

COUNCIL MINUTES

January 21, 2014

Council Chambers

7:00P.M.

7:00 P.M. - President Ellington called the January 21, 2014 Newark City Council meeting to order

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

INVOCATION – Mr. Johnson

PLEDGE OF ALLEGIANCE

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

MINUTES- January 6, 2014 Motion by Mr. Rath, second by Mr. Bubb that the minutes of December 16, 2013 be approved as presented and the reading be dispensed with in view of the fact each member of Council has received written summary of same. Motion passed by acclamation.

REPORTS STANDING COMMITTEES

Finance- **Received and Filed**

Service- **Received and Filed**

Capital Improvements- **Received and Filed**

REPORTS CITY OFFICIALS

City Auditor Stephen Johnson- operating report for the period ending December 31, 2013. - **Received and Filed**

COMMUNICATIONS

Ohio Division of Liquor Control- New application for El Rincon De La Cocina LLC at 1150 Mount Vernon Road. - **Received and Filed**
Paul G. Moran- a suggestion for a Good Citizen Award for individuals, couples, and groups for giving of themselves for the benefit of others. – **Received and Filed**

Safety Director, William Spurgeon- an update on the AD HOC Property Maintenance Review Committee- **Received and Filed**

COMMENTS FROM CITIZENS

Richard & Joann Westbrook- 276 Pierson Blvd, I can't express enough how pleased I am to welcome Dee, Jeremy and Alex as new members of Council. There are going to be times when you are asked to vote on something that you may not completely understand and all I ask is that you think things out and get more information. Don't be influenced by someone else to vote with them because their intentions may not be for the best. Several of us who have been work real hard to make landlords responsible for rental properties and what did City Hall do to solve the problem, they laid off the people in Property Maintenance except one inspector, why? No money. If there is no money then where did City Council get the \$34, 040.93 to remodel Mr. Washburn's rental? How many landlords paid to have their houses torn down over the last few years? Out of 41 to my knowledge not one is paid by the owner. How much do you think that it would cost to demolish 41 houses? Our first committee worked on a plan making landlords responsible for their rentals, I think that was pretty plain but it never got through Committee. Mr. Mayor formed his own committee for the same purpose but instead of having people on it who could be good problem solvers he added some landlords, people who are against rental registration to start with. I have gone to some of the Property Maintenance Committee meetings and not once have I heard them discuss how we are going to collect the fines the landlords owe and not once have I heard them discuss the subject of having houses or apartment inspected before it can be rented. Not once have they discussed having landlords be licensed and registered and paying a registration fee to business in Newark just the same as anyone else. I think that the Mayor should get these people back on track and concentrate on what our real goal is, make landlords responsible. So how do we collect the fines that are now or in the future overdue? Summons that person to court and have them explain to the judge why the fines haven't be paid, if the fines are not paid then that person goes to jail.

He gave thanks to Mrs. Floyd, David Greene, Mr. Layman and Mr. Sassen for his presence as Law Director. Mr. Layman did his very best to keep the committee focused on the problem. Mr. Paul was a lot of help too with his on hand experience information. Mr. Greene did his best to explain to the members what the real problem is.

David Greene- 1791 Olympic Court, discussed his frustration regarding the decision to dissolve the Property Maintenance Ad Hoc Committee. Rental Licensing legislation that the Rental Registration Committee proposed was mentioned and the fact that no action

was taken by Council on it. The cost of the committee, i.e. the time of the members, Law Director, Safety Director, Joe Paul, Greg Coffman and the secretary as well as those who attended the meetings. Finally he discussed what is needed. For a full view of Mr. Greene's comments to the Council regarding this issue I have included his typed version which was read at Council, distributed to the members of Council as well as published in the Editorial section of the Newark Advocate.

Robert Pfeifer- 243 Water St, he distributed a copy of a newspaper article, Let's merge Newark, Heath into Mound City that appeared in the Advocate on January 9, 2014. This article was written by him. This same information was given to Council at the meeting of December 14, 2013. He stated he was there to follow up on it to see if anything had been done. He read the article to Council. This article will be added to February 3 Council agenda under communications.

RESOLUTIONS ON THE FIRST READING

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

14-01 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR REMITTANCE OF FUNDS, FOR LEASING CITY-OWNED PROPERTY TO OTHERS TO USE FOR AGRICULTURAL PURPOSES.

Held to First Reading

By: Mr. Blake, Mr. Cost, Mrs. Floyd, Mr. Rolletta

14-02 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO PREPARE AND SUBMIT TO THE OHIO EPA AN APPLICATION FOR A 2014 COMMUNITY GRANT.

Motion by Mr. Blake to waive the two day reading rule on Resolution 14-02, second by Mrs. Floyd

Mr. Blake- it was discussed in Committee that there is a February 3 deadline for this grant application if we waive the two day reading rule we can adopt it in time for that.

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

Motion by Mr. Blake to adopt Resolution 14-02, second by Mrs. Floyd

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

By: Mr. Blake, Mrs. Floyd, Mr. Cost, Mr. Rolletta

14-03 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO PREPARE AND SUBMIT AN APPLICATION TO THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY COMMUNITY-WIDE PETROLEUM ASSESSMENT GRANT.

Motion by Mr. Blake to waive the two day reading rule on Resolution 14-03, second by Mrs. Floyd

Mr. Blake- Mr. Moynihan explained to us that they would actually like to submit this application tomorrow which would be the reason to hopefully waive the two day reading rule.

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

Motion by Mr. Blake to adopt Resolution 14-03, second by Mr. Bubb

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

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

14-04 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION.
(422 Debt Service Fund: Principal & Interest Pymts for Evans Blvd, Recreational Facilities, Safety Facilities- \$146,068.00, 228 Income Tax Fund: OPT- \$232,758.20, 100 General Fund: OPT-\$34,913.73)

Held to First Reading

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

14-05 A RESOLUTION APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION.

(335 Capital Improvement Fund: Machinery & Equipment Parts)

Held to First Reading

CITIZENS COMMENTS

Lesla Best- 205 W Church St, first thumbs up to Council for approving yet another Brownfield grant in light of how well the Department of Development handled the last one. Once again you hold no one accountable, learn nothing for past mistakes and simply keep repeating. Speaking of mistakes, the Mayor's re-appointment of Shirley Stare to the Licking County Transit Board is a

travesty. The daily transportation problems of many Newark citizens is triumphed by the comfort level of Commissioner Bubb who prefers the blind obedience Stare provides and the Mayor is more than happy to oblige, proving once again that the County's interest is more important than our own. Wasn't Newark supposed to have two representatives on the Newark Transit Board?

Let's talk about the Property Maintenance Ad Hoc Committee. It accomplished exactly what the administration wanted it to, stalling any efforts or questions about the department while the committee did its' work at 9:00 AM on a weekday. Exactly what work did they do? Was there any actual research involved? Dave Greene, Nancy Welu and I traveled to Sandusky and spent the day seeing how successful Property Maintenance program is funded and ran. Did anyone of this Ad Hoc even pick up a phone? Read a study? Did you get your information from the people who have a vested interest who perpetuate policies and procedures that are not working? Most similar towns who have the same funding problems and personnel issues manage to enforce their codes. Why doesn't Newark.

I have heard many times from Council how many times you are proud for cooperating with the administration. I have always thought that Council should be watch dogs not lap dogs. Shouldn't your priorities be your constituents? When Don Ellington's business facilitated and profited from the Wilson Street property purchase some of the people sitting here today knew about it, who are you representing then? When you try to hinder questions from citizens, who are you representing? When you acquiesce to every request from the Department of Development in spite of their horrible performance, who are you representing? When quality of life is equated more with parks instead of safe housing, again I ask who are you representing. When you go with the administration without question or statistical facts, who are you representing? Lastly, the show put on before every Council meeting, and I meant the prayer, to publicly demonstrate your morality and faith is pretty insensitive. The references to God, ok that is generic and can mean anything, but naming specific prophets of one religion not only alienates people, I kind of wonder if it is legal. If you are sincere about your faith why not pray upstairs before the meeting in private while you violate the Sunshine Law. There seems to be a theme to all of these things that I have mentioned. Council and this administration choose to be exclusive not inclusive.

ADMINISTRATION

Safety Director Spurgeon- I appreciate the body congratulating and thanking the members of the Property Maintenance Ad Hoc Committee. We appreciate their passion and hard work but I would be remiss not to let you know the improvements our Mayor and I along with our great employees have made in the Division of Property Maintenance. We now have computer software which makes scheduling, conducting and documenting these inspections easier. This same software lessens the amount of time that it takes to answer a public record request and the associated computer hardware lessens the time it takes to complete an inspection. We have wireless printers which lessens our need for paper and ink. We have enhanced our relationship with the County Officials in charge of the foreclosure process. As I speak a particular troublesome property is scheduled to go to sheriff's sale the 24th of next week. We have enhanced our relationship with the Attorney General's Office of Ohio. We now have two responsible parties making monthly payments to our office as a result of a settlement. These proceeds are then immediately deposited into public treasury. We have worked collaboratively with our Director of Law. Caroline is currently seeking charges against two property owners that we have deemed non-compliant with the new Ordinance. Also our Director of Law has been able to successfully negotiate a property settlement which we believe can be used to further enhance our neighborhoods. We have enhanced our relationship with the private sector as well. We do have commercial properties and work extremely hard to mitigate these challenges and we have reached and we are currently discussing plans to enhance our effort with the private sectors participation. We have also enhanced our record keeping which in turn helps us track money owed to the City. I previously reported that collections were 11 cents on the dollar and that figure was accurate, however it was only an annual snapshot. I have asked George for more comprehensive analysis and numbers are closer to 50 cents on the dollar over a six year period. We have conducted over 2000 inspection in the year 2013 alone, although we have lost an inspector due to a Federal reduction of grant money; I believe the efficiencies that we have achieved will allow our folks more time to address non-technical complaints such as grass and trash. Both of these by the way are our most frequent complaints. This Council was kind enough to approve a position in the Engineer's office and Director Rhodes and I have collaborated, as we speak we have Nate working closely with Joe to mitigate a problem at the east end of our community. You have heard me use the word we several times but it is truly team effort. Under our Mayor's leadership Joe, George, Cindy and I are more committed than ever to enhance the esthetics, value and safety of all of the properties in our great city.

MISCELLANEOUS

Mr. Blake- I would just like to say that in light of the celebration of Doctor King yesterday and the numerous activities occurring throughout the week in our community, if it is ok with the chair I did invite Donna Gibson to come in and visit with us this evening. Donna is a coordinator for the Bridges out of Poverty program with Mental Health America. Poverty is something that Doctor King worked on towards the end of, everybody recognizes Doctor King for his work on the racial inequalities but I think that income quality and the poverty issues that he began to deal with, with the poor people's campaign is important. I think that Donna is an example of someone who is working in our community that helps people gain a second chance every day. She helps people get jobs; she works with individuals and families. She is an advocate and resource to get people back on track. The poverty assimilations that she provides in our community, I don't know if anyone has ever attended one but I would encourage you to do so. Just today she did some parenting classes at the shelters within our community. I just want to recognize Donna as part of a living dream with Doctor King. As a board member on the Mental Health of America I would be remiss if I don't invite you to java and jazz as well which is on

March 8th at 7:00 PM. If you would like to get a ticket feel free to contact me. Most importantly I want to recognize Donna for her work in the community and for working for our poor citizens it is important to so that. He also called for a Finance Committee meeting for January 27th.

Mr. Cost- called a Service Committee meeting. I did not service on the Property Maintenance Committee but I did attend a number of the committee meetings. I feel there was a lot of effort and there was a lot of information that was given, a lot of ideas were exchanged, there was progress made and I would be the first to say that there is still a great deal of progress to be made. I still think that we have landlords in this town that are not willing to maintain the safety of their own property and I think that it needs to be addressed. I don't claim to have the answers as to how to pay for it; I think that it is important we work towards that goal.

Mrs. Floyd- I was on the Property Maintenance Ad Hoc Committee. We met for 9 months and as David said 20 meetings or so. Lots of time we were given homework to go back and look at certain parts of the Property Maintenance Code and put it into categories of Safety, Life Safety, Structural and what we called neighborhood impact and administrative. We were in the process of trying to put those categories into some kind of order. I do think that there was some success. I think that there was some movement forward. I think that we made the administration and the Safety Department and I know they were already aware of some of this, but I think we made some specific issues clear to them. I like Bill think that more needs to be done. I am not quite sure how we can do it and I too am not sure how we can pay for it. I do appreciate the fact that we are going to have a little more help for Joe Paul in terms of trying to be able to do more. I think that we need to look at the safety issues that affect certain property owners and certainly not all property owners. There are a lot property owners in this community who do what they are supposed to and some who do not. I think that it is something that we need to continue to look at and see what else we can do maybe not another committee but it is something that needs to continually be looked at.

I am really happy that the neighborhood impact unit is back within the Police Department. I think that will be a great benefit to this community.

Mr. Guthrie- I wanted to mention that there is an MLK event tomorrow at the Reese Center at Ohio State from 6:30-8:00. I believe there will be a speaker there who is a State legislature. I think next Sunday begins black history month. The Trinity AME is going to kick off Sunday at 1:30 and I think that Mr. Blake is going to speak at that event. It is an important week for our Country and our community. I want to at least comment on Mr. Pfeiffer and we have touched in this a little bit before regarding this concept of a merger. I have served on Council in both communities and one thing that I can pretty well guarantee is that there isn't going to be a merger between these two communities that have a significant amount of community pride. It may sound trivial to say that that would prevent something like that but the bottom line is they are two communities that take great pride in their independence as a community. However there are things that we can do together. One of them of course is our mutual aid agreements which we have with all of our neighboring communities. The Port Authority is something that Heath and Newark are both involved in and we can do more. I am a firm believer that we can figure out a way to do joint purchasing. We can find common ground where we can work together. For a few years we had our tri-city meetings which Pataskala even wanted to join in and did towards the end of that. I think that was during the Bain administration and beginning of the Diebold administration. I think that it would be a good idea to see those come back and see Council's participation in those tri-community meetings. I want to take an opportunity to say a word or two also about Property Maintenance. I think one of the points that were made was regarding internal inspections. I think the issue of internal inspections after unresolved violations is something that is going to take legislation and this Council needs to spend some time on to focus on it. I think that we do need to take a more serious look at some of communities that do have rental registration and everybody's hair is not on fire because they have it. As was pointed out Sandusky is a good example and there are other cities that are in our state that have it. The Mayor and I have chatted about this and myself and Mr. Rhodes, maybe even Mr. Spurgeon. I know that there is a commitment to try to be as creative as possible with our staffing to see that we are doing the kinds of things that we need to do with limited resources to improve our inspections, improving our response to complaints and those kinds of things. It takes some creative balancing with personnel and I think the administration is working on that. Councilwoman Floyd and myself were at the Hudson Ave fundraiser over the weekend at Central Christian Church, not only was it a wonderful dinner but it reminded me when I see and think about the Hudson Ave community and how that community has sort of drawn a line in the sand to lift their community up and to keep their community and neighborhood strong. I noticed Mr. Layman's comments in the paper. As everyone knows Mr. Layman is a commercial real estate person. I think his comments are very telling because we all have different motives as to why we want neighborhoods maintained properly, lifted up and people given opportunities but in fact from the perspective of say for instance a commercial real estate person if you are going to attract people to our community, we have to have attractive neighborhoods, we have to neighborhoods where people feel good about coming in and buying and renting properties in our community. We want people to relocate here not a neighboring community, they have the right to do that, we want our community to be attractive and by having a good property maintenance programs that shouldn't catch anyone's hair on fire that we can be proud of. I too am disappointed that the committee stopped but I think that we need to work together and make things happen because I think that there are things that can happen here that are good for our community.

Mr. Johnson- I also concur with Mrs. Floyd and Mr. Cost about the property maintenance, I think that we need to look at that, Mr. Guthrie also. He called for a Street Committee meeting.

Mr. Rath- I was on the Ad Hoc Property Maintenance Committee, I attended all of the meetings, and I participated fully in them. I am very proud of the work that not only I did but the work that all of us did in that committee. We were directed to review the legislation and we did that, we made some suggestions for some changes, is there more work that can be done, yes, absolutely. Did

we do what we were tasked with, I believe we did. One of the biggest issues that I saw was, obviously everybody has talked about funding and do we need another Property Maintenance inspector, no we need 5, we need more we know that. Is property maintenance a priority, yes? Am I going to vote to lay off two police officer or a couple of firefighters so we can have a Property Maintenance Inspector, no I am not? It doesn't mean that it's not a priority to me it just means I want the bad guys in jail and I want my house to be put out if it catches on fire more than I want a Property Maintenance Inspector. Mr. Spurgeon, thank you very much for telling me your accolades and accomplishments that you have done. You have certainly made a significant difference and improvement in the two years that you have been here. I would caution you not to rest easy on those accomplishments and I don't believe you will. It is just not in your nature. I am sure you will continue to move forward, continue to move on and to continue to make improvements and I would like you to also let us know what improvements you are making.

Mr. Rolletta- over the next several weeks I plan on reaching out to several individuals that served on the Property Maintenance Committee to discuss what its' accomplishments were and what the next step should be in addressing property maintenance issues.

Mr. Ellington- our next committee meeting will be on January 27th at 5:30 PM, the next Council meeting will be February 3 at 7:00 PM.

ADJOURNMENT- Motion by Mr. Bubb, second by Mr. Cost, adjournment was 7:59 PM.