

COUNCIL MINUTES

December 7, 2015

Council Chambers

7:00 P.M.

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

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

INVOCATION – Mrs. Floyd

PLEDGE OF ALLEGIANCE-President Ellington & William Butcher

CAUCUS

MINUTES- of November 16, 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**

REPORTS OF STANDING COMMITTEE

Finance- **Received & Filed**

Service- **Received & Filed**

Capital Improvement- **Received & Filed**

Rules- **Received & Filed**

Personnel- **Received & Filed**

APPOINTMENTS

Mayor Hall- reappointing Mark Mauter, Sue Spiker and Mark Schaff to the Etna Corporate Park Joint Economic Development Zone 1 (ECP JEDZ1) Board.- **No Objections, motion carried by acclamation.**

REPORTS FROM CITY OFFICIALS

Stephen Johnson, City Auditor- operating report for the period ending November 30, 2015. **Received & Filed**

Barb Jobses, City Tax Administrator- Newark City Income Tax Revenue Report for period ending November 30, 2015. **Received & Filed**

COMMUNICATIONS

Paul Moran- his comments and concerns from the November 16, 2015 Newark City Council Meeting. **Received & Filed**

COMMENTS FROM CITIZENS

William Butcher, 263 Union St- stated that the Courthouse lighting was beautiful.

David Greene, 1791 Olympic Ct- discussed changes in the economy such as “the electronic revolution” meaning technology replacing labor in many jobs. He stated that he has been told that the jobs that are available are low wage, part-time and temporary. The Bureau of Labor statistics considers someone employed if they work one or more hours a week that means the statistics which are defining who is unemployed and what is going on is belittle the magnitude of the problem. Many jobs that thought they would never be replaced by electronics are being that way. This electronic revolution is changing the nature of work and therefore changing the economy. He also discussed the increase in poverty despite the numbers of those employed and the transportation needs in the company. He stated that a 1/3 of the Licking County population is at or near the poverty level. He encouraged Council to not try to do the same things that they have been doing but start to address more seriously the needs of the community, not just to paved round about around City Hall but to people without enough food, not being able to pay for adequate shelter, no transportation and not having adequate paying jobs.

Mr. Guthrie- Mr. President before we get into the agenda I have a question. I apologize I was talking with Autumn about it. When we had our Rules Committee meeting my recollection was Doug that we voted for the legislation with the ethics training and we tabled the issue concerning the actual rule change until next week. However the training legislation is not on the agenda. Shame on me because I obviously missed it in the minutes. Do you remember Doug was it in the minutes that we voted it out?

Mr. Marmie- yes I thought that I saw it in the minutes

Clerk- that is my fault I didn't realize the legislation and the rule were two separate issues being voted on. I thought it was tabled until next week.

President Ellington- Mr. Sassen is there anything that we can do about that since it was not on the agenda and we made a mistake?

Law Director- I suppose with the consent of the majority and minority leader under rule 11 it could be brought up for a first reading tonight. It is a little creative interpretation of the rule but if Mr. Guthrie doesn't object.

Mr. Guthrie- this is one time that I will go along with it.

President Ellington- Is it alright with the majority and minority leaders to invoke Rule 11? Seeing you both agree we will put it on agenda next for a first reading.

ORDINANCES ON THE FIRST READING

By: Mr. Guthrie

15-31 A AN ORDINANCE CREATING CHAPTER 218 OF THE CODIFIED ORDINANCES OF THE CITY OF NEWARK, OHIO, REGARDING MANDATORY ETHICS TRAINING FOR CERTAIN ELECTED AND APPOINTED OFFICIALS.

Held for a Second Reading

Mr. Guthrie- I apologize for not catching that.

President Ellington- it was my fault too.

By: Mr. Cost, Mr. Rath

15-32 AN ORDINANCE AMENDING THE PAY RANGE AND DEPARTMENT AUTHORIZATION TABLES OF THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT FOR THE POSITIONS OF GRANT WRITER, RESIDENTIAL PROGRAMS SUPERVISOR, ECONOMIC DEVELOPMENT COORDINATOR, AND OFFICE MANAGER/ACCOUNT CLERK AND SETTING COMPENSATION THEREFORE. THE POSITIONS OF ASSISTANT DIRECTOR/PLANNER, (2) BUILDING INSPECTORS, BUILDING INSPECTOR/LEAD RISK ASSESSOR, (2) OFFICE ASSISTANT/ACCOUNT CLERKS, CODE ENFORCEER WILL BE ABOLISHED

Held for a Second Reading

RESOLUTIONS ON THE SECOND READING

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

15-100 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 THE DEMOLITION OF 116 UNION STREET.

Motion by Mr. Cost to adopt Resolution No. 15-100, second by Mr. Bubb

Motion passed by a vote of 10-0.

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

15-101 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO TO NEGOTIATE AND ENTER INTO CONTRACT, SUBJECT TO THE APPROPRIATION OF FUNDS, FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE DESIGN AND CONSTRUCTION A ANAEROBIC DIGESTION SYSTEM UPGRADE PROJECTS. PURSUANT TO ARTICLE 10.02 (D) OF THE CHARTER OF THE CITY OF NEWARK, THIS CONTRACT FOR PROFESSIONAL SERVICES DOES NOT REQUIRE COMPETITIVE BIDDING.

Motion by Mr. Cost to adopt Resolution No. 15-101, second by Mr. Bubb

Motion passed by a vote of 10-0.

RESOLUTIONS ON FIRST READING

By: Mr. Cost, Mr. Marmie, Mr. Rath

15-103 A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO EXECUTE A CONTRACT FOR REIMBURSEMENT OF LEGAL REPRESENTATION OF INDIGENT PERSONS FOR CALENDAR YEAR 2016 WITH THE LICKING COUNTY BOARD OF COMMISSIONERS FOR THE CITY OF NEWARK, LICKING COUNTY, OHIO.

Held for a Second Reading

By: Mr. Cost, Mr. Rath

15-104 A RESOLUTION ESTABLISHING THE BASE RATE FOR THE STORMWATER UTILITY SERVICE CHARGE AS AUTHORIZED BY CODIFIED ORDINANCE OF THE CITY OF NEWARK, OHIO.

Held for a Second Reading

By: Mr. Cost, Mr. Rath

15-105 A RESOLUTION AUTHORIZING THE MAYOR TO MAKE APPLICATION TO AND ENTER INTO AGREEMENTS WITH THE OHIO DEPARTMENT OF TRANSPORTATION STATE INFRASTRUCTURE BANK FOR A LOAN IN THE AMOUNT OF \$6,630,000.00 FOR THE MT. VERNON ROAD IMPROVEMENT PROJECTS, AUTHORIZING THE EXECUTION OF ALL DOCUMENTS NECESSARY TO EFFECTUATE THE SAME AND DECLARING AN EMERGENCY.

Motion by Mr. Cost to adopt Resolution No. 15-105, second by Mr. Bubb

Mr. Cost- there is an ODOT deadline that we must meet in order to file this application that is why we need to expedite.

Motion passed by a vote of 9-1(Mr. Marmie)

By: Mr. Blake, Mr. Cost, Mr. Rath

15-106 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION- CI

By: Mr. Blake, Mr. Cost, Mr. Marmie, Mr. Rath

15-107 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION-EXPEDITE

Motion by Mr. Blake to waive the two day reading rule for Resolution No. 15-107, second by Mrs. Floyd

Mr. Blake- we need to get this transfer done before the end of the year.

Motion passed by a vote of 10-0.

Motion by Mr. Blake to adopt Resolution No. 15-107, second by Mrs. Floyd

Motion passed by a 10-0 vote.

COMMENTS FROM CITIZENS

William Butcher, 263 Union St- he asked how long it would be until Cherry Valley Road will be open.

Daniel Crawford, S 2nd St- What's in a name? More importantly, what's in a name that is supposed to represent a group of people? It has been asserted that affixing the label Bulldogs or Wildcats to a sports team or a school is equal to doing the same with respect to Redskins. If Redskins is offensive, then what about the other two names? Is it not logical to say that calling your team the Bulldogs is an insult to bulldogs? No, it is not logical to make such a comparison, because these labels have very different histories. In what sense can we say that an animal-based mascot is an affront to those animals? I know of no examples where the labels Bulldogs or Wildcats were used to disparage those creatures, and I'm willing to bet that none of you are able to think of any either. Let's get to the point here. A few weeks ago, a fellow citizen spoke up about how the use of Redskins as a mascot must come to an end. We've seen the backlash against political correctness for quite some time now. In some instances I'm in solid agreement that this pc movement has overstepped its bounds, but here is one area where the backlash is dead wrong. In case you need some background information to understand why, here it is. For example, in an educational textbook published and distributed in the late 1800s in New England entitled A New Primary Geography (1886) -, young students were taught in pages 24 through 25 about five races of people, with the Red Race being associated with those people which our forefathers referred to as Indians. In case you make the mistake of concluding that the term is harmless even here, the textbook went on to say on page 26 that: "the various races of men differ greatly in regard to knowledge and manner of living. For this reason they

are sometimes divided into four classes: Savage, Barbarous, Half-Civilized, and Civilized.” A little further it continues: “Savages are the lowest and most degraded class. The Indians and most of the negro tribes are savages. Savage and barbarous tribes are almost always engaged in war.” Then, the book wraps up this portion of its racist indoctrination by reassuring its young superior-race readers that “almost all civilized people belong to the white race.” We know that redskin wasn’t just a derogatory label, but a violent one as well. In sharing an excerpt from an 1863 edition of one Minnesota newspaper, Baxter Holmes of Esquire points out at least one troubling use of the word: “The state reward for dead Indians has been increased to \$200 for every red-skin sent to Purgatory”. Then, that same announcement followed up by noting that this reward was greater than the value of all extinguished Indians east of the Red River. There is some debate as to whether this particular advertisement for murder was calling for the scalps of Native Americans which wasn’t an uncommon practice at the time, but the one thing that is clear here is that hate not an attempt to express or inject a sense of community pride motivated the use of redskin. How convenient of us mostly white citizens to stand here and proclaim that Redskin is a harmless label. How convenient indeed for us white men and women who’ve never experienced a legitimate threat to our collective existence or safety even as our forefathers did much to ensure the same for other so-called races. I’m not assuming that every fan or student calling themselves a Redskin is racist, but what they are celebrating is an icon of evil, plain and simple. Let’s try an exercise, shall we? Many of us were raised with the notion that if you can’t say it to someone’s face then don’t say it all, or if you can’t do something out in the open, then it should not be done. I say, if you can’t comfortably walk up to a random Native American and refer to this stranger as a Redskin, then you probably shouldn’t use the term at all. Moreover, if you can’t use the other skin terms equally, then that should say something about the level of decency attached to the word. Ask yourself, if you were starting from scratch, would you be in favor of naming Newark High School’s team the Newark Redskins? Or, what about the Newark White skins, the Newark Yellow skins, the Newark Brown skins, or even the Newark Black skins? Of course you wouldn’t dare think of choosing one of the latter four, because that would be obviously racist, right? So, how is Redskin any different? Perhaps Redskin is preferable because it seems to communicate something intimidating like the Wildcat and Bulldog mentioned earlier. Think about that for a second, while also remembering the afore referenced piece which claimed that Native American Redskin savages are almost always at war. Bear in mind that our white ancestors were taught to fear the Redskins, because of their perceived ruthlessness and brutality. Now, look at this situation from the opposite end. If you were a Native American citizen, would you be happy to pay taxes for and/or send your child to a school with a label that used this term? If not, then I think the answer is clear: the time to stop calling anyone a Redskin was yesterday.

Paul Moran, 63 N 4th St- stated five problems in Newark: housing, transportation, jobs, vacant commercial buildings and neglected city owned property.

ADMINISTRATION

Mayor Hall- I would like to thank the Salone family and everyone that helped them for the wonderful job that they did on Thanksgiving morning delivering 500 meals. Skip has brought up a family that has learned how to give back to the community. They helped the Salvation Army help people in need have a better Thanksgiving. They have done those types of ventures over the years but that was above and beyond so thank you and thank you to the citizens that helped them in delivery.

MISCELLANEOUS

Mrs. Floyd- last night at the Midland the Newark- Granville symphony played with the choirs from Newark High School and Granville High School. It was a fabulous concert. Before the concert in front of the Midland the Newark High School choir sang Christmas carols for about a half of an hour and then when you went inside the Granville choir was on the balcony singing Christmas carols. It was a wonderful Christmas show. Next Friday the Midland is showing Polar Express. I think it is \$5.00 to go. Last year it was so crowded that they are doing assigned seats. There are fabulous things going on in Newark. I know it is a tough time for a lot of people and I know that we certainly have problems in our community but there are good things going on as well.

Mr. Guthrie- Mayor I am glad that you mentioned Skip. I know that I have mentioned something in the past about how he promoted in his own radio ads going to businesses out at Buckeye Lake that are really hurting because of the water

levels out there. I think that is awesome. He and his family made a very generous contribution to Karis's Cause and our mission to help families with children with childhood cancer. I appreciated the point that Dave Greene made earlier regarding industrial jobs and other jobs. One of the things that I am seeing because I am getting old as are a lot of my fellow getting old people, is they are working two and three jobs in their retirement years because that is just what it takes these days to go to keep going and subsidize their social security to the degree they are allowed to do that. It is a shame they have to be penalized for making a little over \$15,000.00. Mr. Greene. Mr. Crawford and Mr. Moran in case I forget to say this at the next meeting I think that in a lot of ways you bring forth a level of consciousness that needs to come forward at these Council Meetings. Whether people agree with all of your positions or not I think that it is really important and I really admire you. Come next year when I am watching these things on my computer I am going to be hoping to see you all and listen to you. I'm glad that Carol brought up the Midland I went there a few weeks ago and saw Arlo Guthrie who I like to claim is my cousin and it was a fantastic concert. It was the 50th anniversary of Alice's restaurant. As we see these terrible, senseless murders that have taken place in the last two or three weeks in our country it reminds us again of our first responders. We can't say enough about the importance of these folks to our community. They are going in when other are coming out. We are lucky to have them and I have tried my very best to be an advocate for them.

Ms. Hall- called for a Capital Improvement Committee meeting.

Mr. Johnson- wished Mr. Rath a Happy Birthday. I think that we should really remember what December 7th has meant to our country. We need to remember what we are all about. It is important that we are strong Country. The Christmas concert was wonderful and we should be proud to have that opportunity. The opening of the first round about was nice and I think we can look forward to the rest looking nice once we get it all together.

Mr. Marmie- called a Rules Committee meeting and wished Mr. Rath a happy birthday. I too want to extend my gratitude to those who serve in the military not only at that time, since then and even previous to that. A gentleman came into my office who was a retired Airforce man. I asked him what his favorite locations were and he said that he never had a bad one and I even did two stints in Vietnam, because he is still alive. He said that he did what he needed to do and that this country is better off for it. Even though I was around I remember the day as if I were. It definitely resonates with me and I appreciate what those folks have done.

Mr. Rath- wished Tim Waldron a happy birthday as well and called for an Economic Development Committee meeting.

Mr. Rolletta- I just want to mention how honored I was to be a part of raising funds for Salvation Army this weekend. I was a bell ringer with other members' of Kiwanis. It was a great feeling and there are so many generous people in our community.

Mr. Blake- I want to say some thank you's. I want to thank Director Mauter for spending half a day with me over at Economic Development 411 which is a gathering of 400-500 different Economic Development professionals throughout the Columbus area. I thought that it was very informational and educational. It brings about those idea making and collaborations and partnerships that we work with not only in the City of Newark but with other government entities and the private sector. Also going along with economic development last week at the impact awards the Mayor, his administration and the government of Licking County and the Evans Foundation won the collaboration award for the Canal Market District. I want to congratulate the Mayor and his administration for working with those entities to bring about the Canal Market District that is going to be important to the future of our community. I thought that was a great ceremony at the Midland Theatre which showcased another jewel in our community. On the same night the Visitors Bureau had a rebranding. If you haven't been to their new website it is explorelc.org. It stands for explore Licking County. There is a lot of good work going on throughout our community. I wanted to thank the Chief he gave a very thorough tour of the station to our Newark Youth Council and we are looking forward to taking the Youth Council to the new fire station in two weeks. I want to thank Chief Connor in advance for giving us a tour there. He called for a Finance Committee meeting. All members of Council have received a copy of the budget and I hope that you are taking the opportunity to meet with the appropriate administrators to get any questions answered and just taking the time to digest the information in preparation for the next committee meeting Monday. Please come ready for the budget next week. Thank you David for your leadership, I think he has reached out to all of you. Thank you Mayor, Mr. Johnson and Lori for preparing what we are going to be discussing next week. It does focus on what Mr. Guthrie was saying, our first

responders. We are able to provide the level of service that we currently have and considering all the violence and evil that we have going on in our world our first responders are very important. Being able to provide for them in this coming budget is very important. Based on what Mr. Greene stated it is interesting where people discuss the unemployment rate versus the poverty level. Many times the unemployment rate doesn't reflect the picture of our community. I do agree that the poverty rate can much more reflect what is going on with standards of living and quality of life within a community. To Mr. Crawford I want to say thank you because I think you have brought out that words do matter, whether it is words being said in this room or words being said in our daily media considering different religions, races, different extremists' within different communities or societies but words do matter. It is very important that we reflect on what we say especially in public forums.

Mr. Bubb- called a Ways & Means committee meeting and wished Tim and Jeff a happy birthday.

Mr. Cost- congratulated the Mayor for making the first successful lap around the round about the other day and called for a Service committee meeting.

President Ellington- I want to thank everyone for coming tonight including our guests in the back. Next Monday committees will meet in this room at 5:30 P.M. and then our last Council meeting of the year will be Monday December 21st at 7:00 P.M.

ADJOURNMENT- Motion by Mr. Rath, second by Mr. Bubb. Motion carried by acclamation. 7:45 P.M.