

Service Committee Minutes

Honorable Council
City of Newark, Ohio
February 11, 2014

There was a meeting of the Service Committee in Council Chambers following the Finance Committee, on Monday February 10, 2014. These members were present:

Bill Cost Jr., Chair	Alex Rolletta
Jeff Rath	Ryan Bubb
Jeremy Blake	

1. **Resolution No. 14-10** approving the renewal application for placement of farmland in an agricultural district for 2811 River Rd Granville, Ohio, being known as parcel number 056-041370-02.000 and declaring an emergency was considered.

Director Rhodes- this is just a renewal application to be placed in an agricultural district.

Motion by Mr. Rath, second by Mr. Bubb to send to full Council

Mr. Cost- Mr. Rhodes, there is an emergency on this?

Law Director- it is required by statute, we have to respond to the County within a particular amount of days from which they filled their renewal application.

Motion passed by a 5-0 vote.

2. **Resolution No. 14-11** for the project consisting of upgrading signals at State Route 16 and Dayton Rd and West Main St and 30th St, lying within the City of Newark was considered.

Director Rhodes- this project is project consisting of upgrading signals at State Route 16 and Dayton Rd and West Main St and 30th St, lying within the City of Newark. Our share of this project is \$10,800.00 and will be coming out of the license plate permissive tax fund.

Motion by Mr. Bubb to send to full Council, second by Mr. Rath

Motion passed by a vote of 5-0.

3. **Ordinance 13-44** changing the zoning classification of certain real property, generally described as 343 Eastern Avenue, City of Newark, Licking County, Ohio, from that of Single-Family Residence District to MFR (Multi-Family Residence) District was discussed.

Mr. Cost- this is already being moved on to Council we are here this evening for information and discussion.

Reverend Fred Booker- 1140 Clair St Pataskala, I am an associate minister of the Shiloh Missionary Baptist Church and the Executive Director of Shiloh Holistic Opportunity Programs which sponsors the house at 343 Eastern Ave. I am here to answer or clarify any questions that Council or the public might have. This is the third or fourth time for me being here to answer questions so we are more than pleased to put the minds at ease of anyone who might have issues regarding the transition house at 343 Eastern Ave.

Mr. Rath- I would like to know if Councilwoman Hall has opinion on this and what that might be since it is in her district or ward.

Ms. Hall- my view on this is that I am a little confused as to why you want the location where it is because I think that it brings down property values a little bit. I would suggest maybe if you would compromise as you are now and see how it goes. I am concerned about the safety of the seniors. I know your heart is in the right place and I think that it is wonderful but it is a safety issue with me. Consider the house the way it is for a year and see how it goes and see about the safety involved in this and come back in a year.

Reverend Booker- I have Richard Cook who is the Director of our Second Chance Network and he is going to talk about a lot of the activities that is going on with the Second Chance Network and with the residents of the house. I would just like to clarify a few things in regards to the safety of the seniors. I assure you that there isn't anyone more concerned with the safety of the seniors in Washington Square than I. Doctor Charles Noble; I think everyone here perhaps knows his name, he was the one who had the vision to build that housing on the east side of Newark. I serve on the housing board for Harvest Management Group which manages the senior complex. My concern is paramount in regard to the safety of the seniors at that particular location however my concern is paramount for everyone who is in need and this is a population that seriously under served. We are trying to do the best that we can not only for the seniors but for everybody in that community. There are individuals in that community right now who have absolutely no place to go. The concern for the seniors in regards to this house versus the concern for the seniors in regard to the entire neighborhood, I think that we are providing much more

assurance by having a house that is monitored 24 hours a day that is doing positive things in the neighborhood, that is helping a young man to take care of the families and become tax paying citizens. We have so many activities that we do to help and support the seniors in that apartment complex; they actually rely heavily on the help of those young men who stay in that house.

Richard Cook-343 Eastern Ave, I am the Director of Second Chance Network and I am the Director of the Mathew House. He discussed how they provide food to the community and especially the seniors and the men in the house shovel store and get groceries for the seniors in the community. He stated that there is a need for this type of house that there is an epidemic and that he receives calls all day long from different places and people regarding getting individuals they know into this program.

Mr. Marmie- I just want to reiterate something that I started to discuss at the last Council meeting. This goes to the administration first and they give their opinion as to whether the Planning Commission supports it or not, they indicated that they do support this. I think with any zoning it is our responsibility to look at the property owners rights and the property owner's rights of our citizens inside the City of Newark. You not only look at the rights of the person signing the petition but also the property owner's rights around the surrounding area. The Ohio Revised Code indicates and also the way that our zoning ordinances are set up we do not vote on specific use it is everything within that classification. If you look at the zoning classification is it appropriate for the area, is it appropriate for that site. I urge this Council when it does go to vote that you look at everything in that zoning classification look at the surrounding area. Do you think that fits for that neighborhood, not a specific use, the use is of no relevance other than the fact that does it fit in there? What these gentlemen are trying to do it still may or may not happen even if the zoning changes. They still have to meet the guidelines of our codes, including the Property Maintenance Code and there are strict guidelines in there that also have to be adhered to. This is just one thing that they are trying to do but it is our responsibility to just vote on the zoning. Is that the proper zoning classification for that particular area? I urge you to look at those things when you are doing your research and determining whether you are going to support or not support the zoning as I am going to do, as I have done.

Mrs. Floyd- I am very familiar with this area I grew up in this area. As Doug said we are talking in terms of zoning we are talking in terms of outlet zone. Drive down look at the zoning, look at the houses around it, I am going to support this.

Nancy Welu – she passed out a map that showed the zoning of the area and she stated the properties in blue indicated single family and those in red are multi-family

residence. The Multi-Family residence are apartments, I assume the blue are single family houses. To change it to MFR I think would be spot zoning and Mr. Marmie and I might agree or disagree on that I am not sure. I don't see in that vicinity any other single family houses zoned MFR. I see apartment's complexes that would be the Sheets building that would be Washington Square apartments. I know they are tiny there to see them on there. As far as speaking to the use, I do agree you are voting for the zoning but it would almost be naïve of us to think that is all we are doing because we all know what the use is, it was on the application. I don't know anything about this program; I support what they are doing. I volunteer at the men's shelter and some of the men there deal with drug and alcohol addiction. We do stay pretty full there with 26 beds and a couple of cots so we do need places like this but I would urge Council as Mr. Marmie did to look at your zoning. I know last May Mr. Cost brought legislation forward regarding single family residences but that was for boarding houses not rooming houses so you know you change something through legislation for single family house also to help protect the integrity of single family residences. I would urge Council like Mr. Marmie to really study this. Zoning is a big issue it can affect property values, it can affect the neighborhood.

Mr. Cost- the building is being used right now as we speak as a transition house is that correct?

Reverend Booker- yes that is correct

Mr. Cost- and if I may ask, how many people are in that building?

Reverend Booker- currently we have 5 individuals in that house including Richard Cook our 24 hour a day monitor.

Mr. Cost- 4 individuals and then Mr. Cook. If I am correct on this I think with the City the total number is 4 to be considered single family residence. It is my understanding that it is 4 unrelated people living in a house to be considered single family residence. Could I get a clarification on that Mr. Law Director?

Law Director- that would be correct

Mr. Cost- my concern is very similar to Ms. Hall's. I don't think that there is anyone in this room that questions the reason that you are doing what you are doing or questions the integrity or the purpose or doesn't have an amazing appreciation for all the things that you have done for this community. I think that the reason we are giving this such consideration is because it is you folks and the kind of job you have done in this community. My question again is why couldn't you start so that we don't have to change the zoning? Couldn't it be three people that you are working with and your supervisor? There would be four unrelated people in the house, there would be no zoning change, there would be no conflict, and no one could say a word. Let's try that for a year, see how it goes, and see what kind of neighbor you

are. I am just trying to look for a way to compromise that this could work because I think it is essential I think that it could work.

Mr. Rath- how long have you been operating the house as it is?

Reverend Booker- we have been operating since mid-August without any incident or consequence.

Mr. Cost- what kind of range have you had living in that house

Reverend Booker- we have had up to 7. We monitor very closely, we are in partnership with the Probation Department. They do random drug tests and weekly drug tests. They have an intensive program that they are required to be in attendance at in addition to the community service they provide which is all part of their program. When we started out we didn't know all of the requirements but we have been working with Joe Paul and he has advised us of some things that we will need to do, we are here because the City advised us that we needed to take this course. The judges support the program and screen the individuals that are going into the house to make sure these individuals are the proper fit. They are definitely going to be worried about the safety of the community that is their job and it is our job to do the same thing. I understand the concern but when you look at all of the controls that we have in place and all of the good that it is doing to the community I think that it more than offsets any concerns we might have.

Mr. Blake- Reverend Booker I just want to get some clarification, my understanding is and I think you and Mr. Cook alluded to it but I believe in some of our neighborhood we have a major drug issue. I think the different things that you sited off is speaking to the main issue of when someone is either coming out of an addiction or coming out of incarceration they need that peer support that I am hearing that your group is providing. It is so important to have other individuals on a regular basis coming together to get out of whatever hardship or barrier they may be facing. So what the Mathews House and Shiloh has been doing is bringing these folks together in order to make sure they are successful and that they do get employment and they do get out of that cycle. I have had the opportunity to attend some functions from Second Chance and I have had an opportunity to speak with members of the program. I have a family member myself who is involved in the program. Can you speak a little more about the peer support that happens among the men on a daily basis?

Reverend Booker- the probation department has certain requirements of meeting and such that the individuals must attend but we also sit down with them and discuss their goals. We establish a programs that we think need to be in addition to whatever requirements they do for the probation officer. We take the responsibility of making sure they go where they are supposed to be when they are supposed to

be there and that they come back into the house when they are supposed to be back in the house. We have three pages of house rules and we take this very seriously. I am just perplexed about this concern for the seniors because there are so many control mechanisms and this group does more for the seniors than anybody else.

Mr. Cost- Reverend Booker, again we all appreciate that you are doing the best that you can, we all have a great deal of admiration. For me I am very hard pressed to change zoning from a single family residence. When somebody owns a piece of property in a Single Family Residence area they are expecting the other properties to stay single family residence. There is one side of me that hears the purpose and hears what you are doing, on the other side I realize the zoning decision has to be based on simply a zoning decision and not on the use. But as Nancy said it is kind of naïve to not have in the back of your mind the use as well. I am not here to question is not what you are trying to do; my question is the use of the property and the zoning that exists on it.

Lesa Best- is this a rooming house?

Law Director- I think that the City's intent is that when the zoning issue plays itself forward depending on the outcome of the zoning vote then on the use of the house following that vote, it really depends on how that vote goes. Assuming that the property is rezoned and is used in the manner Reverend Booker has described here to us today it is my understanding that it is going to be subject to those rooming house requirements.

Lesa Best- so it will be inspected by the Fire Department

Law Director- and Property Maintenance

Lesa Best- when there were 8 people in there where did those other people go

Mr. Cost- could you direct your questions to the chair

Lesa Best- he is going to be the one to answer them

Mr. Cost- please direct your questions to the Chair

Lesa Best- ok you tell me where those people went

Mr. Cost- Reverend Booker could you come up to the podium.

Reverend Booker- we were given advice from a City Official that we could set it up that way and be in compliance based on our square footage of the house and based on the way that we arranged the beds in the house.

Lesa Best- from which City Official Mr. Cost.

Reverend Booker- we just want to be in compliance

Lesa Best- again my question is that there were 9 people in that building that weren't supposed to be there. You were somehow told those people weren't allowed to be there, where did those people go?

Mr. Cost- am I to assume that they are sent back to jail

Richard Cook- we have a volunteer guy from the Spencer House that took them to Mt. Vernon, one of them violated the Judge's rules so the judge sent him back.

Lesa Best- my main concern was that you all are real interested in helping people, you have 7,8,9,12 people in the house, you are told that is not what you are supposed to do so my question was how do you get rid of the excess people? You are telling me they conveniently broke the rules and stuff. As it has been said before the zoning is a simple question and that is what we are going to talk about but I have a lot of questions as to where you get your advice from and how the place is ran.

Mr. Marmie- this is just a general comment I think that a lot of the confusion stems from something that Mrs. Welu indicated. The folks from Property Maintenance enforce the Property Maintenance Code, they go out and inspect for certain things they are not out there as a Zoning Inspector so they are going to give advice according to Property Maintenance. Someone in Zoning will talk about what is proper for the zoning classification and those two are somewhat in conflict with each other. I firmly believe that we need to look at those things. I know that there are some things going on in our community that the definition in our zoning of four unrelated persons, I want to look at that revisit that to see whether or not that is appropriate. I think that there are things that are going to occur that can occur in a single family residential area that is not intended. I think that we need to make sure that it doesn't happen. Basically 4 individuals who are unrelated whether they are going to college together they can reside together as long as they don't have individual contracts and it could happen next door to anyone of us in a single family residence housing. They can live there and they are not in violation of anything. However Property Maintenance says that is a rooming house but zoning says it isn't. I believe that these folks are trying to do the right thing but as far as the communication and what they are being told they are probably being told different things from different people and they are just trying to get to where they are supposed to be. Whether or not that will happen, the first step is the zoning and we are going to vote on that zoning next Tuesday and according to the end result of what the zoning change is they will be given direction as far as where they need to go.

Amy Wakes-there to support what they are trying to do at the Mathew's House
The Special Council Meeting was to start at 6:30 therefore this meeting adjourned and this issue will be voted upon at the Council meeting scheduled for February 18, 2014.

Bill Cost Jr, Chair