

COUNCIL MINUTES

January 3, 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. Lang, Mr. Marmie, Mr. Rine

INVOCATION – Mark Labutis

PLEDGE OF ALLEGIANCE

CAUCUS – Motion by Mr. Marmie to excuse Mr. Rath, second by Mr. Harris , motion passed by acclamation

Mr. Marmie – These are all of the new Committee Assignments for 2022

NEWARK CITY COUNCIL COMMITTEE ASSIGNMENTS FOR 2022

Finance

Marmie, chair
Lang, vice chair
Barker
Houser
Hottinger

Capital Improvements

Hottinger, chair
Rath, vice chair
Marmie
Labutis
Harris.

Service

Rath, chair
Harris, vice chair
Barker
Bline
Hottinger

Safety

Labutis, chair
Barker, vice chair
Bline
Houser
Rath

Personnel

Lang, chair
Hottinger, vice chair
Labutis
Barker
Rine

Recreation

Rine, chair
Bline, vice chair
Harris

Street

Houser, chair
Labutis, vice chair
Rath
Rine
Blinc
Lang
Marmie

Rules

Harris, chair
Rine, vice chair
Lang

Economic Development

Barker, chair
Houser, vice chair
Rine
Blinc
Harris

Ways and Means

Blinc, chair
Hottinger, vice chair
Labutis

Chaplains

Blinc
Labutis
Harris
Houser

Budget Review

Mayor, chair
Marmie, vice chair
Auditor
Service Director
Harris
Treasurer
Houser
Lang

President Pro-tem

Harris

Majority Leader

Marmie

Minority Leader**Acceptance of New Committee Assignments passed by acclamation**

Ms. Hottinger – I will need to abstain on Resolution No. 21-89 due to a conflict

Law Director, Tricia Moore – In the petition that is coming before Council this evening for the New Community Authority, we did have to make a change to that petition, according to ORC 349.03 Council can make any changes to the petition form or substance at any time during this process, so there was not need for new legislation. The only thing we changed was the date of

the petition being filed, it was December 15th and that is not correct, it should read the date is passes council, if it passes council, so the amended date is January 3, 2022.

MINUTES of December 20, 2021 - Motion by to approve the December 6, 2021 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**

Personnel **Received & Filed without objection**

REPORTS FROM CITY OFFICIALS

COMMUNICATIONS

Ohio Division of Liquor Control –Transfer Liquor permit application from Don & Sues Pizza Plus LLC to Dough Equals Dough LLC dba Don & Sues Pizza & Patio, 645 W. Church St, Newark, Oh

COMMENTS FROM CITIZENS

Marcia Phelps, Licking County Municipal Clerk of Courts – First I wanted to congratulate everyone that was elected to your positions. It's good to see new faces. Good luck to each of you. Some of you are seasoned, not older, but seasoned and will be great mentors to those who are new. Its' a wonderful opportunity to be able to serve on City Council, I was here for a few years myself, many years ago, a few not even born yet. It's wonderful to see the new spirit coming aboard and representing the citizens of Newark. I want to just speak briefly to 20-16-C, it's on a first reading tonight. I want to remind everybody because there are some new members of council here, that ORC 1901 does give the authority to the Municipal Court Clerk to set salaries for those positions. It also has been upheld with the Fifth District Court of Appeals, that being that the Municipal Court Clerk does have the right to set those salaries. I'm saying that because it was probably in your minutes from one of the last meetings from the Law Director, Ms. Moore and I just wanted to remind you. I also said in Committee, and I don't know if everybody was in the room during the committee meeting or not, but I also shared with the Mayor and the members of Personnel Committee, that I am more than willing to sit down and have conversation regarding that proposal. So, I'm open, I'm here, I'm back to work because COVID got me down a little bit, but didn't put me out, praise God. I will be here if anybody would like to reach out, I'll speak with the Mayor the HR Director or any member of Council, and I invite you to stop by anytime you wish to do so. I would refrain from Tuesday and Wednesday mornings, that's when arraignments are and it's pretty busy up there. With that said, I know this is not a debate time, but I wanted to present those bullet points for reference

and for your memory.

ORDINANCES ON SECOND READING

There are none this meeting

ORDINANCES ON FIRST READING

By: Mr. Labutis

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 **Held 2 weeks for 2nd reading**

By: Mr. Barker, Mr. Harris

21-43 AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 26 VINE STREET, CITY OF NEWARK, LICKING COUNTY, OHIO, FROM THAT OF SINGLE-FAMILY RESIDENCE – RH – HIGH DENSITY DISTRICT TO HB – HIGH INTENSITY BUSINESS DISTRICT, ZONING CODE OF THE CITY OF NEWARK OHIO **Referred to Planning Commission**

By: 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 **Held 2 weeks for 2nd reading**

RESOLUTIONS ON SECOND READING

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

21-81 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR CERTAIN ESSENTIAL SUPPLIES FOR VARIOUS DEPARTMENTS OF THE CITY OF NEWARK, OHIO, FOR 2022.

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

RESOLUTIONS ON FIRST 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.

Held 2 weeks for 2nd reading

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.

Held 2 weeks for 2nd reading

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.

Held 2 weeks for 2nd reading

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

21-87 Exp A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

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

Mr. Marmie – We have some things that need to be expedited, one is a payout so we need to make sure we take care of that.

Motion to waive 2 day reading rule, passed 9-0

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

By: Mr. Marmie, Mr. Barker

21-88 A RESOLUTION AMENDING RESOLUTION NO. 92-109, RESOLUTION NO. 95-46 AND RESOLUTION NO. 01-11a IN AMENDING THE TERMS OF THE REAL PROPERTY TAX EXEMPTION AVAILABLE IN THE FIFTH COMMUNITY REINVESTMENT AREA; AND MAKING RELATED AUTHORIZATIONS

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

Mr. Marmie – This goes along with 21-89 that has the Emergency Clause so we need to make sure we expedite this one.

Motion to waive 2 day reading rule passed 9-0

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

By: Mr. Marmie, Mr. Barker

21-89 A RESOLUTION TO DETERMINE THAT THE PETITION TO ESTABLISH THE CHERRY VALLEY NEW COMMUNITY AUTHORITY IS SUFFICIENT AND COMPLIES

WITH THE REQUIREMENTS OF THE OHIO REVISED CODE; TO SET THE TIME AND PLACE FOR A HEARING ON THE PETITION AND AUTHORIZE THE NOTICE OF SUCH HEARING BY PUBLICATION; AND DECLARING AN EMERGENCY

Motion to adopt by Mr. Marmie, second by Mr. Barker, motion passed 8-0 with Ms. Hottinger abstaining

COMMENTS FROM CITIZENS

Mr. Stephen Smith, 237 Violet Ct. - I would just like to make everyone aware that there is going to be training for the warming shelter at Trinity Lutheran Church at 6pm on Thursday, January 6th. AS it turns out the forecast is for some cold weather right about that time too and this is a situation where we are severely in need of volunteers for the warming centers. There are two currently that I know of, so I would encourage everyone to check that out

MISCELLANEOUS

Law Director, Ms. Tricia Moore – I just want to say congratulations to all of our new members I look forward to working with you.

Mayor Jeff Hall – I also want to welcome everybody Michael, Beth and Colton it feels good sitting up here. I want to welcome everybody back and look forward to 2022 that we all have to learn to write. The Administration looks forward to working with Council this year and keep the City moving forward. I want to thank each one of you for serving on Council, it's critical. And I'll change gears real quick and just say Go Bucks, the Rose Bowl was outstanding and if you caught basketball last night, the same type of game with a different shaped ball, but the Buckeyes had a real good weekend.

Mr. Barker – I just would wish everyone Happy New Year and welcome to Michael, Beth and Colton. We're glad that we're here today, it's going to be a great year, years. I know myself as well as everyone else here just looks forward to keep pushing the City forward and serving our citizens.

Ms. Bline – Thank you for the kind words and kind welcome. I am very excited to work with the people in south Newark, they are some of the finest people I've ever met and I am so grateful, just to be out on the streets, knocking on doors still. Still finding ways to collaborate and to listen and just as the Mayor said, to move this area forward, it's just great.

Mr. Harris - I want to remind everybody on January 17th the Martin Luther King Jr. breakfast is at 7:30am at the Reese Center. Tickets are \$35. If you need a ticket just let me know, I'll be sure you get one. I want to welcome Michael, Beth and Colton and want to tell all the guys with ties on up here tonight they look good, I like it. I'm excited and looking forward to this year and working with Council and the Administration, hopefully we can get some great things done within the City.

Ms. Hottinger – I just want to say thank you to all of you for your prayers and support on the passing of my Mother. Losing a parent can be difficult, some of you have been through it and there is just never enough time. So, I do appreciate the flowers and texts and reach outs and most importantly the prayers, so thank you. Now I am no longer the newest member of Council by about 3 meetings I think,

so welcome Beth, Colton and Michael. I'm looking forward to working with all of you as well as the rest of Council of course, so it's going to be a great year.

Mr. Houser – I really appreciate all the kind words and warm welcome, it's just an honor and I am excited to be up here. It's a terrific opportunity to move the City forward, as Spencer said, we all want to move the City forward. I look forward to serving the citizens of the 1st Ward and the whole city, so very excited about that. I also want to thank Property Maintenance for taking care of something for me this week, I appreciate that and I want to wish everyone a Happy New Year.

Mr. Labutis - I also want to wish everyone a Happy New Year. Welcome to Michael, Beth and Colton, I look forward to working with each of you and the Administration and I think it will be a great year.

Mr. Lang – First I just want to say I haven't had an opportunity to say welcome to Cheri, we've been a little like ships passing in the night, but it's good to see you up here finally. Welcome. I want to extend a warm welcome to Michael, Beth and Colton as well. You all ran great campaigns and it's great to have you here on the dais with us and it's exciting times. I look around and I see a lot of energy, a lot of hope, a lot of promise and a lot of optimism, so I think it's going to be a good couple years for the City and for City Council and I'm excited to get to work.

Mr. Marmie – I need to call a Finance Committee Meeting for the 18th of January on a Tuesday. I'll call a Service Committee also. First of all I want to welcome Michael, Beth and Colton. I think it's going to be great, you're going to be a great addition to the Council that is already up here and that are returning. I think it's going to be a fantastic 2022 and 2023, we can accomplish great things together. I look forward to it. It was a pleasure seeing everybody's family, friends, significant others, that was just outstanding and it's just great to see that. Most families don't usually stick around for our meetings and some of you are still here so it is kind of unique when that does occur and I always like that when that happens. I also want to say thanks to the Board of Zoning Appeals. They've had some unique situations here recently and I really do appreciate how they take the property owners rights into play, but yet they also make it fair to those who are on surrounding properties and they pretty much try to come up with a compromise and I like how they have been approaching things. There have been a couple issues in my Ward that have been up in front of them and not only in my ward but because I was at the meeting it was also in some other areas. I think it's great what they do and we have some very knowledgeable individuals on that and they don't always get all the kudos, but I want to say thanks to them. Finally, I'd like to say it was a great weekend for the Bucks, but it wasn't a great weekend for the Browns game happening tonight, other than beating Ben one last time that's all they can look forward to tonight.

Mr. Rine – I'd like to take this opportunity to thank all of you for your hospitality for the last year, I want to thank all of my constituents for supporting me and putting their faith and trust in me to represent them in the 7th Ward. I know it's been a while since we've had a Republican in there and we're a diverse group of people and I like what I'm looking at here.

President Ellington – I would just like to wish everyone a Happy New Year, thank you for coming this evening. I would like to welcome the new folks and welcome back to the other folks that have been

here. I am looking forward to a great 2022. I think with this Council and the Administration we're going to have a great year, I'm really looking forward to that.

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

Don Ellington , President of Council