

## COUNCIL MINUTES

6:45 P.M. - Swearing in of Curtis Johnson, 5<sup>th</sup> Ward Councilman by Judge Duke Frost

**September 16, 2013**

Council Chambers

7:00 P.M. - **Mr. Ellington called the September 16, 2013 Newark City Council to order.**

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

**INVOCATION** – Mrs. Floyd

**PLEDGE OF ALLEGIANCE-** Rich Mason

**MINUTES-** September 3, 2013 Motion by Mr. Rath, second by Mr. Houdeshell that the minutes of September 3, 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.

### **REPORTS STANDING COMMITTEES**

Finance- **Received and Filed**

Service- **Received and Filed**

Personnel- **Received and Filed**

### **REPORTS FROM CITY OFFICIALS**

**City Auditor, Stephen Johnson-** Audit Report for fiscal year January 1, 2012- December 31, 2012- **Received and Filed**

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

### **COMMENTS FROM CITIZENS**

**James Childers** 1550 Lamae Ave, stated that he would like to see a little more police action over on Goosepond Rd, Derby Downs, Ditmore Stroll and Churchill Downs. There are a lot of people who run stop signs; it seems to be a very heavy problem. I would just like to see some more presence in that area, especially since my neighbor got broken into 3 nights ago, his car was broken into. The change was stolen. If we could do something about that stop sign that would be nice because the speed limit is getting out of control. I would like to see them during the day, not at night I know they are very busy when there are only 4 of them.

### **ORDINANCES ON FIRST READING**

**By: Mr. Rath, Mr. Marmie, Ms. Stare**

**13-30** AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 15 NORTH 21<sup>ST</sup> STREET, CITY OF NEWARK, LICKING COUNTY, OHIO, FROM THAT OF LB (LIMITED INTENSITY BUSINESS) DISTRICT, TO GO (GENERAL OFFICE) DISTRICT.

**Referred to Planning Commission**

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

**13-31** A ORDINANCE AMENDING THE POSITION CLASSIFICATION AND POSITION AUTHORIZATION TABLES OF THE CITY OF NEWARK BY CREATING THE POSITION OF HUMAN RESOURCES ASSISTANT WITHIN THE DIVISION OF HUMAN RESOURCES WITH A STRENGTH AUTHORIZATION OF ONE (1) AND ELIMINATING THE POSITION OF SECRETARY, HUMAN RESOURCES DEPARTMENT IN THE DIVISION OF HUMAN RESOURCES.

**Mr. Bubb made a motion to waive the two day reading rule, second by Mr. Rath**

**Mr. Bubb-** time is of the essence regarding this position as we have a pending retirement at the end of September and this will allow our administration to continue moving forward.

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

**Motion to adopt Ordinance 13-31 made by Mr. Bubb, second by Mr. Rath**

**Motion passed by a 9 yeas & 1 nay (Mr. Guthrie) vote.**

## RESOLUTIONS ON SECOND READING

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

**13-76** A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

**(293 AG Demo Grant Fund: \$126,500.04- Children's Home; 621 Water Dept Fund: \$109,581.60- Force Account work on St Rt 16 and 21<sup>st</sup> St**

**Motion to adopt Resolution 13-76 by Mr. Marmie, second by Mrs. Floyd**

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

**By: Mrs. Floyd, Ms. Stare, Mr. Cost, Mr. Rath, Mr. Guthrie**

**13-77** A RESOLUTION URGING THE OHIO CONGRESSIONAL DELEGATION TO OPPOSE FURTHER CUTS IN FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING

**Motion by Mrs. Floyd to adopt Resolution 13-77, second by Mr. Cost**

**Mrs. Floyd-** the proposal in Congress right now is to cut CDBG funds by 50%. We use these funds to do a lot of things in the community and I think that it would hurt us greatly based on the other cuts that we have already had. So I urge everybody to vote for this.

**Mr. Guthrie-** I just want to ditto what Carol said and also thank the Committee for sending this to full Council but I also want to say that I think it is a really good idea for us as a Council to speak out on these issues as early as we can before whether it be Congress or the Legislator is going to act. I think our timing here is good. I hope that everyone sees fit to support this resolution.

**Motion passed by a 7-2-1 vote. (Nay Mrs. Loomis, Mr. Marmie, Mr. Johnson abstained)**

## RESOLUTIONS ON FIRST READING

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

**13-80** A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO PREPARE AND SUMIT TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) A ONE YEAR USE OF FUNDS/ACTION PLAN ALONG WITH AN APPLICATION FOR FY 2014 FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS (CDBG), AS REQUIRED BY 24 CFR PART 91.220, FOR VARIOUS PROGRAMS RELATED TO HOUSING AND COMMUNITY DEVELOPMENT.

**Held to first reading**

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

**13-81** A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION- EMERGENCY **(153 Comp Abs-\$14,350.00: Retirement Captain James Van Winkle; 100 General Fund-\$7,238.13: Appropriate money from sale of ambulance; 153 Comp Abs-\$3,000.00- Resigning Kyle Gross; 237 Community Development Fund-\$23,451.75: For Chip 11 projects; DISAPPROPRIATION 237 Community Development Fund-\$23,451.75: Chip 11 projects)**

**Motion to waive the two day reading rule by Mr. Marmie, second by Mr. Bubb**

**Mr. Marmie-** we have some payouts for terminations whether they be for retirement or leaving for other employment and we always attempt to get those out to the individuals as soon as possible since it is money owed to them. We also have funds on here for the Community Development fund and there is a deadline for that one so it also has to be expedited.

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

**Motion by Mr. Marmie to adopt Resolution 13-81, second by Mrs. Floyd**

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

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

**13-82** A RESOLUTION APPROPRIATING AND DISAPPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION- NON EMERGENCY

**(621/661 Water/Sewer Dept Fund-\$120,000.00: Replacement of service vehicles; 297 Fire Prevention Grant Fund-\$543.00: Fire Prevention Grant Home Inspector Services; 264 Lead Grant Fund-\$6,114.00: To cover future lead projects payroll; DISAPPROPRIATION 264 Lead Grant Fund-\$6,114.00: To cover future lead projects payroll; 221 Street/Traffic-\$12,068.00: Supplies to be ADA compliant; 100 General Fund-\$24,000.00: City Hall Building Repairs; 228 Income Tax Fund-\$14,452.80: 2012 JEDZ distribution to Newark Tax Office)**

**Held to First Reading**

**13-83 PRELIMINARY LEGISLATION FOR RESURFACING AND RELATED WORK ON ST. CLAIR STREET AND MOUNT VERNON RD WITHIN THE CITY OF NEWARK**

**Held to First Reading**

**COMMENTS FROM CITIZENS**

**ADMINISTRATION**

**Law Director-** made a joke about his wife suffering for 25 years being married to him. (Audience and members of Council laugh) He also stated as a proud member of the 5<sup>th</sup> Ward he welcomes Mr. Johnson as his Councilman.

**Mayor Hall-** welcomed Curtis Johnson to the 5<sup>th</sup> Ward; it is nice to see all of the seats filled. Saturday we had a nice ceremony at The Works to honor Jerrie Mock who was born in Newark, graduated from Newark High and flew around the world in 1963 as the first woman in aviation history to do that. It has been a long time coming in its' 50th year, we had 300 plus maybe 400 people, the class of 43 was there. Now there is a beautiful bronze sculpture over there displaying that great achievement. I know the foundation of Columbus is trying to raise additional money to put the same type in the Columbus National Airport. That would be phenomenal, good stuff for Newark and it was a wonderful ceremony.

**MISCELLANEOUS**

**Ms. Stare-** welcomed Curtis Johnson

**Mr. Bubb-** welcomed Curtis Johnson, I have known Curtis Johnson for many years and I think that he will be a sound and reasonable voice for this City Council and the citizens of Newark. Welcome aboard. I want to remind everybody on September 29<sup>th</sup> The United Way Parade this year I believe is taking a different route from Evans Complex down Country Club Drive to OSU Newark. I hope everyone from Council is able to participate in that and hope to see everyone there.

**Mr. Cost-** welcomed Curtis Johnson and told Mr. Sassen that his wife must be a very patient woman.

**Mrs. Floyd-** welcomed Curtis Johnson; I too went to the ceremony for Jerrie Mock, her sister Susan Reid who helped raise a lot of the funds for the statue graduated when I did. Our class had its' reunion on Saturday night as well, I think there were quite a few members of my class who were there at the ceremony. It was a very nice ceremony, it was a beautiful day and I think it was a great thing for Newark, Ohio. There are a couple of block watches in the 7<sup>th</sup> Ward. I have been to the meetings that were held the last two Sunday nights. The one last Sunday night that Jim Amore is the leader of and the number of citizens was at the GMP hall and there were a number of citizens there. Then there was a meeting at Woodside we yesterday evening. The people at Woodside they have been meeting for a little bit longer time but they said that they have noticed a decrease in crime just because people watching and reporting things. As I try to tell people you can be the eyes and the ears of the police but don't get involved personally, contact the police when you see something. I think that these block watch groups are very helpful to the community.

**Mr. Johnson-** I just want to say thank you and it is a privilege to be here. I look forward to working with everyone. I have come to love the city and I want to see it continue to be a wonderful place to live.

**Mr. Guthrie-** welcomed Curtis Johnson and made a joke that he told Mr. Johnson that he is a far better dresser than his predecessor and he told his predecessor that also. He wished Mr. Sassen and his wife a happy anniversary then he told a light story about an interaction between him and his granddaughter who is in kindergarten that happened one day after he picked her up from school.

**Mrs. Loomis-** welcomed Mr. Johnson it is good to have you aboard. I would be remiss if I didn't thank Director Spurgeon and Director Rhodes, I keep them very, very busy in the 4<sup>th</sup> Ward and they do a very good job for me. I can't imagine how you get anything else done. I too went to the Jerrie Mock unveiling; she also rode 22,000 miles around the globe on her extra fuel tank with her dress and high heels. Bill Kelly had a lot to do with that as well, that was a dream of his too. I am part of the Citizens Police Academy if I have that acronym right, I am doing it with my block watch captain, and we are taking this really seriously. It is 10 weeks and I guess it is pretty intense and I am still not willing to be tazered. Captain Van Winkle who retired, I always think it is a good thing when a member of our safety services gets to retirement like that because as we know in the call of duty they don't always get to that point. Lastly, Mr. Childers keep doing what you are doing; you are doing a good job. You heard the testimonies about block watches; you are on the right path.

**Mr. Marmie-** called for a Finance Committee meeting. I too want to welcome Curtis. I first met Curtis through his wife because I knew Carol; she was a State Farm employee just like me. I am very glad that State Farm chose to move her to Newark, Ohio from Bloomington. That affords us the opportunity to have Carol and Curtis in our community and now Curtis is sitting next to me and I am very appreciative of that. I want to thank the Fire Department for helping put me in jail for MDA, they did a great job. It is incredible what they do. They had me calling people soliciting for donations. It was actually fun I sat next to a few gentlemen and I think the Advocate was the loudest, my folks could barely hear me because he was really trying to push the envelope to get his donations. I want to thank the Fire Department though because I know they have a huge part in that and the Union Hall allowed them to use that facility. It was a really neat event. I just wanted to finally explain where I am at as far as the CDBG. I don't want those funds cut but I hate to ask for them not to cut it if they end up cutting it from something else that I really wouldn't like them to cut even more so. I think that it was too early in the game for me to make a decision as far as supporting. I don't support the cutting of CDBG funds. I just know their budget and what is going to happen is they could end up pulling it from somewhere else that could hurt worse and I just don't want to show that I am in support of something there. I will be an advocate and I already have been as far as just asking that they not cut the funds but again I am asking more for information and it is all across the board with the House and

the Senate and the Administration, who knows how it is going to end up. That is where I am at and I said that all along that I didn't know how I was going to vote.

**Mr. Rath-** called Service Committee meeting. Curtis, welcome to City Council, it is nice to see that we have a level of maturity representing the 5<sup>th</sup> Ward that we weren't used to. He thanked to Fire Department, he stated he was also in jail thanks to somebody but that was a good time, getting in there raising some money. He thanked those that helped bail him out and for those who didn't he said his website was still up for another 30 days and that they could still contribute.

**Mr. Ellington-** welcomed Mr. Johnson and thanked everyone for their input and stated that we appreciated them being there. Our next Committee meeting will not be next week since this is a 5 Monday month, it will be September the 30<sup>th</sup> at 5:30 in this building and Council will be on Monday October 7<sup>th</sup> at 7:00.

**ADJOURNMENT-** Being no further business to discuss the September 16, 2013 Newark City Council meeting adjourned at 7:27 PM