

## COUNCIL MINUTES

**July 21, 2014**

Council Chambers

7:00 P.M.

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

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

**INVOCATION** – Mr. Johnson

**PLEDGE OF ALLEGIANCE**

**CAUCUS**- Mr. Ellington announced it was Carol Floyd's birthday and wished her a happy birthday

**MINUTES**- July 7, 2014 Motion by Mr. Rath, second by Mr. Johnson to approve the minutes of the July 7, 2014 Newark City Council Meeting 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.**

**APPOINTMENTS**- Mayor is appointing Bryan McAnally to the Board of Zoning Appeals. He will be filling the term of a past member and his term will expire December 31, 2016. **Carried by acclamation**

**REPORTS STANDING COMMITTEES**

Finance- **Received and Filed**

Service- **Received and Filed**

Capital Improvements- **Received and Filed**

**REPORTS CITY OFFICIALS**

**Barb Jobes, City Tax Administrator**- Income Tax Revenue Reports ending July 15, 2014- **Received and Filed**

**COMMUNICATIONS**

**Paul Moran**-complaint about the former Westinghouse plant on 325 W Main St and the building at 66 N. 4<sup>th</sup> St regarding their current condition of disrepair. He also questioned about the City installing the gates in the back parking lot. - **Received and Filed**

**Ohio Division of Liquor Control**- new application for a liquor license for 31 West Church St. - **Received and Filed**

**COMMENTS FROM CITIZENS**

**William Butcher**- 129 W Main St, he asked what was going to happen to the old school on Main St

**Beau Bromberg**- 14 Claredon St, his first comment was regarding Ordinance 14-20. He stated that he didn't think that fining people for leaving their trash dumpster out was the best way to improve Newark. He also stated that he heard it was going to be complaint driven but he didn't see that specified in the legislation. While this administration doesn't plan on going out and marking trash dumpsters it doesn't prohibit the next administration from doing that. It seems as though with Fire and Police short staffed it doesn't make sense for the City to be worried about trash dumpsters. He stated he has a grandfather that is 98 and that he goes to his house and sets his trash out for him when he can get to it and under this new law sometimes it would be illegal. He also stated that he doesn't think the City should be worried about trash dumpsters when they are asking the citizens for more money. I also remember a couple of years ago that I was sitting in a room with a couple of you guys with the Advocate and told the Advocate that you wouldn't vote for new taxes so I got disappointed that someone of you that said you wouldn't, voted for it.

## **ORDINANCES ON THE FIRST READING**

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

**14-20** AN ORDINANCE AMENDING CHAPTER 1860: SOLID WASTE COLLECTION AND DISPOSAL OF THE CODIFIED ORDINANCES OF THE CITY OF NEWARK.

**Held for a Second Reading**

## **RESOLUTIONS ON THE SECOND READING**

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

**14-55** A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A RIGHT TO A LEASE AGREEMENT AND EASEMENT AGREEMENT ON BEHALF OF THE CITY OF NEWARK FOR CERTAIN REAL PROPERTY LOCATED AT LEVIN PARK, SHARON VALLEY ROAD, NEWARK, OHIO, PARCEL 054-286350-01.000 LOT 5 OF 21.30 ACRES.

**Motion by Mr. Cost to adopt Resolution 14-55, second by Mr. Bubb**

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

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

**14-56** A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION  
**(293 Demo Grant Fund-\$4,637.80: Reimbursement for costs associated with demolitions)**

**Motion by Mr. Blake to adopt Resolution 14-56 second by Mrs. Floyd**

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

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

**14-57** A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO APPLY FOR FINANCIAL SUPPORT FROM THE STATE OF OHIO 2014 NATUREWORKS GRANT FUND

**Motion by Mr. Blake to adopt Resolution 14-56 second by Mr. Cost**

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

## **RESOLUTIONS ON THE FIRST READING**

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

**14-58** A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION  
**(100 General Fund: Non Health Insurance-\$1,000.00 & Building & Grounds Maintenance \$3,813.00)**

**Held for a Second Reading**

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

**14-59** A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION  
**(335 Capital Improvements Fund: Machinery Equipment-\$5,200.00)**

**Held for a Second Reading**

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

**14-60** A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION  
**(100 General Fund: Temp Services-\$4,412.87, Services-\$138.00, Contingency-\$1318.55)**

**Held for a Second Reading**

## COMMENTS FROM CITIZENS

**Paul Moran**-63 N 4<sup>th</sup> St, his comments were on upkeep, Log Pond Run he stated has weeds, trash and branches lying throughout and he suggested a yearly clean-up was necessary. Veterans Park, the Civil War monument has turned black on the sides, back and around the bottom and should be cleaned. Elmwood Ave, the empty lots where the houses were torn down last year have weeds.

**Tim Waldron**-167 S 2<sup>nd</sup> St, he was upset about an article in the Advocate that depicted the south end as a safe place to live and raise kids and he referenced comments in the article that Mr. Blake made about the south end; he went on to say that there was an article in the Advocate on Sunday which stated the south end were the most dangerous parts of the city. He stated that there were 101 burglaries there and criticized the Newark Police Department for not coming down and doing reports regarding stolen items from his home. He stated that he witnessed kids breaking into three cars parked along the street and that crime is bad there.

**Anna Rehl**- 1293 Granville Rd, she had questions regarding the proposed amendments to the trash ordinance 14-20. She was asking for clarification on whether the ordinance was dealing with trash bins that sit out for a day or two or if it was about all trash. She stated she would rather see trash bins sit out than see trash in people's yards.

**William Butcher**- 129 W Main St, wants the Flint Festival to come back to Newark and he gave a weather update.

## ADMINISTRATION

**Director Spurgeon**- I would like to give a quick update of the good works from our Property Maintenance Department. As you know we have executed the second round of Ohio Moving Forward grant dollars and with Director Mauter's collaboration, I appreciate your help Mark, we have torn down an additional 9 structures which pushes us up to 50. 50 less magnets for negative behavior and 50 more opportunities to make our community safer. On the Property Maintenance side we ran some numbers for the first half and just compared to last year we are up a hundred inspections, our tax assessments were up over \$7,000.00, and on the revenue collections we are up over \$12,000.00. On fines and fees assessed we went up from \$60,000.00 to \$180,000.00. Under Mayor Hall's watchful eye and your continued support we will continue to do our best to make sure our neighborhood are safe and maintain property values.

## MISCELLANEOUS

**Mayor Hall**- last Thursday I was at a round table meeting with 11 other Mayors from Central Ohio. They were looking into the future as they expect about half a million people will move into Central Ohio and how the communities will be ready to receive those. There was good dialogue, with good team work I think they will build a lot of good relationships as we move forward. The Midwest is a large growing part of the country.

**Mr. Marmie**- just a comment on the trash ordinance, the majority of the intent of the legislation is to take care of the issues of trash being around, overflowing bins and so forth. I know there has been a lot of discussion and Mrs. Floyd is probably going to recommend a change in language and she is debating which direction to go and I know she has been working very hard at that so it is not at a specific time. Folks have been mentioning that and it was not the intent of the legislation. As far as it being complaint driven it is not directly in the legislation and it has not been assigned to anybody. It is not something that is going to be assigned to the safety forces or anything along those lines so it will come in as a complaint. We are not going to have people out there looking, could that happen in the future? Well I think that would be a foolish use of resources.

**Mr. Rath**- wished Carol Floyd a happy birthday. As far as the new taxes you mentioned Beau, I know I didn't cast a vote to raise taxes on any citizen in Newark. I did cast a vote to allow the citizen in Newark to decide whether they want to increase taxes for a specific use or not. I don't have a problem giving the people a choice but I do have a problem making it for them in regards to taxes. As far as the trash thing goes I read all the comments in the Advocate and have been talking with neighbors and you are right everybody is focusing on the time frame. To be honest with you that was the one thing that I talked about when I walked out of here. Thursday nights are my wife and I's night to go out to dinner and its trash night and sometimes we are not back Thursday night until it is past time to take the trash out. I am not real worried about that because it is complaint driven. The spirit of that part of the ordinance is to basically tell people to bring their trash barrels in; it is not supposed to be there 7 days a week. That is basically what we are trying to do is educate people to not leave their trash barrel on the side of the road. Because everybody is worried about that narrow time frame. If you want to change that to 24 hours before to 24

hours prior, meaning they have 72 hours to leave their barrel on the side of the road I would be in support of that, that is fine. To comment on Ms. Rehl's comments, we already have trash issues in yards covered and we have that very thoroughly so if you see trash in yards call the Property Maintenance Department and register a complaint and we will put a notice on their door and within 48 hours if they haven't cleaned up the trash we do and assess them the cost. We worked on that, improved that and it has been working very efficiently for the last year or so. Now that does not include items people own that are stored outside of their house in a manner you don't approve to. That is personal choice and we are not going to legislate that. On a positive note the Urban Deer Hunting Program is about to kick off again. Applications will be ready around the beginning of August and they are due by the beginning of September I believe so if you know anybody who is interested in hunting within the city limits of Newark within the laws they have to do that with in basically the month of August. If there are properties that want to allow hunting you can register those by calling Sgt. McKee or if you want to ask me I can tell you what I know about it.

**Mr. Rolletta-** I would like to congratulate my good friend Jacob Rapp who is a resident of the 4<sup>th</sup> Ward he is a small business owner, he runs a food truck called the Mixing Bowl, he was recently on NBC 4 doing an interview. He told me that he will be doing some of the food for the Columbus Crew games and the OSU home games so I wanted to congratulate him on how well his business is doing. Second, I would like to mention in regards to the cell phone tower agreement at Levin Park, I think that it would be a great idea for us to possibly earmark that revenue to start a summer youth program for our parks to help young people to progress academically and stay physically active over the summer months. Lastly, I would like to announce the 4<sup>th</sup> Ward block watch group will be meeting at 6:30 P.M. at 592 West Main St on Tuesday July 29<sup>th</sup>.

**Mr. Blake-** First of all I just want to say as a sponsor of the trash legislation and it has been a joy to work with Mayor Hall's team and also with Director Sassen. For those of you who might have missed last committee meeting the Computer Society manages our You Tube Channel and if you get an opportunity to go to YouTube.com and type in Newark City Council you can watch that last committee meeting where I think there was a good discussion on the trash legislation. There were a lot of questions and answers that might be helpful if all of your questions aren't answered here tonight. Thank you very much Everett and the Computer Society for recording these meetings so that we can have the opportunity to do that. I agree with the others the focus has sort of gone to the timing of the thing and that wasn't the just of it. To be quite frank I think when Director Sassen pulled out the legislation we took the timing that was in there and introduced the legislation. We didn't really consider the timing. It wasn't as though we were going to send out a police officer to time out when people's trash barrels are out. The intent was appearance and to make sure that people have trash hauling service. The goal was for the policy of the City of Newark for everyone to have trash service. I think that people even have concerns about the word contract. If you are challenged it can be as simple as if someone files a complaint against you, you could have a cancelled check to show that you have trash service. It doesn't need to be a multi-page type of thing.

I think that there are all kinds of different people in our city and some look at it as the glass is half empty and some look at it that the glass is half full. I am proudly sitting here tonight with a button that says south end pride, South Newark Civic Association. Our website is mysouthnewark.org. We have South Enders here, Mr. Waldron, Daniel Crawford and my mom; they all live on Second Street and I am sure that if you ask the three of them their opinion you would get three different answers. But what I want to focus on is that I do think my neighborhood is a good place to live. I think that we need to encourage people to buy a home in our neighborhood not only in my neighborhood or the south end but in our entire city we want to encourage people to buy a home, to live and raise a family and work here. That is the purpose of what we are trying to do, provide good services to our citizens so people will move here, invest in our community and to work in our community. If I make comments in that manner I have no disregard for that because I am going to promote the neighborhood and the city the best I can. Regarding the 101 crime number I think that you have to understand the boundaries for the 2<sup>nd</sup> Ward go from Second Street all the way to 30<sup>th</sup> Street, it includes the downtown area so it is not just the south end neighborhood that is in the Second Ward. There is a large commercial district that is in the Second Ward and again it extends all the way over to 30<sup>th</sup> Street so you are including neighborhoods around Williams Street and Union Street corridor so it is not just the south end included in that statistic that the Advocate reported on Sunday. They were property crimes that were reported on. Even with that article I am glad to live in the south end. I have been a South Ender for 5 generations and I am happy to see that a South Ender always attends this meeting and gives me a phone call or an email. I wear the button and I wear it proudly.

This Saturday in Little Texas there is a picnic at the Florence Coble Community Park and it is hosted by Trinity Truth Tabernacle Church at noon on Saturday and all are welcome to come.

**Mr. Cost-** I think one thing that we want to remember is the trash problem that we are dealing with comes in several forms. I see a lot of improvement over the last couple of years from what Property Maintenance is trying to do to clean up trash in general. Joe Paul and his group have done a nice job and we have come a long ways. This ordinance that we are working on, what we are trying to do is update a piece of legislation that is 30 years old and bring it up to something current. To me the biggest element of it is making sure everyone has trash service. We are not only combatting trash that is sitting out front in a pile we are also trying to make sure people have trash service so we can make sure things are hauled away and keep the city looking better than it has in the past . It is not about policing people's property or looking at your watch to see when the trash is set out. It is about trying to clean up the way the city looks and I am proud to say that we are moving along to that. I think this is a good start. We will get a few tweaks to this but we will get it ironed out. I think it is a positive thing.

**Mrs. Floyd-** first of all I would like to congratulate Jerry McClain and the Double Tree downtown, it is really exciting to see that nice of a facility in downtown. The fact that the first 48 hours it was on line they had 129 reservations. I think that speak well for the future of Newark. There are a lot of activities here that bring people to Newark to stay whether it is the Settler's game or something at the Midland or at OSU Newark. I agree with Mr. Cost and what other people have said. The basic purpose is that every property has trash collection. That was the basic purpose of the legislation. There are times in here and there are times in our Property Maintenance Code as well. I am going to tell what I am thinking about and then you can let me know personally whether you think it is workable or not. I get complaints from people all the time that are upset because their neighbor leaves their trash can out day after day and just take their trash out to the bin and that doesn't look either. She is proposing that the ordinance state the bins will be placed curbside the day before the scheduled collection and shall be removed from curbside either the day of collection or the day after collection. You think about that and you tell me what you think is right. It seems to me that the day after collection might give some people flexibility. You are only going to have an issue if your neighbor calls about you leaving your trash out. I think we need some flexibility because we have a lot of senior citizens in Newark who either need help taking it out or have someone else do it for them or when they are out doing the day they just want to take it out and leave it there. I think the more flexible we make it the better but let me know if you want to do the day of collection or the day after collection and that is what I will propose in two weeks.

**Mr. Guthrie-** I am glad that Carol mentioned Jerry McClain because I believe some of the other members of Council were present for the ribbon cutting at Double Tree. I know for sure Carol, Mayor Hall and I were there. It is certainly another proud accomplishment by Jerry McClain. I know that we have all known Jerry for a long time; I probably have known him for 35 years. I have always admired the fact that he is someone who hasn't hesitated in taking risk to promote his community. He has taken significant financial risk to promote his community that really speaks well to someone and I really admire that man along with many others that have done good things for our community. I just wanted to say that I am very grateful to Jerry McClain for what he has done. I want to thank the Mayor and Jennifer I am working with them on a putting together some recognition for some Special Olympians hopefully here in a couple of weeks, we are waiting on some information back. We have several Newark area Special Olympians who had great achievements this year at the Ohio games. I think that it would be very nice if we can recognize them. The Mayor is working on a proclamation. Several of us went down and looked at the Community Gardens a few weeks ago and they are coming along nicely. You have to thank Dave Green and his wife and all of those involved with the Community Gardens they are a compliment to their neighborhoods. I want to thank everyone who spoke at Council tonight but I want to let Ms. Rehl know that I think you know that folks on Council are listening and we care about this issue and we appreciate you very much coming along with the others. Hopefully Mr. Spurgeon you can have the Property Maintenance folks look at those weeds on Elmwood that were raised tonight. The comments regarding south Newark, I really want to commend not only Jeremy but that community for working as hard as they are to lift themselves up. I really think and I have said this many times in this Council Chambers that we have to do everything we can to lift up our neighborhoods. You guys are doing a spectacular job there; the Hudson Avenue group is doing a great job there. We need more people using the approach that the South End Association is using. I really encourage everyone to take a look at a Columbus Dispatch article that was in today's paper regarding the City of Whitehall. I am not sure where they got the pool of money but they established a pool of

money to give matching grants in neighborhoods to help people improve the outside of their homes and I think to me that is a concept I would like to see us look at because as we know it is very expensive to make significant improvements on the outside of ones homes but if there were maybe a little bit of help and maybe it is something that we can talk to the foundations about getting some seed money to help us with some kind of a program like that. It goes along with that concept of lifting up neighborhoods. We are doing great things downtown but we can do all these wonderful things downtown but if we don't help lift up our neighborhoods than to me it is not going to put the entire puzzle together. I think as a Council and an Administration we need to work together to put it all together and that includes lifting up neighborhoods.

**Mr. Ellington-** our next committee meeting will be next Monday at 5:30 P.M. here in this room and the next Council meeting will be August 4<sup>th</sup> at 7:00 P.M. also in this room. We thank you all for coming and we appreciate your comments.

**Mr. Blake-** called for a Finance Committee meeting.

**ADJOURNMENT-Motion by Mr. Rath to adjourn, second by Mr. Rolletta 7:47 P.M.**