

July 28, 2014  
Council Chambers  
5:30 P.M.

## COUNCIL MINUTES

**5:30 P.M.** - President Ellington called the July 28, 2014 Newark City Council meeting to order.

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

**Motion by Mrs. Floyd to excuse Mr. Cost, second by Mr. Guthrie.**

**Motion carried by acclamation.**

**INVOCATION-Mrs. Floyd**

**PLEDGE OF ALLEGIANCE**

**CALL FOR MEETING AND CERTIFICATE OF SERVICE**

Council members Mrs. Floyd, Mr. Guthrie and Mr. Blake have called a special meeting of Newark City Council to convene at 5:30 P.M. on Monday July 28, 2014 to consider Ordinance 14-22. **Notice was received by all 10 members of Council.**

**Mr. Ellington-** asked if there was anyone who wanted to speak

**Mr. Guthrie-** I just wanted to make a point and I know that I was one of the members that called for this special meeting. In an effort to be consistent I think that these contracts need to go to the Personnel Committee the same night then coming to full Council for a special meeting because that is what we have done in the past. I don't know that there is any rule violation but I think that we should try to be consistent.

**Mr. Ellington-** I appreciate that Mr. Guthrie and since it has not gone to Committee we will have to use rule 11.

**Motion by Mr. Marmie to invoke rule 11 for Ordinance 14-22, second by Mrs. Floyd**  
**Motion was carried by acclamation.**

Motion by Mrs. Floyd to go into executive session because we are discussing a personnel matter. We should have members of Council, Mayor and his Cabinet.

**Mr. Rath-** point of order, don't we need to read the Ordinance first

**Mr. Ellington-** no we can read it when we come out of executive session

**Mr. Blake-** my understanding is that we also need to add a pending litigation as a part of the executive session that Mr. Rhodes would like to discuss.

**Mr. Marmie seconded the motion to go into executive session.**

**Motion passed by a vote of 9-0.**

Director Rhodes asked that Cindy Campbell be included in the executive session as Law Director's liaison who could not be present this evening.

**Motion by Mrs. Floyd to come out of executive session, second by Mr. Johnson**  
**Motion was carried by acclamation**

**Mr. Ellington-** nothing was decided in executive session.

**By: Mrs. Floyd**

**Ordinance No. 14-22** AN ORDINANCE APPROVING, ACCEPTING, RATIFYING, AND ADOPTING AN EMPLOYMENT AGREEMENT BETWEEN THE CITY OF NEWARK, OHIO, AND THE NON-UNIFORMED EMPLOYEES, AFSCME LOCAL 2963 AND OHIO COUNCIL 8, AFL-CIO, REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT WITH THE PROVISIONS OF SAID EMPLOYMENT AGREEMENT; AND DECLARING AN EMERGENCY.

**Motion by Mrs. Floyd to adopt Ordinance 14-22, second by Mr. Blake**

**Mr. Marmie-** I am going to state my position. I know that this ordinance has some language in it as far as the pay increases; although it is less than what the firefighters received I am still not in support of it because we don't have any method in order to pay for this or plan to pay for it. It is estimated around \$200,000.00 and I can't support something that increases our wage base when actually we are dipping into a rainy day fund and we don't have offsetting those expenses let alone adding additional.

**Mr. Guthrie-** I am going to support the agreement that the administration worked out with AFSCME. I think that it is important to note that approximately 70% of this cost is not coming off of the General Fund and the bottom line is it is fair. I think that we have a responsibility to bargain in good faith and treat our employees in a fair manner. In my opinion there is nothing excessive in this agreement in any way and I will certainly be voting in the affirmative.

**Mr. Bubb-** I will also not be in support of this this evening. Similar to the firefighter agreement it has nothing to do with the labor in the field it is merely we don't have the money to pay for this and I think that it would financially irresponsible to be in support of this this evening so I will be voting no.

**Mr. Rath-** I am going to vote for this and because I am in agreement with the negotiation outcome but the mere fact that if we go to binding arbitration the likelihood of us getting into a more expensive agreement is significantly high and I don't want to put us at risk of that. Not that I agree with it but I definitely don't agree with anything higher.

**Mrs. Floyd-** I agree with what Mr. Rath said. I think this is a fair agreement and the big concern is that if it would go to binding arbitration it would cost the city considerably more and so I will obviously be supporting this.

**Motion to adopt Ordinance 14-22 passed by a vote of 7 (Mr. Johnson, Mr. Rath, Mr. Rolletta, Mr. Blake, Mrs. Floyd, Mr. Guthrie, Ms. Hall to 2 (Mr. Marmie, Mr. Bubb)**

**ADJOURNMENT-** motion to adjourn by Mr. Guthrie, second by Mr. Rath 6:15 P.M.