it being a waste of taxpayers' dollars and he also didn't feel that the Fire Department should have a PO Box because that was also a waste of taxpayers' money.

**ADMINISTRATION**

**Mayor Hall-** United Way just finished their wonderful week of caring. I want to thank all of the people in the community that were involved in projects that helped get a lot of great things accomplished in the community. I want to thank everyone who participated in the United Way parade yesterday. The looks of the young children alongside of the road was a big win win. Councilman Blake and I met with the Newark Youth Council for the first time, the students themselves, last Thursday and we were very pleased with the students that competed to get into those positions. They seemed to have an engagement and interest in local government. I look forward to having a great year with them.

**MISCELLANEOUS**

**Mr. Blake-** I agree with the Mayor we had a great first meeting with our students from Newark Youth Council, looking forward to an engaging year. Our structure this year is going to be visiting some different City buildings so they get a hands on learning experience about City Government. They will be reviewing our agenda. They reviewed our agenda for tonight last week and we answered some of the questions that they had. He left out that he gave them a tour of his office. I am looking forward to a good year with the Youth Council. While we are on the Youth Council I want to thank Director Grady because we are going to go to the 911 Center and view their facilities because the dispatching issue came up and it was a discussion of interest to the youth so we are going to go take a tour of the facility. Thank you for your generosity. I want to thank Newark Kiwanis especially since their President, Mr. Downey is here. Last week I got an opportunity to speak to the Kiwanis about Spooky Town Bash. It is coming to Newark and the event will actually be on Halloween which is the last Saturday of October. This is a fun event. It is organized by the South Newark Civic Association, Licking County Library and City of Newark. Thank you to Director Rhodes and our Parks Coordinator Chuck Jackson for his help. Our financial backers are Denison University, Park National Bank, Owens Corning, Reese, Pyle, Drake & Meyer and Licking Memorial Health Systems. Our main stage is going to have fun entertainment from 4:00 P.M. until 10:00 P.M. Our main features will be the Ultra Sounds which is a group of doctors in our community; hence the name Ultra Sounds. Doctors, I don't know if you get the joke but there it is. The Main feature is the Koodoo Soul Band who is playing from 8:00-10:00 P.M. We are going to have a lot of fun activities for kids and for adults. It should be a nice family friendly event. The hidden secret about the event is the participation with the Licking County Library. Our focus is reading and literacy, while it is a Halloween theme and a fun activity for the whole community and I want to stress that it is an event for the whole Licking County community even though the Civic Association is sponsoring it, it is open to everybody. The hidden secret is that we will be having small group story time. We want to get adults to read to children, parents to read to children and that is the emphasis that we are focusing which fits with our mission statement of Civic Association. We are really excited about this event and hopefully you will see some more publicity about it. If you want to volunteer go to [mysouthnewark.org](http://mysouthnewark.org). On the homepage is link to volunteer and we wanted to encourage people to do that. He also called for a Finance Committee meeting.

**Mrs. Floyd-** introduced Debra Mathews who was in the audience. She stated that she is a former student and is going to run for Council in Berkley California.

**Mr. Guthrie-** one issue that I wanted to mention was that I received an email from Lew Bline who I believe is involved with

the First Baptist Church of Newark. I think everybody here is aware that they do a free community breakfast and there is an issue with the sign they put up. They like to leave it up pretty much all the time so the community knows that it is occurring. It is apparently a code violation. I communicated with Service Director Rhodes and the Law Director; the Law Director has drafted a fix. I hope to have that in front of Committee here real soon. I indicated to David and Doug that the fix needed to be narrow. We don't want to open the door to a lot of other temporary signs. The churches that do good things in the community, especially providing a community breakfast is something I think we are all pretty tolerant of as a general public. There is nothing offensive about this sign. If you drive by and see it you will see exactly what I mean. Stay tuned because that is coming up.

**President Ellington-** I believe Director Sassen has that ready do you want to do that on the 28<sup>th</sup>?

**Mr. Guthrie-** yes that would be great.

**Mr. Marmie-** it was a rough weekend in high school football for both Newark teams. I want to thank Mayor Hall he rushed down to the Newark Catholic game in order to make it in time for the half time festivities which included a wonderful ring ceremony for the Newark Catholic baseball players. Mayor Hall gave rings to each player and coach on the team. It was a very neat event for the young men, it was a great recognition. I tell you between the Mayor being there and the ex-coach Wes Poth because he coached football there for eons. He was there even before I went to Newark Catholic so you know how long that was and he just retired last year it was just a neat event. Mayor Hall took care of the weather so it didn't rain on us.

**Mr. Rath-** called an Economic Development Committee meeting

**Mr. Rolletta-** I had a great experience volunteering with the Muscular Dystrophy Association in their MDA lock up. I actually called some people in this room for bail money and they were nice enough to bail me out for a great cause.

**President Ellington-** we appreciate all of you coming and we always appreciate your input. The next meeting is Monday September 28<sup>th</sup> for Committees at 5:30 P.M. and City Council will meet again on Monday October 5<sup>th</sup> at 7:00 P.M.

**ADJOURNMENT- Motion by Mr. Rath to adjourn, second by Mr. Cost. Motion carried by acclamation. 7:41 P.M.**