

COUNCIL MINUTES

August 20, 2012
Council Chambers
7:00 p.m.

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

INVOCATION - Mrs. Loomis

PLEDGE OF ALLEGIANCE- Mr. David Greene

CAUCUS-Motion by Mr. Rath, second by Mr. Bubb to excuse Mr. Frost

Motion passed by a 9-0 vote.

Mr. Guthrie- stated that he is taking time to research the vicious dog ordinance and changing the City of Newark's law. He stated that he is trying to use good judgment regarding this issue. He stated that he is planning on bringing legislation to the Safety Committee on September 24, 2012.

Mr. Ellington- made a motion to evoke Rule 11 regarding Ordinance 12-29 amending Ordinance 12-23 with regards to the proposed Charter Amendments. In Section 2 of Ordinance 12-23 the proposed amendment to Article 10.02 was omitted.

Assistant Law Director- Jamie Farmer, stated that the Law Director's office was made aware by the Mayor's office who received notice from the Board of Elections that there was an item that was presented to Council for approval to be put on the ballot with respect to increasing the bidding threshold. This wasn't included in the legislation that was passed. It just needs to be corrected so that what the commissions recommend can be presented to the voters.

Mr. Ellington- this was already approved it was just left off the legislation that was sent over to the Board of Elections. If both Mr. Marmie and Mrs. Floyd are in agreement?

Mr. Marmie made a motion to adopt Ordinance 12-29, second by Mrs. Floyd

Mr. Guthrie- inquired as to whether they were voting on Rule 11?

Mr. Ellington- stated that he did not believe they needed to.

Assistant Law Director- the Rules committee did deliberate on the bidding language, so it did go through committees once we just want to take this piece of legislation so that it can get on the ballot.

Mr. Guthrie- stated that he would be voting no, but that is just to be consistent with his original vote.

Motion to adopt Ordinance 12-29 passed with a vote of 8 ayes-1 nay (Mr. Guthrie)

MINUTES of August 6, 2012

Motion by Mr. Bubb, second by Mr. Rath minutes of the August 6, 2012 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
Capital Improvements- Received and Filed

REPORTS CITY OFFICIALS

City Auditor, Stephen E Johnson- Operating Report for the month ending July 31, 2012- Received and Filed

PETITION

Request for a dependable and inexpensive fixed route bus system- Received and Filed

COMMUNICATIONS

A report created by Kody Barclay regarding Pit Bulls. The report was brought to the Clerk's office in support of Pit Bulls being removed from the vicious dog ordinance.- Received and Filed

A permit request from the State for the liquor license to be transferred from Gas of America to Speedway located at 814 Mt. Vernon Rd.- Received and Filed

COMMENTS FROM CITIZENS

William Butcher- 129 West Main Street, stated that he would vote in favor of Ordinance 12-29. His street is expected to get done tomorrow. Weather update also provided.

ORDINANCE ON 2nd READING

12-24 By: Mr. Rath, Mr. Bubb, Mrs. Floyd, Ms. Stare, Mr. Cost

AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT, SUBJECT TO THE APPROPRIATION OF FUNDS, WITH THE COMBINED GENERAL HEALTH DISTRICT OF LICKING COUNTY FOR THE CONTINUED DELIVERY OF PUBLIC HEALTH SERVICES TO THE CITY OF NEWARK, OHIO.

Motion to adopt Ordinance 12-24 by Mr. Rath, second by Mr. Cost
Motion passed by a vote of 9-0.

ORDINANCES ON 1st READING

12-25 By: Mr. Marmie, Mrs. Loomis, Mr. Rath, Mrs. Floyd, Ms. Stare, Mr. Cost

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$500,000 SANITARY SEWER SYSTEM IMPROVEMENT BONDS, SERIES 2012, AND DECLARING AN EMERGENCY.

Motion to adopt Ordinance 12-25 by Mr. Marmie, second by Mr. Houdeshell
Motion passed by a vote of 9-0.

12-26 By: Mr. Marmie, Mrs. Loomis, Mr. Rath, Mrs. Floyd, Ms. Stare, Mr. Cost

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$1,750,000 STORM SEWER IMPROVEMENT BONDS, SERIES 2012, AND DECLARING AN EMERGENCY.

Motion to adopt Ordinance 12-26 by Mr. Marmie, second by Mrs. Floyd
Motion passed by a vote of 9-0.

12-27 By: Mr. Marmie, Mrs. Loomis, Mr. Rath, Mrs. Floyd, Ms. Stare, Mr. Cost

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$2,400,000 WATER LINE SYSTEM IMPROVEMENT BONDS, SERIES 2012, AND DECLARING AN EMERGENCY.

Motion to adopt Ordinance 12-27 by Mr. Marmie, second by Mrs. Floyd
Motion passed by a vote of 9-0.

12-28 By: Mr. Bubb, Ms. Stare, Mr. Marmie, Mrs. Loomis, Mr. Rath, Mrs. Floyd, Mr. Cost

AN ORDINANCE AMENDING THE POSITION CLASSIFICATION/PAY RANGE AND POSITION AUTHORIZATION TABLES OF THE CITY OF NEWARK, DEPARTMENT OF CITY TREASURER TO ABOLISH TWO (2) FULL TIME POSITIONS OF ACCOUNT CLERK, TREASURER AND ABOLISHING THE POSITION OF ACCOUNT CLERK I AND ACCOUNT CLERK II AND CREATING THE POSITION OF

REVENUE CLERK I AND REVENUE CLERK II AND CREATING ONE (1) ADDITIONAL FULL TIME POSITION OF REVENUE CLERK II.

Held to first reading

12-29 By: Mrs. Floyd, Mr. Marmie, Mrs. Loomis, Mr. Rath, Mr. Cost

AN ORDINANCE SUBMITTING THE QUESTION "SHALL THE CHARTER AMENDMENTS, AS RECOMMENDED BY THE CHARTER REVIEW COMMISSION OF THE CITY OF NEWARK, LICKING COUNTY, OHIO, BE ADOPTED" TO THE VOTERS OF THE CITY OF NEWARK, OHIO AND DECLARING AN EMERGENCY.

Motion to adopt Ordinance 12-29 by Mr. Marmie, second by Mrs. Floyd

Motion to adopt Ordinance 12-29 passed with a vote of 8 ayes-1 nay (Mr. Guthrie)

RESOLUTIONS ON 1st READING

12-63 By: Marmie, Mr. Bubb, Ms. Stare, Mrs. Floyd, Mrs. Loomis, Mr. Rath

A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION.

(Professional Services \$2,500.00, EMS Billing Refunds \$10,000.00, Temp Services \$11,550.00, Indigent Drivers \$30,000.00 Indigent Drivers Scram \$50,000.00, Indigent Contingency \$20,000.00, Postage \$16,000.00, Gas \$18,000.00 Temporary Services \$6,000.00, Printing/Supplies \$4,000.00)

Held to first reading

12-64 By: Mrs. Floyd, Mr. Bubb, Ms. Stare, Mrs. Loomis, Mr. Marmie, Mr. Rath

A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION. (Service Dept-Computer Hardware/Software \$15,000.00 Traffic Dept- Stripper (Machinery/Equipment)\$10,000.00 Street Dept- Doors (Building Grounds Maint)\$15,000.00 Street Dept-Alley repairs (concrete Maint) \$20,000.00 Street Dept- Zero turn mower (Machinery/Equip)\$12,000.00 Street Dept -5 Ton Roller (Machinery/Equip)\$40,000.00)

Held to first reading

12-65 By: Mrs. Floyd, Mr. Bubb, Ms. Stare, Mrs. Loomis, Mr. Rath, Mr. Marmie

A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO TO NEGOTIATE AND ENTER INTO CONTRACT, SUBJECT TO THE APPROPRIATION OF FUNDS, FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE DESIGN AND CONSTRUCTION OF THE DOWNTOWN SEWER SEPERATION PROJECT. PURSUANT TO ARTICLE 10.02 (D) OF THE CHARTER OF THE CITY OF NEWARK, THIS CONTRACT FOR PROFESSIONAL SERVICES DOES NOT REQUIRE COMPETITIVE BIDDING.

Held to first reading

COMMENTS FROM CITIZENS

Mrs. Janet Greene- 1791 Olympic Ct, discussed pages 19 and 20 of the feasibility report and the graphics on those pages which she shared with the council members. They graphics on these pages she stated she felt were pretty telling and the reason why she got involved with the campaign for public transportation. She referred to figure 8 indicate persons with below poverty level income which is less than \$30,000 a year. All the purple dots on the diagram represent 2 people according to Mrs. Greene. It covers almost all of every single ward of the City, which she stated was shocking to her. The section graphic is household that do not have a vehicle at all. She further stated that these are just graphic reasons why it would be great for people to have access to transportation so that they could raise their income levels and become tax payers. These graphics are available on line.

Richard Lee Sturgess- 85 W Church St, stated that last council meeting was his first to attend. At that meeting he mentioned the four corners of 5th and W Main St. he stated that

they are repaired. He stated that he thought that it was phenomenal that he only mentioned it once and it was taken care of.

Beau Bromberg- 410 Clarendon St, discussed the possible fixed route busing system. He stated that he has a friend named Shelly who recently experienced a draw back from only having Earthworks and Licking County Transit to choose from. He stated that yellow cab could not afford the buses for individuals in wheelchairs so now her only choices are Earthworks and Licking County Transit. Yellow cab was also available 24 hours a day where the others are only available certain hours and not on holidays. He also relayed an experience where she missed her transit busing due to lengthy lines at Wal-Mart and therefore he had to come pick her up. He felt that there were good intents by getting involved but felt that we should look at some of the drawbacks of going to busing versus a transit system. He was concerned what that would mean for his friend.

Mr. Frost comes into attendance.

William Butcher- 129 W Main St, inquired about when the transit system would be up and running.

Paul Moran- 63 N 4th St, inquired why the water fountains on N 2nd St were turned on. He also recommended a community center being started at the old school downtown. He mentioned a 20 year lease for the building on Wilson St. He inquired if the City or the County would be using that and acquiring that building. He asked if we could contract out with someone to provide a transit system.

Katelyn Kinney- 63 N 4th St, thanked council for putting the petition for public transit system on the agenda. She stated that she did not feel as though the Pit Bulls should be removed from the vicious dog list.

MISCELLANEOUS

Mrs. Loomis- thanked Mr. Butcher, she implied that wherever Mr. Butcher goes the streets get paved. She also thanked Mr. Johnson for the email regarding the resolution and the emergency clauses on them. She complimented Autumn on the minutes.

Mr. Marmie- called for a Finance Committee meeting. He stated that Jackie Prince has completed the new Finance Committee and Capital Improvement Request forms. He stated that there is a place to state an emergence even though it doesn't merit the emergency clause when it is financial everyone can understand the use of the term emergency.

Mr. Rath- called for a Service Committee meeting

Ms. Stare- was grateful for the street paving list for 2013. Commented on the fact that Granville Rd used to brick and the history behind that.

Mr. Bubb- called for a Personnel Committee meeting

Mr. Cost- stated that he and other council members have agreed to participate in the JC parade as one unified body.

Mrs. Floyd- cautioned people to be careful of the school children due to construction.

Mr. Guthrie- glad that Mrs. Loomis mentioned Mr. Stuart during invocation. He stated that he was an exceptional person and would be missed. He explained why he is putting so much thought into the vicious dog ordinance. He feels that we should look at what other cities are doing and not just repeal it to repeal it. He would hate to see a child injured after this ordinance was repealed. He stated that he was planning on working with the Law Director's office and the Safety Department. He asked for council's patience.

Mr. Houdeshell- stated that he did not agree with labeling all Pit Bulls as vicious and that he would be in support of repealing the law. He also called for a Street Committee meeting.

ADMINISTRATION

ADJOURNMENT

There being no further business for discussion, motion by Mr. Rath, second by Mr. Marmie to adjourn. Motion carried by acclamation and the meeting adjourned at 7:33 p.m.