

COUNCIL MINUTES

February 7, 2022
Council Chambers
7:00 P.M.

President Ellington called the meeting to order

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

INVOCATION – Michael Houser

PLEDGE OF ALLEGIANCE -Kaitlyn Stevens and Latrell Bunch – Par Excellence Academy

CAUCUS - Ms. Hottinger – I will need to abstain from the Public Hearing Resolution No. 22-06

MINUTES of January 18, 2022 - Motion by to approve the January 18, 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 Mr. Barker, passed by acclamation**

APPOINTMENTS

There are none this meeting

REPORTS OF STANDING COMMITTEES

Finance **Received & Filed without objection**

Service **Received & Filed without objection**

REPORTS FROM CITY OFFICIALS

COMMUNICATIONS

Ohio Division of Liquor Control –New Liquor permit application for Ohio Springs Inc. dba Sheetz, 815 N. 21st Street, Newark, oh 43055

Ohio Department of Agriculture – Gypsy Moth Program

PUBLIC HEARING

22-06 A RESOLUTION APPROVING THE ESTABLISHMENT OF A NEW COMMUNITY AUTHORITY PURSUANT TO OHIO REVISED CODE CHAPTER 349; DETERMINING THE METHOD OF SELECTING THE BOARD OF TRUSTEES OF THE NEW COMMUNITY AUTHORITY; MAKING THE CITY'S APPPOINTMENTS TO THE BOARD OF TRUSTEES; AND MAKING RELATED AUTHORIZATIONS AND DECLARING AN EMERGENCY.

Mark Mauter, Director of Community Development – This is something new as you recall when I brought this before you all. The New Community Authority will allow the developer to generate some funds in order to make their debt service payments to make this project doable as far as infrastructure, water sewer roads, etc. Without this the only alternative was a TIF and because of past performance of TIFS in the city there's not a lot of appetite for that. So I give kudos for Mr. Layman thinking outside of the box and seeking some advice and guidance on how else can this be done. Housing is certainly a critical issue for the City of Newark right now. This is definitely going to fill a need in the community. What you need to remember is this New Community Authority does not put any financial risk on the City of Newark, it's all born by the developer. Thank you for your attention to this and I hope it meets with a full approval this evening.

Mr. Rath – Can we ask why the emergency clause is on this?

Mr. Mauter – It's just to meet the deadlines we have in place to keep the project moving forward.

Motion to adopt by Mr. Rath, second by Mr. Barker

Mr. Rath – I just want to say that I am very excited about this and welcome to the third ward Mr. Layman, I'm sure you will do very well since it is the most desirable ward in all of Newark.

President Ellington – The third ward is almost the most desirable ward in Newark, apparently he forgot about the fifth, but we'll go with that.

Motion passed 9-0 with Ms. Hottinger abstaining

COMMENTS FROM CITIZENS

ORDINANCES ON SECOND READING

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

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.

Motion to adopt by Mr. Houser, second by Mr. Labutis, motion passed 10-0

ORDINANCES ON FIRST READING

Here were non this meeting

RESOLUTIONS ON SECOND READING

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

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.

Motion to adopt by Mr. Rath, Second by Mr. Barker, motion passed 10-0

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

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.

Motion to adopt by Mr. Rath, second by Mr. Lang, motion passed 10-0

RESOLUTIONS ON FIRST READING

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

22-05 Expedite A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$14,000 -Payout of Comp Time for Ivica Brnjic promoted to Deputy Chief) (\$7,000.00 -Termination Payout for Roger Ferrell resigning 12.22.21 from Cemetery/Parks) (\$13,500.00 -OPT) (\$13,500.00 -Temporary Services) (\$23,000.00 -Payout for retiring Firefighter Michael McNamara)
(\$20,000 – Unemployment) (\$103,290.00 – Humane Agent Services for 2020)

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

Mr. Marmie – We have payouts that we always expedite so we can get those funds to the employee and we also have funds for our new humane agent for 2022 we need to expedite that so we can get started on the contract.

Motion passed 10-0

Motion to adopt by Mr. Marmie, second by Mr. Lang, motion passed 10-0

By: Mr. Marmie, Mr. Rath, Mr. Lang

22-07 A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$4,241.00 - Insurance money from stolen tractor) (\$3,000 – Refund of City Cremations)

Held until 2-22-2022 for second reading

COMMENTS FROM CITIZENS

Desiree Blake, 125 S 2nd Street – I know with the weather we are going to have a lot of pot holes on Second Street and the underpass, on that right side those holes are getting so bad that people are swerving over to miss and there is going to be an accident. So, I'm just hoping that when we get around to doing pot holes that we put that up on the top of the list to get done. I know we had them done before, but with this weather it is just making them really bad right now.

Lori Carlson, 825 Thornwood Dr., Heath – I am the Director of the Licking County Humane Society. I want to thank Council and the Mayor and the Safety Director who has been working with me for the past year to try to make sure that we can bring some services to the City of Newark and we are very honored and proud to be able to provide those services regarding the animals. You have my not only

sincerest thanks but my assurances that we will do our very best to serve not only the animals, but their people as well, thank you.

President Ellington – Thank you, we're glad to see that too.

MISCELLANEOUS

Ryan Bubb, City Auditor – Just real quick I want to give you an update. Our annual audit process is underway for this year as many of you saw with the email, they came in and are going to do a very good job, so the goal is to be award winning here. Also, the questionnaire that you received is something new that they are requiring, so I know my years on council I never had to do that, but if you guys could fill that out and get it back we'd certainly appreciate it.

Tricia Moore, Law Director – I'm excited about our Humane contract, I congratulate Council, Mayor and the Safety Director for getting that into place. As a prosecutor of the City we are very excited to get this partnership it is much needed, it's a great thing for the City.

Mayor Jeff Hall – I'm going to echo those same words really and thank Lori for coming tonight. We're excited about this new relationship and it should be a great win win for the City of Newark, so look forward to that. A couple quick comments about weather because that's surely been on the top of everyone's list. I want to thank our Street Department and I know Parks had helped a little bit too. It's been pretty tuff on them. I'm just telling you, I'm sure several of you have tried to do your driveway or your sidewalk, those machines they run out there aren't magic either and boy it is some hard stuff. It's hard on the machines, hard on the drivers and they've put in a lot of hours, back to back 12 hour shifts, rotating crews. Thank you for your patience through that. I would really say also, when we had a Level 2, Service Director Rhodes and I kind of get out and spot the City and it seemed like a lot of people stayed home, which we appreciate that because it makes the clearing of the streets much easier. Until the snow stops they just can't get caught up that's just how it works. I looked at outlying areas, went over to Columbus and back and we're about the same as everybody, it's just very difficult. Luckily it looks like the next couple of days they can try to get ahead of it a little bit. It's a slow melt, but at least it's a melt. We appreciate when people stay home on a Level 2 also, because if the streets are clear they can run them tandem side by side and really keep that going, hopefully that's the worst for the year.

Ms. Bline – I would like to thank Mr. Loomis and Lindsey Brighton for delving into what has been a difficult situation off Miller. I learned a lot in the process and am still learning a lot, but I just want to thank them for really explain in depth what needed to be done and the cost so I can be transparent as much as I know to the citizens. I really appreciate you guys taking the time with that. That's a big deal. I want to thank again, this all hands on deck effort that went through the while city, it was a lot. But, there is something special that happened, I know in the Second Ward, a lot of the citizens came together, some plow men, I mentioned some of them on Facebook, they came out and were doing driveways for free. They had their spades and axes and we were chipping people out and you know it was a really good time and I burned a lot of calories. I'd like to thank Mr. Shultz and his efforts and Joe

Paul which is a continuous job for him, his staff is just amazing, and Mr. Rhodes and the Parks Department for cleaning up these dumping situations and telling all the citizens we're going to get that taken care of and pot holes, that's on the list.

Mr. Harris – I want to remind everybody that this month is Black History Month and a lot of good Black History out there so if you get some time do some research. Also, I'd like to let the Mayor know I'm sorry for your Mom and the loss of your Mother, so I've been praying for you. I want to thank the City workers like everyone has said, they were up against it in the storm and I appreciate their hard work. I want to thank the students for coming in to do the pledge.

Ms. Hottinger – I don't have anything new that hasn't already been said, but I do want to give my condolences to the Mayor on the loss of your Mother as you know that isn't a pleasant experience, you're in my prayers and thoughts. I want to say how excited I am for Lori and the Licking County Humane Society. I have no doubt that we will see positive results from the service that we have with them. Thanks to all for the streets, it is a thankless job and I don't know how they do it, a lot of hours go into it and I'm sure they feel thankless at times.

Mr. Houser – I just want to offer my condolences to the Mayor for the loss of his Mom.

Mr. Labutis – I want to offer my condolences to the Mayor as well. I'm excited about the contract with the Humane Society, I think that is fantastic and I'd like to thank Director Rhodes and the Street Department for all the work they've done the past couple days. I appreciated the communication we received from Director Rhodes while the storm was happening as well.

Mr. Lang – My condolences to the Mayor as well, losing a parent is not easy. We're thinking about you. I wanted to thank Director Rhodes for all of his communications during the snow plowing and there have been a number of issues I've needed help with and he's been right on top of it. I also wanted to thank Director Rhodes and our Engineering Department for all the work they did off of Londondale, I actually got a thank you letter from a resident over there who was really pleased with the result, they've been dealing with some issues. There were some drainage issues that we fixed, so it's always nice when people take the time to send a note of appreciation. Then lastly I'll thank Director Moore, thank you for your help with the legislation we're working on and look forward to continue that partnership working with you.

Mr. Marmie – My condolences Mr. Mayor. I need to call a Finance Committee Meeting for the 22nd. AS far as the pot holes, I just want to reiterate that the quickest and best way is to go onto the Newark website's SeeClickFix, they really utilize that, so if you can go on and just click where it's at on the map and the Street Department gets right on those, they are really reliable and that's the most efficient manner for them to get to those pot holes because they don't drive around the city and look for them and say Hey there is one there. They rely on that information and it comes out every morning. So SeeClickFix. Lori, I really appreciate you coming. We are super excited, so if there are phone number changes, things like that we need to be spreading the word on, that's something that would help us, especially all of us up here because we are going to get a lot of questions. Who do I call now on this or on that, so if we could have something that would be fantastic. We'll support you in any way we can

there also. I'm excited about Joey Burrow this weekend, I hope that he can pull one off, I never thought that he would pull the last one off, you know, I'm still a Browns fan , but Joey Burrow, Jeff. I'm excited, it's the State of Ohio, I like the Browns, so let's go Bengals.

Mr. Rath – I'm going to save my accolades for the Bengals until Sunday. I'm still a Steelers Fan. I do want to say thank you to the Street Department for all the work they did throughout the storm and not only the Street Department, but Parks Department and Water Department, Cemetery Department and Police and Fire. When you talk about all hands on deck I want to mention those guys too because they are being called in, they're driving the little pickup trucks around but are still moving a lot of snow and clearing intersections. Strange snow, I say snow, but I describe it as walking outside into a storm of dipping dots. I've never seen that much sleet in my life. And it's still out there, so I've adopted my Father's philosophy God put it there, let God take it away. Lori, I'm very excited to have you with us on our team, I'm looking forward to a lot of great stuff from that. Mr. Mayor, my condolences to you as well. Like Mr. Marmie said, with snow, ice and dipping dot storms comes pot holes, it's just inevitable it's going to happen. Get onto SeeClickFix and click away. Let people know where they are. I tell people all the time, we can't fix it if we don't know it's broke. I'll call a Service Committee Meeting for the 22nd.

Mr. Rine – Mr. Mayor, my condolences. I just want to thank David Rhodes and the Street Department.

Mr. Barker – It's always nice to go last because almost everything has been said. I would echo Mr. Mayor Condolences to you and your family, you're in our thoughts and prayers. Thank you to Director Rhodes and all the crews, this weather season hopefully is coming to an end, but we never know, it's also Ohio, we never know what mother nature is going to throw at us. Two weeks ago the Licking County Chamber held the Groundhog Breakfast it was a great event, first one since the pandemic, had about 500 people there, I'm on that committee, so got the be there bright and early about 4:45am, got to see some fellow councilmen there as well, but I wanted to make sure congratulations went out to local resident Rick Platt, who is the CEO/President of the Port Authority who was awarded the John Alford Community Service Award. Rick was one of many instrumental people in helping bring Intel to Licking County and he does a lot for our community and a lot for Newark, so congratulations to him.

President Ellington – Mayor I would also like to add my condolences, it's never easy as you know. Also, Lori if you would get with Janine right after the meeting for a second, she'll give you the information and you can email whatever you need to her and she will make sure everyone gets the numbers and anything we need.

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

Don Ellington , President of Council