

COUNCIL MINUTES

October 1, 2012

Council Chambers

7:00 p.m.

7:00 P.M. Mr. Ellington called the October 1, 2012 Newark City Council meeting to order.

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

INVOCATION - Mrs. Floyd

PLEDGE OF ALLEGIANCE- David, boy scout

CAUCUS- Brian K. Mead- presented City Auditor, Stephen E Johnson, the Auditor of State Award with Distinction for clean and accurate record keeping.

Stephen Johnson- thanked Brian Mead for coming over to present the award and Auditor Yost. Thanked his office staff because of their dedication, attention to detail and professionalism, recognition like this was able to happen.

Motion by Mr. Marmie to excuse Mr. Rath, second by Mr. Bubb.

MINUTES of September 17, 2012

Motion by Mr. Bubb, second by Mr. Cost minutes of the September 17, 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

Safety- Received and Filed

Service- Received and Filed

Economic Development- Received and Filed

Rules- Received and Filed

Capital Improvements- Received and Filed

REPORTS CITY OFFICIALS

PETITION

COMMUNICATIONS

Ohio EPA- Municipal Storm Water Annual Report Review for 2011- Received and Filed

Paul Moran- information received at Council meeting September 17, 2012. The information is regarding his plea to save the Newark City School downtown. He suggested several uses.- Received and Filed

Laura Brown- Senior Associate of RLS & Associates Inc., provided an update on the status of the progress regarding Newark and Licking County Joint Transportation Development Plan and the transition to a single system. There will be public meetings held at various locations coming up in which to reach the public for comment. There will be informational materials about the process for using the new service at the public meetings. - Received and Filed

COMMENTS FROM CITIZENS

William Butcher- 129 W Main St, identified a house on South 6th St that appeared to be unsafe. He stated that residents of S.6th St asked him if he could tell City Council about the house because they were afraid someone could hurt.

ORDINANCES ON 1st READING

By: Ms. Stare, Mr. Marmie
12-34 **AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 363 NORTH 21ST STREET, CITY OF NEWARK, LICKING COUNTY, OHIO FROM THAT OF SINGLE FAMILY RESIDENCE -RL-LOW DENSITY DISTRICT, TO LB-LIMITED INTENSINSITY BUSINESS DISTRICT**

Referred to the Planning Commission

By: Mrs. Floyd, Ms. Stare
12-35 **AN ORDINANCE DECLARING THE IMPROVEMENT TO CERTAIN PARCELS OF REAL PROPERTY LOCATED IN THE CITY'S DOWNTOWN NORTH AREA TO BE A PUBLIC PURPOSE AND EXEMPT FROM TAXATION; ESTABLISHING A TAX INCREMENT EQUIVALENT FUND AND PROVIDING FOR THE COLLECTION AND DEPOSIT OF SERVICE PAYMENTS INTO THAT FUND; SPECIFYING THE PARCELS; AND APPROVING AND AUTHORIZING THE EXECUTION OF A REVENUE SHARING AGREEMENT WITH THE NEWARK CITY SCHOOL**

Held to first reading

RESOLUTIONS ON 2ND READING

By: Mr. Marmie, Mrs. Floyd, Mrs. Loomis, Mr. Rath, Ms. Stare, Mr. Cost
12-71 **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 2013 FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS (CDBG), AS REQUIRED BY 24 CFR PART 91.220, FOR VARIOUS PROGRAMS RELATED TO HOUSING AND COMMUNITY DEVELOPMENT.**

Motion by Mr. Marmie, second by Mr. Bubb to adopt Resolution No. 12-71
Motion passed by a 9-0 vote.

By: Mr. Marmie, Mrs. Floyd, Mrs. Loomis, Mr. Rath, Ms. Stare, Mr. Cost
12-73 **A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (JAG Fund-Equip.\$6,000&LCSO Share-\$5,287;SWU Garfield McKinley Sewer Project Phase 4; Water Fund, Service Contract-USGS agreement for flood warning \$15,000; Storm Water Fund, Service Contract-USGS agreement for flood warning \$15,000; Bed Tax Disbursement for NASA, \$19,876)**

Motion by Mr. Marmie, second by Mrs. Floyd to adopt Resolution No. 12-73
Motion passed by a 9-0 vote.

By: Mrs. Floyd, Mrs. Loomis, Mr. Rath, Ms. Stare, Mr. Marmie
12-74 **A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (Capital Improvements Fund, \$27,682.47 mowing equipment for Parks & Cemetery)**

Motion by Mr. Frost, second by Ms. Stare to adopt Resolution No 12-74
Motion was passed by a 9-0 vote.

RESOLUTIONS ON 1st READING

By: Mr. Cost, Mrs. Floyd, Ms. Stare, Mr. Marmie
12-75 **A RESOLUTION IDENTIFYING THE CLERK OF COUNCIL AS THE DESIGNEE OF ALL WARD AND AT-LARGE COUNCILMEMBERS FOR PURPOSES OF MANDATORY PUBLIC RECORDS TRAINING**

Held to first reading

By: Mr. Marmie, Mrs. Floyd, Ms. Stare
12-76 **A RESOLUTION APPROPRIATING AND DISAPPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION** (JEDZ1 Fund, 2011 Income Tax Distribution \$37,203.46; Storm Water Fund-Utility Fund, transfer to Parks Dept \$20,000; General Fund, Service General \$11,871; AG Demo Grant, Salaries \$24,000; **DISAPPROPRIATION** AG Demo Grant, LEAD Agency admin costs \$24,000; NSP1 Fund, employee salaries \$27,600; **DISAPPROPRIATION** NSP1 Fund, employee salaries \$27,600; Street/Traffic Fund, re-appropriating funds for paving projects 2012 & 2013; General Fund, Zoning Inspector Salary \$4,000, Budget Stabilization Fund, utility bills \$167,108.44; General Fund, Utility Bills \$167,108.44)

Held to first reading

By: Mr. Marmie, Mrs. Floyd, Ms. Stare, Mr. Cost
12-77 **A RESOLUTION APPROPRIATING AND DISAPPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION** (General Fund, misc. insurance and salary costs for employees \$25,850; **DISAPPROPRIATION** Treasurer Salaries, Health Ins, General Fund \$25,850; Compensated Absences, \$13,788.18 retirement of police officer)

Motion to waive the two day reading by Mr. Marmie, second by Mrs. Floyd
Motion passed by a 9-0 vote.

Motion by Mr. Marmie, second by Mr. Bubb to adopt Resolution No 12-77
Motion passed by a 9-0 vote.

By: Mrs. Floyd, Mr. Marmie, Ms. Stare, Mr. Cost
12-78 **A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION.** (Capital Improvements Fund, Dump truck for Park & Cemetery \$38,035.00)

Held to first reading

By: Mrs. Floyd, Mr. Marmie, Ms. Stare, Mr. Cost
12-79 **A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK, OHIO AND THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A MODIFIED AGREEMENT WITH THE LICKING COUNTY BOARD OF COMMISSIONERS TO ALLOW FOR THE USE OF CERTAIN PERSONAL PROPERTY NECESSARY FOR USE IN THE LICKING COUNTY BUILDING CODE DEPARTMENT**

Held to first reading

COMMENTS FROM CITIZENS

William Butcher- 129 W Main St, stated that the address for the house on S 6th St is 160 S 6th St.

Paul Moran- 63 N 4th St, voiced his concern regarding signs and posts left behind after the paving had occurred on Granville and Main St. Commented that the City of Heath is getting a railroad crossing repaired.

Ms. Lesa Best- 205 W Church St, inquired if Resolution No. 12-71 was the legislation that a public hearing is coming up for. She also inquired as to why it was passed before we heard from the public.

Ms. Best wanted to answer a few questions regarding why we need and the purposes for licensing rental properties. She stated that rental licensing prohibits the promotion of and the charging for a two bathroom home when only one works; she stated she has seen that happen twice. She went on to say that it encourages ethical and honest business dealings so that the business and the community thrives, encourages better tenant behavior and thus better tenants, will help to end the use of grants and public funds to continuously bail out negligent landlords that could be utilized to assist homeowners with the maintenance of their homes, it prevents the rental of sub-standard housing and shows that the City does not approve of sub-standard housing and the careless attitude towards human life. She also stated that if a business shows flagrant abuse of the public trust they would not be permitted to do business in Newark or at least she hoped there wouldn't be permitted. She believes that the rental business should not be exempt to this. She stated that taking advantage of the desperate or poorly educated would not be tolerated, encourages maintenance and rehabs in order to be able to rent the home, requires landlords to be responsible for the maintenance and self-inspections. Basic human needs when renting would be fulfilled, such as electric, heat, and water or plumbing. She also believes that it would end the work for deposit deals, and would inform the potential renter that the rental is on record as being fit for occupancy. It allows of the actual and factual counting of rental properties in the City of Newark, it would promote the good landlord if a list of licensed rentals were published to be distributed to agencies, charities, media and City buildings for the potential renters. She believes that it would increase the good will on the part of the community towards landlords as a whole when they are contributing to the cost of monitoring their own business and eliminating blight. She stated that when we regulate businesses to protect the public, we are focusing on the people who receive the services. Punishment is for those who break the law; regulation is to reduce those who do.

Mr. Ellington- stated that regarding 12-71 he believes that this is a request for funds from HUD and the public meetings are to discuss how we are going to spend them.

ADMINISTRATION

Law Director- stated that Monday was the 50th anniversary of James Meredith enrolling in the University of Mississippi and encouraged everyone if they did not know the story to Google it.

Mayor Hall- addressed three comments made by citizens. 1) Mayor Hall stated that the City is in dialogue with the railroads regarding repairs of the 30th St crossing. He stated that it doesn't happen quickly and probably not this year but the renders that the City has been shown include pedestrian crossing. The railroads have consented that they will do it they are now just trying to find out when that will be.

2) He informed everyone that the signage that was left on Granville and W Main is property of the contractor that was hired to do the paving and that there is still work to be completed there perhaps that is why the signage remains however they would look into it.

3) He stated that tonight Council passed legislation allowing the City to apply for CDBG funds with no details. On October 9th there will be a public hearing and those will be conducted until November 8, the public can come and voice their opinion on the spending of those funds. Because it is public dollars they have to have Council approval to even apply for funds.

Lastly, tonight there was a candle lighting vigil regarding breast cancer that the City does every year. There were two breast cancer survivors who spoke. He encouraged everyone to note the courthouse lights at the top are pink and will be the whole month of October, it breast cancer awareness month.

Ms. Stare- advised William Butcher that she would go past the address on S 6th St that he mentioned during his comments. She stated that she would give a report to Property Maintenance and that the last few things she has given to them they have taken care of efficiently. Congratulated Stephen Johnson and his staff for the award. She wanted to acknowledge the Newark Garden Club for the lovely flower beds around Newark.

Mr. Cost- congratulated Stephen Johnson

Mrs. Floyd- congratulated Stephen Johnson. She stated that the 7th ward held a block watch meeting this past Saturday and 20 people showed up. One of the main concerns they had was with drug dealing in their neighborhood and what they can do about it.

Mr. Guthrie- congratulated Stephen Johnson and stated that he considered him a friend and that the City was lucky to have him as our Auditor.

Mr. Houdeshell- congratulated Stephen Johnson. Stated that there is a block watch tomorrow in his ward. He stated that last month his ward's block watch went to the Police Station and received information on meth. They were told about how it was made and what to look for.

Mrs. Loomis- congratulated Mr. Johnson. She stated that the award was well deserved, that his office is always very professional and patient. She stated that she will not be calling a meeting on rental registration because she did not feel as though it would be productive and there are still questions from the Law Director and Council. She encouraged the Economic Development Committee to continue to review the information in order to be prepared with questions. She stated that they could give their questions or comments to Lesa Best at rentalregistration@hotmail.com. She stated that there isn't legislation at this time.

Mr. Ellington- stated that Mr. Guthrie needs to call a Safety Committee meeting and Mr. Rath has asked him to call for a Service Committee meeting since he is absent.

Mr. Marmie- called for a Finance Committee meeting. Congratulated Stephen Johnson and his team. He appreciates the information that his staff always helps him with getting quickly and efficiently. He also clarified that the CDBG legislation was an application. He stated that they did ask for additional information that they have not asked for in the past; Mr. Mauter did supply the information, nothing specific but he did give them a general plan because there are a lot of numbers unknown. He stated that they did get a timeline and that the department is working on their budget.

ADJOURNMENT

There being no other business to discuss a motion by Mrs. Loomis to adjourn was made, second by Mr. Marmie. Motion carried by acclamation and the meeting was adjourned at 7:31 P.M.