

COUNCIL MINUTES

January 18, 2022
Council Chambers
7:00 P.M.

President Ellington called the meeting to order

ROLL CALL – Mr. Barker, Ms. Bline, Mr. Harris, Ms. Hottinger, Mr. Houser, Mr. Labutis, Mr. Marmie, Mr. Rine

INVOCATION – Jeff Harris

PLEDGE OF ALLEGIANCE – Lauren Peters, 4th grade, Hillview Elementary

CAUCUS -Motion by Mr. Marmie to excuse Mr. Lang, second by Mr. Barker, passed by acclamation

MINUTES of January 3, 2022 - Motion by to approve the January 3, 2022 Newark City Council Minutes as presented and the reading be dispensed with in view of the fact each member of Council has received written summary of same **Motion by Mr. Labutis , second by Ms. Hottinger , passed by acclamation**

APPOINTMENTS

There are none this meeting

REPORTS OF STANDING COMMITTEES

Finance **Received & Filed without objection**
Service **Received & Filed without objection**
Street **Received & Filed without objection**
Personnel **Received & Filed without objection**

REPORTS FROM CITY OFFICIALS

City Auditor, Ryan T. Bubb – Operating report for period ending December 31, 2021
Brenda Cooper, Tax Administrator’s Office – Income Tax Revenue Reports for period ending December 31, 2021

Mayor Hall – Last week we bid farewell to our Fire Chief Pat Connor who has taken a different path and will be the Deputy Chief at Plain Township. I was very proud on Friday to do a swearing in and appoint our Interim Fire Chief Brandon Metzger, who took effect at 12:01am on Sunday and Brandon has had the claim to fame of our first Deputy Chief in the Fire Department which was created by Council and the Administration, so I asked him to come in and introduce himself tonight and say a couple words and as he is kind of serving as Deputy and Chief, we’re going to let him slide out of here so he can get to work early in the morning.

Brandon, thank you and I appreciate you serving as Interim. We've got a great department and they are doing good things, so please, the floor is yours

Interim Fire Chief, Brandon Metzger – Ladies and gentlemen, good evening, I appreciate the opportunity to be here this evening. Mayor Hall thank you very much for this opportunity. I am humbly grateful for being given the opportunity to be appointed as the Interim Fire Chief. Chief Connor leaves some big shoes to fill, rightfully so. Alongside the men and women of the Newark Fire Department we're challenged to take things forward and meet the challenges of servicing the community. I'm appreciative and grateful of that opportunity. Just a couple things and I promise I'll keep my comments brief, more importantly I'm proud to be here on behalf of the men and women of the Newark Fire Department. Every day we are out in the community making a positive impact for the citizens. There's always a lot of things going on that the Fire Department is involved in. We don't lose sight of what we are here ultimately to do and that's to serve the community here. We're grateful for that opportunity and just know that we work extremely hard to do so. We could not do so without the Mayor and his Administration and ultimately your support. So again, thank you. Briefly, the status if the Fire Department overall is doing very well. AS we wrapped up 2021 and set forth into 2022 we're working to compile various documents, one being our annual report. Hopefully within the next couple weeks that will be finished and I look forward to being back in front of you all again to present that to you. Having said that, in the event that any of you have any questions or concerns or just want to know what's going on in the Fire Department, I'm more than happy to make myself available to any of you at any point in time and look forward to doing so in the near future. Again, Mayor, again grateful for the opportunity, truly humbled and I'm looking forward to getting back to work tomorrow. At the end of the day we do have the greatest job in the world and that's to serve the community and at the Newark Fire Department we do that extremely well. Thank you for your time, I appreciate the opportunity to be here this evening.

President Ellington – Thank you for coming and we look forward to you coming and giving the year -end report to the Service Committee soon.

COMMUNICATIONS

Park National Bank – Newark Memorial Bld/Cedar Hill Cemetery Trust Statement

COMMENTS FROM CITIZENS

ORDINANCES ON SECOND READING

By: Ms. Hottinger

20-16-C AN ORDINANCE SETTING COMPENSATION AND STATING POLICY WITH RESPECT TO CERTAIN POSITIONS WITHIN THE OFFICE OF THE CLERK OF THE LICKING COUNTY MUNICIPAL COURT OF THE CITY OF NEWARK, OHIO AND REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT

Motion to adopt by Mr. Marmie, second by Ms. Hottinger

Motion by Ms. Hottinger to Table until February 22nd meeting, due to amendments that need

to made to this ordinance and to go back to Personnel Committee on February 7th for further discussion, Second by Mr. Marmie, MOTION to Table until February 22, 2002 passed 9-0

By: Mr. Rath, Mr. Barker, Mr. Harris

**21-44 AN ORDINANCE REPEALING AND AMENDING CHAPTER 440, SECTION 440.01, SUBSECTION (g) BRIDGES, OF THE CODIFIED ORDINANCES OF THE CITY OF NEWARK, OHIO
Motion to adopt by Mr. Rath, second by Mr. Labutis, motion passed 9-0**

ORDINANCES ON FIRST READING

By: Mr. Houser, Mr. Rath, Mr. Barker

22-01 AN ORDINANCE VACATING A PORTION OF A SIXTEEN (16) FOOT WIDE ALLEY AS SHOWN ON THE PLAT OF CHARLES G. PENNEY'S 1st ADDITION, AS RECORDED IN PLAT BOOK 2, PAGE 454 OF THE LICKING COUNTY PLAT RECORDS, AND ON THE PLAT OF CHARLES G. PENNEY'S 2nd ADDITION, AS RECORDED IN PLAT BOOK 3, PAGE 263 OF THE LICKING COUNTY PLAT RECORDS; SAID ALLEY IS LOCATED EAST OF NORTH CEDAR STREET, BETWEEN EAST MAIN STREET AND TUSCARAWAS STREET.

To be held until February 7, 2022 for second reading

By: Mr. Rath, Mr. Barker

22-02 AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 404 RIDGE AVENUE, LOT NUMBER 3975 (PARCEL #054-195288.00-000), CITY OF NEWARK, LICKING COUNTY, OHIO, FROM THAT OF SINGLE FAMILY RESIDENCE – RH – HIGH DENISTY DISTRICT TO MFR – MULTI-FAMILY RESIDENCE DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO.

Referred to Planning Commission

By: Mr. Rath, Mr. Barker

22-03 AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 404 RIDGE AVENUE, LOT NUMBER 3976 (PARCEL #054-195282.00-000), CITY OF NEWARK, LICKING COUNTY, OHIO, FROM THAT OF SINGLE FAMILY RESIDENCE – RH – HIGH DENISTY DISTRICT TO MFR – MULTI-FAMILY RESIDENCE DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO.

Referred to Planning Commission

RESOLUTIONS ON SECOND READING

By: Mr. Rath, Mr. Barker, Mr. Harris, Mr. Marmie

21-82 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO, TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT, SUBJECT TO THE APPROPRIATION OF FUNDS, FOR REPLACEMENT OF LEAD SERVICE LINES WITHIN THE WATER DISTRIBUTION SYSTEM.

Motion to adopt by Mr. Rath, second by Mr. Labutis, motion passed 9-0

By: Mr. Rath, Mr. Barker, Mr. Marmie

21-83 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO, TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT, SUBJECT TO THE APPROPRIATION OF FUNDS, FOR CONSTRUCTION OF A NEW FAYE DRIVE BOOSTER PUMP STATION AND UPGRADING OF THORNWOOD DRIVE BOOSTER STATION AND SURROUNDING WATERLINES

Motion to adopt by Mr. Rath, second by Mr. Labutis, motion passed 9-0

By: Mr. Rath, Mr. Barker, Mr. Harris, Mr. Marmie

21-84 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO, TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT, SUBJECT TO THE APPROPRIATION OF FUNDS, FOR CONSTRUCTION OF THE EASTSIDE TRANSMISSION LINE.

Motion to adopt by Mr. Rath, second by Mr. Labutis, motion passed 9-0

RESOLUTIONS ON FIRST READING

By: Mr. Marmie, Mr. Barker, Mr. Rath

22-01 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO ENTER INTO A HOUSING REVOLVING LOAN FUND ADMINISTRATION AGREEMENT WITH THE OHIO DEVELOPMENT SERVICES AGENCY

Motion to waive the 2 day reading rule by Mr. Marmie, second by Mr. Barker

Mr. Marmie – This needs to be expedited in order to meet a deadline for the administration

Motion passed 9-0

Motion to adopt by Mr. Marmie, second by Mr. Barker, motion passed 9-0

By: Mr. Marmie, Mr. Barker, Mr. Rath

22-02 Exp APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

Motion to waive the 2 day reading rule by Mr. Marmie, second by Mr. Barker

Mr. Marmie – We have a payout for an employee and we always make sure we get them their

money as quickly as possible, in addition Mr. Loomis has some items we need to pay the bills on.

Motion passed 9-0

Motion to adopt by Mr. Marmie, second by Mr. Barker, motion passed 9-0

By: Mr. Rath, Mr. Barker

22-03 West Main Street Bridge over State Route 79 - Replace superstructure (Box beams with new box beams), composite deck, replace sidewalks, expansion joints, clean and seal backwalls and beam seats. Consider transverse post-tensioning box beams. Replace fence on bridge. Consider using half-width construction.

Held until February 7, 2022 for 2nd reading

By: Mr. Rath

22-04 Resurfacing and related work. Mill / Fill on LIC State Route 16 and State Route 79 including all associated ramps. Mill under all overhead bridges to maintain the vertical clearance.

Held until February 7, 2022 for 2nd reading

COMMENTS FROM CITIZENS

Linda Mossholder, 224 Green Meadow Dr. Newark – I would just like to give Council an update with the current situation on the warming centers. AS you know, about 3 years ago a task force was developed to create a safe place for people who are unsheltered when the temperature fell below 10 degrees. This year we increased that to 15 degrees which has increased the number of times we have to open. We've already been open 3 times. The first night we were open we served 10 people and a beagle. We do serve animals, we do have crates for them. I will say that the animal had a coat on when it came in. On the second night we basically served 18 and a cat and a different dog. We had to call Salvation Army and get some extra cots because we were only set up for 15 people that night at Trinity. One of the things that I was impressed with was the people who had the animals. One woman, probably in her 50's had a cat, the cat was wrapped up in a blanket and she let other people pet it. Watching the demeanor of people when they were able to pet an animal a cat or dog was pretty humbling. You could just see them start to calm down. Monday night we changed our location and were at the Disciple Factory which is on 30th Street and that is run by Pastor Critter, thank you Mr. Ellington for stopping by, Pastor Critter kind of does things his own way, but he does provide a safe place. We had 22 people that night. We had a family of four. What we're seeing is an increase in the number of women who are coming. All of last year we had one or two women, we're seeing an increase in the number of women. In talking to Lt. Caitlyn at the Salvation Army, she is also seeing that. She is trying to convert one of her family rooms into extra space for women. We do check with both shelters before we accept somebody in. If we can fit them into the Salvation Army or The Haven, we

do. All the shelters are full. When it comes down to being cold, 15 degrees or lower, we need to get people off the streets. I do want to make it clear that the purpose of the shelters is to house unsheltered residents. Would we like to serve someone who doesn't have any heat in their home, yes, can we do that, no. We are at capacity right now. We're very grateful to Licking Memorial Hospital, they provide the meals for the shelter and they do deliver them. Last time we were open we were able to engage the assistance of transit to help transport people. We do a loop to try to pick up people. It's not ideal, people still have to wait outside in the cold for the loop to come around., Once they spend the night at the shelter they are transported the next morning either to Vertical or the Salvation Army. We are planning to open Thursday at the Disciple Factory, Friday night we'll be at Trinity Lutheran, probably Sunday night again at Trinity Lutheran. We're expecting more cold days next week. As long as our volunteers can hold out and we can keep sites we will be able to continue to house people. A quick update, last Saturday the Health Department came to the outreach again. We were able to give Hep-A shots, flu shots and COVID shots and boosters. I don't remember how many we gave. We are seeing well over 100 people come through the line every Saturday, not all are unsheltered, some are just hungry. We're also seeing an increase in the number of narcan kits we give out, unfortunately when the weather gets cold, drug use increases, if you can use drugs to not feel the cold they tend to do that, so you're going to see an increase in the number of overdoses. I'd be happy to answer any questions about the warming shelters, you will be seeing press releases coming out, probably tomorrow, we want to be sure they are correct, if anyone would like to stop in and see what a warming shelter looks like we'll be open Thursday at the Disciple Factory, Friday at Trinity and Sunday at Trinity. For me it's a rewarding experience, we had one young man that it took over an hour to warm up, he was riding his bike from somewhere. We do not ask for last names, we do not do background checks, we maintain the people's privacy, we're a low barrier shelter. That means if someone is currently using drugs they can still come in as long as they keep their behavior under control. We don't condone violence or acting out. We know we had at least one person recently suspected was using meth, but once we got him settled own he was fine. We've had no incidences of problems at the shelters when people come in.

MISCELLANEOUS

Ms. Bline – I have a lot of thank you's. Joe Paul and his staff have been very gracious on multiple calls and taking care of some very large cleanups. I also want to thank them in conjunction with the Parks Department and David Rhodes for installing some no parking overnight signs at Wells Park. People have been parking there overnight and trashing that park weekend after weekend, citizens and I have been cleaning it up, so gratefully they installed those signs and Saturday the park was clean. It was great. I'd like to thank Mr. Shultz for installing some signs that had been stolen, it was great to see them re-posted. I'd like to thank our Street crews and Mr. Rhodes for taking my calls and texts throughout what was a pretty long day yesterday. They did a great job, I also want to thank our NPD, they have been going above and beyond, spending time with citizens, fielding questions and creating

an alignment that wasn't there before. Citizens are energized and excited to get behind our NPD. Thanks to those officers for their time. I want to thank south Newark's new group, they've named themselves the Newark Knights. They go out walking and driving in the neighborhoods, some watch from home, but reporting things that may look suspicious or suspected criminal activity. They're not harassing anybody, but just letting criminals know that they're going to be uncomfortable if they stay in South Newark. I want to thank them for their time.

Mr. Harris – I want to thank Roger Loomis for helping me with a water problem. I want to thank Mr. Rhodes and the Street Department for all of their hard work. Yesterday we had the Martin Luther King breakfast and I was going through downtown around 6am and Mark that does the work downtown was out shoveling sidewalks and I called him later and he said he started at 4am yesterday. I don't want to take our street workers for granted I know it's a lot of work for everybody to do. I want to thank everybody that came to the MLK breakfast yesterday, you came through the snow and I thought it was a pretty good breakfast. We had a good turnout despite the weather. I want to remind everybody that the groundhog breakfast is Friday, January 28th. I want to welcome our new Fire Chief and congratulate him, he seems excited and energetic, so I wish him the best of luck.

Ms. Hottinger – I want to congratulate Mr. Harris, it was a great breakfast yesterday, he was in charge of getting it all organized and set up and sponsorships and all that stuff and I thought it was very nice. I actually learned a lot about Par Excellence that I didn't know before. I also want to congratulate the Interim Chief, Chief Metzger, even though he is not here, he was very nice and introduced himself to me in the hallway. He has a lot of energy in a positive way so I think that's going to be good. Lastly, I'll call a Personnel Committee meeting for the 7th, I actually have copies of the amendments being proposed and I'll put them in your mailboxes so you will have them.

Mr. Houser – I also had the honor of attending the breakfast and as Council Woman Hottinger said I learned a lot about Par Excellence Academy, thanks Jeff for putting that on. I also want to thank Service Director Rhodes and the Street Department it was awesome to see them out there and I appreciate that.

Mr. Labutis – I want to congratulate Mr. Harris on the successful breakfast yesterday, I enjoyed that, I had a lot of fun there. I want to welcome Interim Chief Metzger as well, I've worked with him over the last few years and he'll do a great job.

Mr. Marmie – First I want to call a Finance Committee meeting for the 7th. I want to welcome Interim Chief Metzger also and I also want to thank the firefighters, the Wright Brothers Building, I believe it was last night, mutual aid I understand really worked very well and they were able to take care of that fire and that's just a testament to what Chief Metzger was talking about this evening about the firefighters and what a great job they do. I also want to thank Director Rhodes and the Street Department not only for what was done yesterday, but their continued work today and even into tomorrow to try to get side streets done before this freeze comes in so they are not frozen solid. So, I really do appreciate their continued work in addition to what they did yesterday, so thank you very much for that.

Mr. Rath – I want to thank Director Rhodes and the Street Department as well. I saw a lot of comments about the work that was done before the storm even hit. That was all the pre-treating of roads and I got a lot of compliments on that. So they've been working for quite some time now. That's made a huge improvement in our snow removal system. Welcome to Chief Metzger as our Interim Chief, I'm sure he'll do a great job. Looking forward to seeing the things he does. I'll call a Service Committee Meeting for February 7th..

Mr. Rine – I would like to thank Mr. Rhode and the Street Crew for all of the hard work, I know working 12 hour shifts is not easy. I would like to congratulate the Newark boys basketball team on beating Lancaster. I'd like to reiterate what Beth said about thanking our NPD, for the incident that happened yesterday. They caught them before they even left their vehicle, so I couldn't thank them enough.

President Ellington – Lancaster is always a good win for Newark. Thanks to Mr. Rhodes good job as always, it's a tough job, you know that, but you guys are doing a great job. Linda thank you for your comments, I appreciate you coming tonight.

ADJOURNMENT Motion to adjourn by Mr. Labutis, seconded by Mr. Harris , passed by acclamation

Don Ellington , President of Council