

## COUNCIL MINUTES

**October 15, 2012**

Council Chambers

7:00 p.m.

7:00 P.M. Council President, Don Ellington called the Newark City Council meeting for October 15, 2012 to order.

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

**INVOCATION** – Mrs. Loomis

**PLEDGE OF ALLEGIANCE-** David Greene

**MINUTES** of October 1, 2012 Motion by Mr. Rath, second Mr. Bubb minutes of the October 1, 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

Economic Development- Received and Filed

### REPORTS CITY OFFICIALS

Stephen E Johnson- operating Report for period ending September 30, 2012. - Received and Filed

### COMMUNICATIONS

**Larry Stevens-** 202 Bachmann Ave Newark, sent an email to Council President regarding his request that Council votes against Ordinance 12-36. - Received and Filed

### COMMENTS FROM CITIZENS

**William Butcher-** 129 W Main St, stated that he would like to see a fire station go up near him. He also provided a weather update.

**Beau Bromberg-** 410 Clarendon St, spoke regarding Ordinance 12-37. He stated that he spoke to the owner of the pawn shop around the corner on 4<sup>th</sup> St, according to Mr. Bromberg the owner stated that this ordinance would not cost him anything if adopted, and it doesn't account for much employee time. Mr. Bromberg stated according to the owner he has been on the system before and his concern is that the State Auditor's office advised him to remove himself from the system due to hacking then the pawn shops being liable. He also asked about the cost to the City to establish and use the online system.

**Pete Gibney-** 1335 Krebs Dr, asked how much is in the unappropriated General Fund, asked how many owners have signed up regarding the TIF in Ordinance 12-35. He also discussed his concern for the political signs that he has reported in violation. He stated that he has asked Director Rhodes to have the signs removed. He stated that there are still signs on Country Club, Sharon Valley and Granville St that have not been removed.

### ORDINANCES ON 2nd READING

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

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**

Motion by Mr. Marmie to adopt Ordinance 12-35, second by Ms. Stare

**Mr. Marmie-** stated that no business has signed up for this and they can't until this ordinance is adopted. He stated that the documents will be signed within 10 days of adoption and if they are not he will not support this legislation when Council meets again. He encouraged fellow council members to support the legislation assuming that they will get the signatures.

Motion passed by a 10-0 vote.

**Mr. Frost-** responded to Mr. Bromberg's comment regarding the pawn shop ordinance. He stated that he will check with the State Auditor's office because he is not aware of the hacking issue. He went on to state that when Mr. Vanoy was here he stated that one of the reasons they would benefit from the online system is due to the time constraints. He also stated that it is faster to search online for an item versus going out to each pawn shop. Mr. Frost stated that he has talked to NPD and the cost to the City is \$3200-\$4000 per year. He advised Mr. Bromberg that he would get back to him regarding the hacking issue next meeting.

**Mr. Guthrie-** responded to Pete Gibney's comment regarding political signs. He stated that he agrees with Mr. Gibney and that this has been going on for years. He stated that he doesn't think that having city employees, such as the Street department, going out to remove signs in violation is a good use of the City's resources. Mr. Guthrie stated that he thinks the candidates instead should be shamed at such public forums as this until they realize it isn't worth it and stop doing it. He also suggested that the City send a letter out to the candidates advising them of the regulations for political signs.

**Director Rhodes-** stated that the Service Department did send out letters for the first time this year and that the Street Department is picking up signs however their resources are limited.

**Mr. Houdeshell-** asked Director Rhodes where the signs are being placed once the Street Department removes them.

**Director Rhodes-** advised that the signs are going to the Service Complex.

**ORDINANCES ON 1<sup>ST</sup> READING**

By: Mr. Rath, Mrs. Loomis, Mr. Marmie

12-36 **AN ORDINANCE AMENDING SECTIONS 618.15 AND 618.22 OF THE CODIFIED ORDINANCES OF THE CITY OF NEWARK, OHIO REGARDING DANGEROUS AND VICIOUS DOGS**

Held to first reading

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

12-37 **AN ORDINANCE AMENDING SECTION 852.04 OF THE CODIFIED ORDINANCES OF THE CITY OF NEWARK, OHIO REGARDING RECORDS TO BE KEPT BY PAWNBROKERS**

Held to first reading

**RESOLUTIONS ON 2ND READING**

By: Mr. Cost, Mrs. Floyd, Mrs. Loomis, 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**

Motion to adopt Resolution 12-75 by Mr. Cost, second by Mr. Rath

Motion passed with a 10-0 vote.

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

Motion to adopt Resolution 12-76 by Mr. Marmie, second by Mrs. Floyd  
Motion passed with a 10-0 vote

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

Motion to adopt Resolution 12-78 by Mr. Frost, second by Ms. Stare  
Motion passed with a 10-0 vote

By: Mr. Rath, 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**

Motion to adopt Resolution 12-79 by Mr. Rath, second by Mr. Bubb  
Motion passed by a 10-0 vote

#### RESOLUTIONS ON 1st READING

By: Mr. Marmie, Mrs. Floyd, Mrs. Loomis, Ms. Stare, Mr. Cost, Mr. Rath  
12-80 **A RESOLUTION APPROPRIATING AND DISAPPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION** (296 Safe Routes to School Fund, the amount of \$4,560.40, Acct 296.168.5299 Contingency; 100 General Fund, the amount of \$27,000.00 Accts 100.432.5354 Fuel \$4,500.00, 100.432.5118 Overtime \$4,500.00, 100.432.5230 Temp Service \$18,000.00; 100 General Fund, the amount of \$27,000.00, Acct 100.111.5901911 OPT Budget Stabilization \$27,000.00 669 (Water) Garfield/McKinley Fund, the amount of \$14,500.00 Interest Payments on Notes; 621 Storm Water Fund, the amount of \$18,800.00 Interest Payments on Notes;)

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

**Mr. Marmie-** stated that all the items on this piece of legislation are time critical because they are projects that need to be started before the next Council meeting therefore the funds need to be in place.

Motion to waive the two day reading rule passed with a vote of 10-0

Motion to adopt Resolution 12-80 by Mr. Marmie, second by Mrs. Floyd

Motion passed by a 10-0 vote

By: Mr. Marmie, Mrs. Floyd, Mrs. Loomis, Ms. Stare, Mr. Rath  
12-81 **A RESOLUTION APPROPRIATING AND DISAPPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION** (621 Storm Water Fund, the amount of \$4,500.00 Accts 621.706.5118 Overtime \$3,000.00, 621.707.5118 Overtime \$1,500.00; 100 General Fund, the amount of \$20,000.00 Accts 100.432.5354 Fuel \$2,000.00, 100.432.5274 Maintenance Vehicles \$9,000.00, 100.432.5230 Temp Services \$9,000.00)

Held to first reading

## COMMENTS FROM CITIZENS

**William Butcher** -129 W Main St, inquired as to whether there has been any decisions regarding fixed route public transportation.

**Pete Gibney**- 1335 Krebs Dr, complimented Autumn for the Council Agenda being well done and the appearance of the agenda.

**Paul Moran**- shared an article in the Advocate regarding 6 railroad crossings in Heath that are being repaired while Newark's is being ignored. He also stated that the school is going up for auction on Thursday November 15, 2012 at 10:30 A.M. He felt that that was a step in the right direction after all the campaigning he has been doing to keep the building from being torn down.

## ADMINISTRATION

**Mr. Rath**- called for a Service Committee meeting

**Ms. Stare**- advised everyone that Thursday October 25<sup>th</sup> is begger's night around the square from 5:00-6:30 everyone is invited

**Mrs. Floyd**- She reminded everyone that the Midland Theatre is up and running. She stated that she worked Friday night and there were about 1,000 people there and two gentlemen came all the way from Norway to watch a band. Commented on a block watch in the North end dealing with the wood side area, Woods Ave to Central Ave. She stated that about 30 people were there and Sgt. Snow from the NPD attended. She also encouraged everyone to attend the safe night trick or treat around the square.

**Mr. Frost**- called for a Capital Improvements Committee meeting. He also stated that he noticed resolution 12-75 did not include Council President.

**Mr. Ellington**- advised him that he has to complete the training for himself.

**Mr. Guthrie**- encouraged everyone on Council to look at the Hollander Fire Station. He commended the firefighters, Parks department, Service Director and the administration. He stated they did a great job and it is night and day. He also thanked Autumn for the nice job on the minutes.

**Mr. Houdeshell**- called for a Street Committee meeting

**Mrs. Loomis**- called for Economic Development Committee meeting, she stated that she believes Director Mauter has everything from FTA. She thanked the Service Director, David Rhodes, for a good job and timely responses. The 100 Club Women who care quarterly meet tomorrow at the Granville Inn. She stated that the organization donated almost \$3,000 to the YES Club. She also stated three events that occurred that day in history.

**Mr. Rath**- provided a deer hunting update. He stated that 23 deer have been eliminated out of the City of Newark so far in the first ten days of the season. He stated that this was the best start to deer season we have had.

**Mr. Marmie**- called for a Finance Committee meeting, he commented that he liked the new font of the Council agenda and that it was easier to read. He stated that he too does not like the signs. He stated that he didn't think that it was necessarily the candidates but that at functions there are signs available then property owners are sticking them out on their property and or right a ways. He did state that he felt the candidates should be advising their supporters of the regulations. He also commented on fire station 2. The firefighters gave a few of them a tour of the station. He stated that you would not believe their individual pride for the accomplishments made there. He stated that the firefighters were very grateful for the help that Jeff Hotchkiss and Director Rhodes gave them. He stated that what they have now is not great but that it is so much better than what it was. He stated that the firefighters were happy to be away from the particulates. He stated that not only did the particulates cause a risk of cancer but their fire gear was exposed to them. Those particulates are combustible and there they were going into a fire with the particulates on their uniforms. He stated that he is proud of them and that everyone worked together to get the changes made.

**Mr. Ellington**- stated that the next committee meetings are Monday October 29; since this is a 5 Monday month and then the next Council meeting will be Monday November 5.

## ADJOURNMENT

There being no further business for discussion, motion by Mr. Rath, second by Mrs. Loomis to adjourn. Motion carried by acclamation and the meeting adjourned at 7:33 P.M.