

COUNCIL MINUTES

March 5, 2012
Council Chambers
7:00 p.m.

ROLL CALL

Mr. Cost, Mrs. Floyd, Mr. Frost, Mr. Guthrie, Mr. Houdeshell, Mrs. Loomis, Mr. Marmie, Mr. Rath, Mr. Bubb

INVOCATION - Mrs. Floyd

PLEDGE OF ALLEGIANCE - Tim Waldren

CAUCUS

Motion by Mrs. Floyd, second by Mr. Cost to excuse Ms. Stare; motion passed unanimously.

Mr. Ellington - Carol Floyd is going to replace Irene Kennedy as council's representative to the Tax Incentive Review Committee. Her term will expire December 31, 2012.

Motion to confirm Mrs. Floyd's appointment carried by a unanimous voice vote.

MINUTES

Motion by Mr. Bubb, second by Mr. Rath minutes of the February 21, 2012 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

Rules - Received and filed

Personnel - Received and filed

REPORT CITY OFFICIAL

Mr. Ellington - the mayor is not here because he is attending the dedication at Newark High School, representing all of us

COMMUNICATIONS

Jeremy Blake - supplying a resolution agreed upon by the membership of the South Newark Civic Association supporting a system of fixed route bus service in Newark. Received and filed

Ohio Division of Liquor Control - application for the transfer of a D1 and D2 liquor license from Adornettos Newark, Inc., dba Adornettos & Patio, 250 Goosepond Road, to Red Oak Pub LLC, dba Red Oak Pub & Patio & Drive Up Windows, 250 Goosepond Road. Received and filed

Ohio Division of Liquor Control - submitting application for the issuance of a new Class C2 liquor permit to Speedway LLC, dba Speedway 1129, 364 East Main Street. Received and filed

Ohio Division of Liquor Control - application for a new Class D3 liquor license for Red Oak Pub LLC dba Red Oak Pub & Patio & Drive Up Windows, 250 Goosepond Road. Received and filed

COMMENTS FROM CITIZENS

William Butcher - 129 West Main Street, is concerned about the garage behind his apartment building. There are still two vans parked there.

RESOLUTION ON 2nd READING

12-11 BY: MR. MARMIE, MRS. FLOYD, MR. HOUDSHELL, MRS. LOOMIS, MS. STARE, MR. RATH, MR. COST

A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION. (\$8,917.70 Street/Traffic; General Fund \$38,640.00; Safety Fund 476,400.00)

Motion by Mr. Marmie, second by Mr. Bubb to adopt Resolution No. 12-11, 9 yeas

RESOLUTIONS ON 1st READING

12-16 BY: MR. MARMIE, MR. HOUDSHELL, MRS. LOOMIS, MS. STARE, MR. COST

A RESOLUTION DISAPPROPRIATING AND APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION. (disappropriating \$6,586.18; appropriating \$20,000 General Fund, \$2,037.97 Compensated Absences, \$5,000.00 Stormwater Utility Fund, \$50,000.00 Fire Damage Fund)

Mr. Marmie - we have a payout to an employee and usually expedite those to get the funds to the individuals as soon as possible.

Mr. Rath - questioned who the \$20,000 for unemployment is for

Mr. Marmie - a combination of folks. It's not only some of the folks that became unemployed as far as the change in administration but also there are some that are lagging from previous terminations that occurred in the past and keep getting the extension of unemployment.

Motion by Mr. Marmie, second by Mrs. Floyd to adopt Resolution No. 12-16, motion passed by a vote of 9 yeas.

12-17 BY: MR. RATH, MR. HOUDSHELL, MR. MARMIE, MS. STARE, MRS. LOOMIS

A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO TO ENTER INTO A CONTRACT WITHOUT COMPETITIVE BIDDING FOR THE REPLACEMENT OF THE PUMPS FOR THE MYRTLE AVENUE STORM LIFT STATION.

Held to first reading

12-18 BY: MR. RATH, MR. HOUDSHELL, MRS. LOOMIS, MS. STARE, MR. MARMIE

A RESOLUTION EXPRESSING SUPPORT FOR THE OHIO RAIL DEVELOPMENT COMMISSION (ORDC) TO UTILIZE THE PROCEEDS FROM THE LEASE OF THE PANHANDLE RAIL LINE TO IMPROVE PEDESTRIAN AT-GRADE RAIL CROSSINGS WITHIN THE CITY OF NEWARK TO MEET THE INTENT OF THE AMERICANS WITH DISABILITIES ACT AND COMPLY WITH PROWAG: R301.7, R305.2.5 AND ALL R302 PEDESTRIAN ROUTE REQUIREMENTS.

Mr. Rath - the Ohio Rail Development Commission is going to make a decision on this within the next couple of weeks; if we wait they won't be able to hear our recommendation.

Mr. Marmie - this won't go into effect for thirty days after adoption; we probably should include the emergency clause.

Motion by Mr. Marmie, second by Mrs. Floyd to amend the resolution to add the emergency clause. The justification for the emergency is the health, safety, and welfare of pedestrians.

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

Motion by Mr. Rath, second by Mr. Houdeshell the amended resolution be adopted.
Motion carried by acclamation.

COMMENTS FROM CITIZENS

Mr. Butcher - there are some eighteen wheelers parked right beside my apartment. Can they park there?

Don't forget to get out and vote tomorrow and the time change this weekend.

MISCELLANEOUS

Mr. Cost - encouraged people to get out and vote

Mrs. Floyd - is glad the mayor attended the Newark High School dedication tonight

Mr. Guthrie - encouraged everyone to support the Developmental Disabilities levy and candidates of your choice tomorrow

Mrs. Loomis - also asked people to support the DD levy; it gives the clients a feeling of worth and they pay taxes on the money they earn. It's just a renewal, nothing new.

Condolences to the family of Dick Caudell; he was a former AFSCME Local 2963 union president

Mr. Houdeshell - called a street committee meeting

Mr. Marmie - finance committee will meet March 12 at 5:30 p.m. in council chambers.

Mr. Rath - service committee meeting next Monday

Everybody do your patriotic duty tomorrow - go out and vote

Don't forget to change clocks this weekend

Mr. Bubb - announced personnel committee will meet March 12

Encouraged everyone to vote

A lot of good progress is being made at the Hollander pool

Mr. Ellington - there has been some discussion about the renter registration ad hoc committee; the committee was formed correctly with the help of the law director and *ROBERTS RULES OF ORDER*. Once the committee gets finished with discussions the issue will return to economic development committee which will then decide to move it on to council or not. Once it's moved on to council then you have an opportunity to discuss it or vote.

ADJOURNMENT

There being no further business to discuss, motion by Mr. Rath, second by Mr. Cost to adjourn. Motion carried by acclamation and the meeting adjourned at 7:15 p.m.