

COUNCIL MINUTES

April 15, 2013

Council Chambers

7:00 P.M.

7:00 P.M. - Mr. Ellington called the April 15, 2013 Newark City Council Meeting to Order.

ROLL CALL- Mr. Guthrie, Mr. Houdeshell, Mrs. Loomis, Mr. Marmie, Mr. Rath, Ms. Stare, Mr. Bubb, Mr. Cost, Mrs. Floyd, Mr. Frost

INVOCATION – Mrs. Loomis

PLEDGE OF ALLEGIANCE- Mr. Mercer

CAUCUS- Mayor Hall- announced that he would be appointing members to a committee which will review the Property Maintenance Code. He stated he would ask for representatives from each of the interested parties that have developed through the rental registration process. It likely will take place in Council Chambers but that hasn't been determined yet it will meet on a regular basis and open to the public. More information will come, however he expects them to take the Code line by line and have good open discuss and clarify, strengthen, adjust as necessary with all the information that we have up to this point.

MINUTES of April 1, 2013. Motion by Mr. Frost, second by Mr. Rath that the minutes of April 1, 2013 Council meeting 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 carried by acclamation.

APPOINTMENTS

Mayor Hall- appointing Sue Spiker to the Joint Economic Development Zone 1 (JEDZ1) Board and the Joint Economic Development Zone 2 (JEDZ2) Board. Her term on the JEDZ1 Board will expire December 31, 2013 and her term on the JEDZ2 Board will expire October 19, 2014. - **Received and Filed**

REPORTS STANDING COMMITTEES

Finance- **Received and Filed**

Safety- **Received and Filed**

Service- **Received and Filed**

Economic Development-**Received and Filed**

REPORTS FROM CITY OFFICIALS

Stephen Johnson- City Auditor, Operating Report for the period ending March 31, 2013. - **Received and Filed**

COMMUNICATIONS

Ohio EPA- Approved the City of Newark's application for modification addition to our Publicly Owned Treatment Works Pretreatment Program. - **Received and Filed**

Ohio Division of Liquor Control- An application for a transfer of a liquor license for Speedway LLC at 814 Mt. Vernon Rd to Zains Gas Inc, DBA Marathon. - **Received and Filed**

Ohio Division of Liquor Control- An application for a new liquor license was received for Sheppys LLC at 2066 Cherry Valley Rd. - **Received and Filed**

Lisa Fitch- Treasurers Secretary, Technology Secretary of 130 N Granger St, Granville. Public Notice regarding the election of 7 members of the Board of Trustees of the Newark/Granville Community Authority. Voting will occur on May 22, 2013 between 4:00 P.M. - 7:00 P.M. in the Board Room of the Granville Exempted Village School District Administration Building. – **Received and Filed**

COMMENTS FROM CITIZENS

Pete Gibney- 1335 Krebs Dr, advised that there is a street which connects Sharon Valley Rd and Moull St that he couldn't remember the name of, where there used to be a number of trees along the side of the road which acted in a sense as a guardrail but someone has cut them down. He said it was a pretty steep drop off and he hasn't seen anything that says something is going to be done there to protect anybody.

Mayor Hall- responded to Mr. Gibney by informing him the street that he was referencing was Hamilton and they would have someone look in to it, he thanked him for bringing it to our attention.

ORDINANCES ON SECOND READING

By: Mr. Rath, Mrs. Floyd, Mrs. Loomis, Ms. Stare, Mr. Marmie, Mr. Cost

13-08 AN ORDINANCE ACCEPTING THE DEDICATION TO PUBLIC USE OF ADDITIONAL RIGHT-OF-WAY FOR STEWART STREET, LOCATED SOUTH OF WATERWORKS ROAD.

Motion by Mr. Rath to adopt Ordinance No. 13-08, second by Mr. Bubb

Motion passed by a 10-0 vote.

ORDINANCES ON FIRST READING

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

13-09 AN ORDINANCE AMENDING CHAPTER 618 OF THE CODIFIED ORDINANCES OF THE CITY OF NEWARK, OHIO REGARDING THE IMPOUNDING OF COMPANION ANIMALS.

Held to First Reading

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

13-10 AN ORDINANCE AMENDING THE PROPERTY MAINTENANCE CODE OF THE CITY OF NEWARK, OHIO REGARDING THE ENFORCEMENT OF CERTAIN NOTICES OF VIOLATION.

Held to First Reading

By: Mr. Rath, Mrs. Floyd, Mr. Marmie, Ms. Stare

13-11 AN ORDINANCE AUTHORIZING AND DIRECTING THE NEWARK CITY DIVISION OF WATER AND WASTEWATER, THROUGH THE DIRECTOR OF PUBLIC SERVICE, TO CERTIFY TO THE LICKING COUNTY AUDITOR, THE SUM OF \$22,335.54 FOR COSTS INCURRED BY THE NEWARK CITY DIVISION OF WATER AND WASTERWATER FOR STORMWATER, WATER AND SEWER FEES TO BE PLACED AS A LIEN UPON CERTAIN PARCELS OF REAL PROPERTY.

Held to First reading

RESOLUTIONS ON SECOND READING

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

13-31 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO APPLY FOR FINANCIAL SUPPORT FROM THE STATE OF OHIO 2013 NATUREWORKS GRANT FUND.

Motion by Mr. Marmie to adopt Resolution No. 13-31, second by Mrs. Floyd

Motion passed by a 10-0 vote

By: Mr. Marmie, Mrs. Floyd, Mrs. Loomis, Ms. Stare, Mr. Cost, Mr. Rath

13-33 A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION.
(100 General Fund-\$38,029.20: City Match ODNR, DISAPPROPRIATION 335 Capital Improvements Fund-\$38,029.20: City Match ODNR, 100 General Fund-\$38,029.20: Operating Transfer, 100 General Fund-\$2,264.35: Vehicle Maintenance)

Motion to adopt Resolution No. 13-33 by Mr. Marmie, second by Mr. Bubb

Motion passed by a 10-0 vote

By: Mrs. Floyd, Mrs. Loomis, Ms. Stare, Mr. Marmie, Mr. Cost, Mr. Rath

13-34 A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION.
(335 Capital Improvements-\$24,000.00: Machinery & Equipment, 335 Capital Improvements-\$2,218.64: Bldg & Grounds, 335 Capital Improvements-\$20,000.00: Computer Hardware/Software, 335 Capital Improvements-\$29,000.00: Lease Automobile)

Motion by Mr. Frost to adopt Resolution No. 13-34, second by Mr. Cost

Motion passed by a 10-0 vote

By: Mr. Rath, Mr. Marmie, Mrs. Floyd, Mrs. Loomis, Ms. Stare, Mr. Marmie, Mr. Cost

13-35 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 VARIOUS CONSTRUCTION PROJECTS.

Motion by Mr. Rath to adopt Resolution No. 13-34, second by Mr. Bubb

Motion passed by a 10-0 vote

RESOLUTIONS ON FIRST READING

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

13-37 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO APPLY FOR FUNDING FROM THE UNITED STATES DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE UNDER THE BULLETPROOF VEST PARTNERSHIP GRANT PROGRAM.

Held to First Reading

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

13-38 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ACCEPT BIDS AND SELL CERTAIN SURPLUS PERSONAL PROPERTY NOW OWNED BY THE CITY OF NEWARK, OHIO, AND DECLARING THAT SUCH PROPERTY IS NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE AND DECLARING AN EMERGENCY.

Motion by Mr. Rath to adopt Resolution No. 13-38, second by

Motion passed by a 10-0 vote

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

13-39 A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION.
(100 General Fund-\$1,750.00: Law Enforcement Supplies SCRAM Unit Replacement; 282 FEMA Fund-\$125,696.12: Windstorm 6/29/12; 282 FEMA Fund-\$14,528.88: Windstorm 6/29/12; 100 General Fund-\$4,850.00: Computer Request; 266 Neighborhood Stabilization Fund-\$19,982.25: NSP Fund to stay with the City)

Held to First Reading

ADMINISTRATION

Director Spurgeon- as we all know our Mayor has a commitment to public safety and to meet that initiative we have recently appointed one police officer and we will hire another police officer this Friday at 10:30 in Council Chambers, I invite all of you to attend. We are also going to ask the Fire Department for a name to swear in one more firefighter. He

wanted to publicly recognize they had a member retire last Friday. He said although he doesn't normally do this he was a great friend and mentor when he was a new firefighter. As he rose through the ranks he had an opportunity to command him. The fact that he will come down here and spend his free time to serve the City recording these proceedings, he wanted to recognize Jim Amore.

MISCELLANEOUS

Mayor Hall- our local CIC, Community Improvement Corporation Newark Development Partners is a partnership with the Chamber of Commerce. They have hired their new Executive Director, Fred Ernest(who then stood up for recognition) he took charge in that role a week ago today and he is out walking the streets, creating good relationships and we will hopefully have good economic development in the area as a result of.

He asked for everyone to have patience this summer with the construction work that has started. One example would be Granville Rd and County Club Dr, while most people would think that project is completed it's not, even on the southern end. The timing of the lights isn't even on sensors yet. Typically through the project we contract out the work obviously, ODOT is overseeing that. A signal person will be brought in and they will set the signals at Londondale. They will be putting in crosswalks at that point then hook up the motion sensor eyes at Country Club and Granville. They were great to get that second coat of asphalt in early before winter, the asphalt plant opened today so you will see projects improve as we go through the summer.

Mr. Guthrie- thanked the Administration, Director Rhodes in particular, for the effort that was made on Oakwood Ave. The light is on constant flash and he thinks it is a much safer situation than removing it and putting stop signs in there. He said he knew the Administration was being pushed from a couple of different directions and he is grateful they made the decision that they did. He told the Mayor that he was glad to hear that he was forming a group considering the Property Maintenance Code; he is hoping that there will be some representation from Council there. A couple of things that he hopes they look at are: one in particular is the issue of trash removal and whether or not it is an option. He knew this had to be deferred because out of respect for the landlords who have to make adjustments in leases because it does have a cost to it, shifting the responsibility of trash removal on to landlords. He would like to hear from the Property Maintenance staff on that particular subject. The other issue was the contract with the Fair Housing operation; he said he knew it might take a little while because we are under contract. We could see if there is any merit to bringing Fair Housing to City Hall and putting it in Property Maintenance Department. It would certainly merit looking into it according to Mr. Guthrie, he suggested maybe training someone in Property Maintenance on Fair Housing issues, and it could bring that revenue back into the City. He said he had a couple more ideas but that he would submit them to the group.

Mr. Houdeshell- he said it was good to be back and thanked everyone for the well wishes.

Mrs. Loomis- 100 Plus Women Who Care meet again tomorrow at 7:00, those ladies who are considering going they are asking for a toiletry which will be donated to the YES Club. Thanked Mayor Hall for taking the Ad Hoc Committee, citizens and last Mondays' Committee meeting seriously. Ad Hoc has brought up all those things Mr. Guthrie said, she appreciates him looking into that.

Mr. Marmie- called for a Finance Committee meeting.

Mr. Rath- called for a Service Committee meeting. He told the Mayor that he also appreciated him bringing up the opportunity to start a committee to look over the Property Maintenance Code and he said he would very much like to be the Council representative on that. He gave his condolences to the people in Boston.

Ms. Stare- commented on the tragedy that occurred in Boston and asked everyone to keep them in their thoughts and prayers.

Mrs. Floyd- thanked Jim Amore for his service to the City; he also helps Historic Hudson Community Association which she appreciates. She welcomed Fred Ernest; she thinks that it will be a good addition to our City and hopes that we can get a lot accomplished through him. She thanked Director Spurgeon and Director Rhodes who have helped her a lot with several projects in her Ward that have some serious issues, some of which are still being worked on. She mentioned that there is several neighborhood block watch groups are working and trying to deal with some of the issues that affect the City. Concerning Property Maintenance she thought that a lot of good things came out of the meeting last week, she said she thought that everybody left feeling like they got their message heard. She was glad that we are looking at Property Maintenance and stated she has a few ideas of things she would like to see done. She also stated she would like to be considered to be in that committee and she would certainly attend the meetings. She thought that it was important to show the citizens that we care about housing in Newark. We want safe housing and we need to do it in a practical way that we can actually see some results.

Mr. Frost- he said it was probably safe to say that everybody cares about safe housing in Newark but he was glad that the Mayor focused on safety forces. The Police Department and Fire Department are the essential things, then the streets. With regards to Property Maintenance he thought that Director Spurgeon did a great job introducing legislation that won't cost money and will allow us to hopefully resolve some of the problems that we are having, i.e. the trash problem Mr. Guthrie was talking about and if it works maybe it wouldn't be good to change the Property Maintenance Code. Now that we are getting back up to speed with regards to the Police Department and Fire Department, he thought that Property Maintenance was something to start looking at.

ADJOURNMENT- Being no further business to discuss a motion was made by Mrs. Loomis to adjourn, second by Mr. Rath. Motion was carried with acclamation.

Adjournment: 7:28 P.M.