

COUNCIL MINUTES

August 15, 2022
Council Chambers
7:00 P.M.

President Ellington called the meeting to order

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

INVOCATION – Beth Bline

PLEDGE OF ALLEGIANCE

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

MINUTES of August 1 , 2022 - Motion to approve the August 1, 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. Barker, second by Mr. Lang , passed by acclamation**

APPOINTMENTS

There were 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

City Auditor, Ryan T. Bubb – Operating Fund Report for Period Ending July 31, 2022

Brenda Cooper, Tax Administrator’s Office – Income Tax Revenue Reports for period ending July 31,2022

Proclamation- Mayor Hall – Overdose Awareness Day on Wednesday, August 31st, 2022

Patricia Perry, 282 N. 21st Street – Overdose Awareness Day is to honor those here in Licking County, it’s actually International Overdose Awareness Day as well, for the last 14 years. For the past 8 years we have been honoring those lives lost here in Licking County. We have a memorial table that we set up and honor those people and their family members, because addiction is a family disease, it’s a community disease, one in three lives are touched by addiction. If you have a conversation you will be amazed at what you will find out. The Overdose Awareness Rally this year is on August 31st at Canal Market from 5-7pm. There will be the memorial table, food and

resource tables. Right now we have about 25 and we're still waiting to hear back from other people. There will be some speakers, they will talk about loved ones they have lost. Powerful stories, everyone has a story and every picture, every name is somebody's family. This was ours from last year. That's how many in Licking County that were submitted to be put on the back of the shirts, there's over 90 names there. We just want to continue to do this to honor those that we've lost. So come down, if you've lost someone, please bring a picture and we will honor them as well. Thank you.

Proclamation- Mayor Hall – 28th Annual Licking County River Round Up Day, September 10th, 2022

Lindsey Brighton, Storm Water, Storm Water Director – This year River Roundup is September 10th as the Mayor said. Registration is open right now and is open to anybody. We have 4 routes in Newark, one at Everett Park, one at the South Fork of the Licking, one at the Grove by the River, and the other one is at the Preserve on Ohio Street. There is a family friendly route, a route if you want to get your feet wet, there is a canoe/kayak route, it's County wide, but like the Mayor said we like to clean up the water in Newark and all that trash comes out of the River every year. We want to keep it out of there, because our water comes from the river, so we want to keep the water clean for Newark and for everybody downstream.

COMMUNICATIONS

Ohio Division of Liquor Control – Transfer application from McKenna's Market Newark LLC, 2 North Park Place, Newark, Oh 43055 to Park Place General LLC, dba Chickies General Store, 2 North Park Place, Newark, Oh 43055

Ohio Division of Liquor Control – Transfer application from Townz Family Billiards, 50 N. 11th Street, Newark, Oh 43055 to Sherry & Craig Peck LLC, dba Townz Family Billiards & Beverages, 50 N. 11th Street, Newark, Oh 43055

Darrin Logan, NPD – Annual Licking County FOP Lodge #127 Golf Outing, September 11, 2022 at Raccoon Valley Golf Course

COMMENTS FROM CITIZENS

Caroline Cook, 898 Lateglow Ct. – First I'd like to thank the Mayor and the City Council for the Proclamation recognizing Overdose Awareness Day, it's a step in the right direction. It acknowledges that people in our community are suffering and that our community, State and Nation has not made it a priority to help them. It acknowledges that shaming, stigmatizing and incarcerating people who are addicted to substances does not work. The so called war on drugs is a failure and the casualties are increasing daily. I've been told they're finding it difficult to find space on the back of this year's t-shirts for all of those in Licking County who have died of drug overdose. This is not the first time in history that we've tried outlawing a substance only to find criminals taking control with violence and tainted concoctions that kill people, think bootleg, bathtub gin, think of who died after drinking antifreeze and rubbing alcohol. Driving the use of drugs to the illegal trade means that the drugs people are using are not pure, are not tested and have no information about dosing or production. People become addicted

for many reasons including physical and mental pain, social isolation, rejection, personal trauma and yes, there are young people experimenting and looking to get high who get trapped before they ever get a chance to develop the ability to make wise decisions. Incarceration, shaming, stigmatizing these people is not working to help them heal and bring them back into our community. In addition to those addicted, their loved ones suffer, especially when the tainted drugs they have access to result in death. The Health Department has issued an overdose alert for 2022. Overdose death minimally represents paying the cost for failing to address the real causes people become addicted to drugs and other psycho active substances. We need research, community support to help those in pain. Dr. Phil often asks on his show. "how's that working for ya". An Overdose Awareness Day helps us all understand what we're doing in dealing with psycho active drugs both legal and illegal isn't working. It didn't work for those who died of overdose, for those who loved and breathed their last, for those who are still struggling, many homeless many in prison, it isn't working for kids growing up in a home where mom or dad is in prison, or in active addiction. It isn't working for our community. Yes, let's become aware. It is a time to experiment with new ways to deal with mental health, pain management, people who feel they have no place in our community, youth who need guidance. There are those in our community who are seeking change and time after time they are clinging to what isn't working. It's time to listen to them and to give them your support and more than a proclamation, but a proclamation is a nice start. Thank you.

ORDINANCES ON SECOND READING

There are none this meeting

ORDINANCES ON FIRST READING

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

22-20 AN ORDINANCE AMENDING THE DEPARTMENT AUTHORIZATION TABLES OF THE CITY OF NEWARK, DEPARTMENT OF SERVICE AND THE AUDITOR'S OFFICE, BY ABOLISHING THE POSITION OF FINANCIAL ANALYST IN THE SERVICE DEPARTMENT AND CREATING THE POSITION OF FINANCIAL ANALYST IN THE OFFICE OF THE AUDITOR

Held until next meeting for 2nd reading

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

22-21 AN ORDINANCE APPROPRIATING THE REAL ESTATE KNOWN AS PARCEL # 054-225744-00.000 AND PARCEL # 054-225738-00.000, NEWARK, LICKING COUNTY, LOCATED AT 2236 RIVER ROAD, NEWARK, LICKING COUNTY, OHIO; AUTHORIZING THE DIRECTOR OF LAW TO PROCEED WITH A COMPLAINT FOR APPROPRIATION IN THE LICKING COUNTY COURT OF COMMON PLEAS; AND DECLARING AN EMERGENCY

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

Mr. Rath – This along with the next two ordinances all have the emergency clause on them in order for us to meet ODOT deadlines.

Motion passed 9-0

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

22-22 AN ORDINANCE APPROPRIATING THE REAL ESTATE KNOWN AS PARCEL # 054-228294-00.000 AND PARCEL # 054-228294-00.001, LOCATED AT 2166 REDDINGTON ROAD, NEWARK, LICKING COUNTY, OHIO; AUTHORIZING THE DIRECTOR OF LAW TO PROCEED WITH A COMPLAINT FOR APPROPRIATION IN THE LICKING COUNTY COURT OF COMMON PLEAS; AND DECLARING AN EMERGENCY.

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

By: Mr. Rath, Mr. Barker, Mr. Marmie, Ms. Bline, Mr. Rine

22-23 AN ORDINANCE APPROPRIATING THE REAL ESTATE KNOWN AS PARCEL # 054-216618-00.000, LOCATED AT 2229 RIVER ROAD, NEWARK, LICKING COUNTY, OHIO; AUTHORIZING THE DIRECTOR OF LAW TO PROCEED WITH A COMPLAINT FOR APPROPRIATION IN THE LICKING COUNTY COURT OF COMMON PLEAS; AND DECLARING AN EMERGENCY.

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

RESOLUTIONS ON SECOND READING

By: Mr. Marmie, Mr. Barker, Mr. Rath, Ms. Bline, Mr. Harris, Mr. Rine Mr, Rath

22-68 APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$205,000.00 -vehicles)(\$348,409.28 --1-NPD ATV Purchase;2-Land Purchase 620 Granville Rd;3-City Hall Front Entrance;4-Add'' monies needed for Chase Bldg. floor 2 and basement purchase)

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

RESOLUTIONS ON FIRST READING

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

22-70 APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION \$300.00 -Request appropriation of funds from rebate on Naloxone purchase back into the EMS Medical Supply Account)
\$259,183.00 -(1-Pool Liner total cost is \$191,683.00 already have \$175k of it; 2-Chase Bldg. heating & cooling project; 3-Traffic signals upgrade; 4-Equipment add ons to 4 NPD vehicles, {\$200k request from 6-20-22})(\$38,300.00 -monies from logging)

Held until next meeting for 2nd reading

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

22-71 A RESOLUTION OF INTENT TO APPROPRIATE THE REAL ESTATE KNOWN AS PARCEL 054-246708-00.000, NEWARK, LICKING COUNTY, FOR MAINTAINING AND IMPROVING WEST CHURCH STREET WITHIN THE CITY OF NEWARK, OHIO; AUTHORIZING THE MAYOR TO GIVE NOTICE TO THE OWNER OF SUCH LANDS AS REQUIRED BY LAW; AND DECLARING AN EMERGENCY.

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

Ms. Bline – I have a question, what is the purpose of appropriating this property, it says to maintain here, but for those present is there more clarity that can be given.

Mr. Rath – I do not know off the top of my head, I'm looking for Mr. Morehead, I don't see him. I know it was discussed at Service Committee.

Mr. Loomis – Is this the bridge work, the West Church Street Bridge?

Mr. Rath – Yes, thank you.

Ms. Bline – There have been quite a few requests for improvements on that bridge, I just wanted to share that this is a step in the right direction.

Motion passed 9-0

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

22-72 A RESOLUTION OF INTENT TO APPROPRIATE THE REAL ESTATE KNOWN AS PARCEL # 020-041304-00.000, NEWARK, LICKING COUNTY, FOR MAINTAINING AND IMPROVING THORNWOOD CROSSING WITHIN THE CITY OF NEWARK, OHIO; AUTHORIZING THE MAYOR TO GIVE NOTICE TO THE OWNER OF SUCH LANDS AS REQUIRED BY LAW; AND DECLARING AN EMERGENCY

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

COMMENTS FROM CITIZENS.

Linda Mossholder, 224 Green Meadow Dr. – First I would like to thank the Mayor for the proclamation. I would just kind of follow up on what Ms. Cook had to say. Newark will soon be having an opportunity to address some of these issues regarding overdose. There are opioid settlement monies that will be coming over the next 18 years, a little over \$15k has come already. What we need to do as a Council and as a community is come up with ideas that address some of the things that are needed in the city. In the future it would be nice to have some public input with decisions that will be made. I know that the memorandum of understanding is very lengthy. Starting on page 29 is exhibit A which lists all the things the money can be used for. I know the Law Director also sits on the committee that will be making the decisions on a little over \$61,000 that will be coming to the County. If anybody would like to have a copy of the memorandum of understanding for local governments I will forward that to you and would encourage you to read it and come up with some unique solutions to address the ongoing problem. Thank you.

President Ellington – Thank you, if you would forward that to Janine she will get it to everybody.

Tim Waldren, 167 S. 2nd Street – In my driving around, out to the hospital, down East Main Street, one of the biggest things people want to ask is, when are they going to open West Main Street. People in the south end have to go way around, used to take 15 minutes from my house to the hospital, now it takes 40 minutes. Please open it up, or force the people to tear it down and put it on the taxes. Very simple, if it was my house or yours it would be gone in one week. It's been almost a year now, or six months, 8 months. Thank you.

Mayor Hall – It's been since Easter, so it hasn't been quite as long as people think. The biggest challenge has been the EPA and their requirements. There is asbestos in there, we knew that ahead of time, it was going to come down in spite of the fire anyway, but normal asbestos procedures, when a fire comes it makes it much more complex and different. What they have done is ask for much more to be done. Long story sort, we had to suspend remediation for a while until we knew the exact path it was going to have. Today I believe they started remediation again because of what the Ohio EPA has required now it's going to extend remediation efforts a couple more months, the time it takes to process that, the anticipation is to probably have remediation done by November 1st and then the building can come down, it can't come down until stuff is taken out of there. They have to do it in white suits in lined dumpsters and has to go to special landfills in Columbus, so a lot of complexities and a lot of money to it. The wall could fall out so that's why the street is closed, it won't have to all be removed before we can open the street because it can be removed on the backside. It's a long process because of the EPA, but I appreciate your input and understand the side streets are passable but very challenging with winter coming so we're hoping to get that street opened back up before that.

Bart Romine, 100 Graclyn Ct. - Before I speak I want to be clear that I am not going after anyone personally here or anywhere else. Mr. Mayor, City Council thank you for giving me a few minutes to speak. My name is Bart Romine. My family has owned and operated businesses in downtown Newark for over 50 years and we've been part of the community in various capacities. Most of these years Newark has been a safe, clean and peaceful place to work, live and enjoy the fruits of small town USA. Sadly to say, those days are gone. I see people roaming our streets that are for sure not from here or from America. More recently in the last 2 weeks I notice Haitians and South American's ended up suddenly in downtown Newark. Many of the people I observe are screaming out of their heads and swinging with their fists to the air in front of them. In the last 10 to 15 years, Newark has been the homeless dumping ground of outside communities due to the many outreach facilities we have across the city. These organizations I believe, original intent to help people was honorable, but has turned into nothing more than pure dependency. This dependency has turned into a massive loitering problem around our city. Feeding people and giving shelter is not the answer to the problem, in fact it is the problem. Every day all day long people hang out in front of the Salvation Army on East Main Street waiting for another meal like a herd of cattle. There is no accountability, no next step for people to be self sufficient. It's just another day of another 2-3 meals and a place to sleep. These people throw their Salvation Army food trash all over the city especially along the bike path directly behind the facility. They poop on the sidewalks especially ours for some reason and throw their drug filled syringes on the ground. I recently visited Granville, New Albany, Upper Arlington, and various other communities and found none of the human trash

mentioned. No backpackers on bicycles, no loitering and no homeless people pulling wagons with all their dumpster diving treasures. I asked myself why is it their streets are clean and free of feces. I discovered exactly what I thought, they have no homeless shelters and soup kitchens to draw them to their streets. I ask you Mr. mayor and Newark City Council, why do we have to put up with the garbage and let these people trash up our town. I believe the only answer is to show some tough love and deem these outreach groups a public nuisance and shut them down and the outside communities I just mentioned will stop dropping these people off in our beautiful downtown Newark. I want to leave you with this observation I had several years ago when my family visited Busch Gardens in Florida. There was a large sign in front of a fenced in area that said "Come and watch us feed the Alligators at 2:00pm". I thought this would be cool to watch so we showed up and noticed 4 people standing amongst 5 very hungry alligators. I was in disbelief to know someone could be so close to these beasts and not be in harms way. These alligators had 5 scrumptious human meals standing directly next to them and all the alligators did was lay there like they could care less. I had to ask them why are they not attacking you and using their natural instincts to feed themselves. Then they gave the answer which I will never forget. They said being we started to feed them at certain times every day, they no longer have the ability to hunt and gather. These alligators are no longer fit for the wild and will starve to death if we release them to the wild. They now depend on us every day to feed them these few chickens for their survival. I believe there is a life lesson here and ask you Salvation Army STOP FEEDING THE ALLIGATORS. Vertical 196, STOP FEEDING THE ALLIGATORS. Saint Vincent DePaul, STOP FEEDING THE ALLIGATORS. And any social justice organization, STOP FEEDING THE ALLIGATORS. Lives are being ruined by all the handouts and these people no longer have a need to seek employment and be self-sufficient. Stop the handouts and these people will move on and outside communities will stop dumping more here for us to feed. Mr. Mayor and Newark City Council, mark my word, this community will never rise to its full potential until the loitering problems we have in this city have been eradicated. Thank you for listening.

Gary Babcock, 67 Philmont Ave. – Thank you folks, you know I appreciate every one of you , Mayor, everyone up there. With that being said, my bench is gone. Mayor, my bench is gone, where you always greet me every day. Can we have a new bench over there for me and my cronies? I'd like my bench back, so please consider putting the black wrought iron with the handles, it's not going to stop them from coming and sleeping, Mr. Romine it the nail on the head, I;ve got pictures they can sleep with the arm rail there, it's just a whole lot worse. With that being said, please get me a bench Mayor, please, I'll donate the first \$100. Hometown Heroes, what a great time, was everybody there? We had a good time, I was getting ready to yell about the port- a- potties, but someone brought to my attention that there were port- a- potties there. Man I can't follow Mr. Romine, that was great. One more thing. The Hometown Heroes, great time, the first band was great. The second band was nothing but noise pollution. If that group was playing down along the river you would have half of the 2nd ward here complaining. Thanks.

MISCELLANEOUS

Law Director Moore – A lot to digest tonight. Thank you all for coming and speaking I appreciate that. As to the committee deciding on the opioid settlement money, I believe we are going to have public hearings so stay tuned for that. This past week I had the privilege of attending the Licking County Chamber of Commerce Business Awards for this year, I was proud to be part of Starfish Assignment Licking County, Violet Queen was recognized as the young Professional of the Year. If any of you know Violet Queen, she is a story that should be told to many struggling right now, Everything in her environment from when she grew up set her up to fail, set her up to be probably wandering the streets right now homeless and drug addicted, but she took it on herself when she was in high school to leave that environment, get her own apartment, finish high school and now she is the Executive Director of Hope Valley which is a wonderful organization geared towards giving people hope, counseling, spiritual retreats. She is also on my domestic violence committee as a representative for victims, she also helps the NPD bridge the gap between the police and the Community. So I wanted to give her an acknowledgement here tonight. Also, Battle of the Badges has been rescheduled for August 27th. It's a softball game between various police and fire departments, it should be a good time, it will be at Don Edwards Park all day long, so please come down and support the departments.

Mr. Marmie – I need to call a Finance Committee meeting for Tuesday, September 6th. Just a couple brief comments this evening, both proclamations well deserved, very appreciative of the Mayor acknowledging that and also support both of those causes. Hometown Heroes, what a fantastic night everybody I have spoken to thought it was a fabulous evening and was something that attracted a diverse group and folks really want more of that and it really opened some folks up to a first in the downtown area and I thought that was fabulous.

Mr. Rath – I will call a Service Committee meeting for the 6th.

Mr. Rine – I just want to thank everyone for coming out, your opinion matters and on the asbestos, there are only a handful of businesses that deal with asbestos in the State, there's not that many. I think a lot of people know the Heath Drive- In stood for years mainly because it couldn't be torn down, so I know what that's kind of like.

Mr. Barker – I wanted to congratulate Violet Queen for being named the young Leader of the Year and mention that during the pandemic when I was on the Board of Young Leaders we started a series called YLLCTB, the Mayor was actually on it for us and we saw a lot of engagement with the community. Violet actually shared her full story on one of the first episodes of that of her growing up, and like the Law Director said, it's an emotional story a touching story, she has come a very far way from her upbringing, so I would encourage you to watch that it's on Facebook. I just want to thank everybody for coming again tonight, citizen input is important to us on Council and if we don't have it we don't know all the time what's wrong in the city. So thank you for that.

Ms. Bline – Mr. President, I do have a question, is it okay to ask the Mayor a question?

President Ellington – No.

Ms. Bline – Okay later then. I wanted to thank everyone for coming out tonight, your opinion matters. It's nice to have a full house. Lindsey Brighton left early because she knew I was going to call her out

for doing a great job. She does a fantastic job going out getting face to face with residents, she's amazing, she's a great asset to the city. I appreciate her a lot. I want to thank the people of the 2nd Ward, they've been, very patient while I've been learning and it's time for an update,, so on September 7th, a Wednesday, we're meeting at the American Legion at 7pm for an update on all things 2nd Ward and please bring your questions. I may not have answers right away, but I'll do my best to follow up. I'd like to thank Parks and Maintenance and our Street Crews and Mr. Rhodes for supplying paint for the underpasses. Everyone has just been so amazing in the 2nd Ward to volunteer their time and I can't tell you how much I appreciate it.

Mr. Harris – I want to thank Mr. Romine for coming in and speaking. I understand his concerns, I'm not sure shutting down the Salvation Army and stop feeding people is an answer, but I'm sure that's something we can talk to them about, their trash and everything on the grass to get things cleaned up. Also, I want to remind everybody that this week school is going to be starting, so the buses will be flying and kids will be walking to school so start looking out for that and be careful out there.

Ms. Hottinger – Thank you Mayor for the Proclamations. I want to thank everyone for coming out in support of the Overdose Awareness Day, I've experienced that in my family personally, so I can appreciate where you're coming from and I really do know it's hard. It's not the person, it's the disease. So, thank you for that. In the same subject matter I also have experienced the homelessness with a family member, the same one as with the drug addiction and I can say that while I agree with some portions of Mr. Romine's comments especially trash and the needles and all that kind of thing, I wouldn't put all Social Services in the same pot in terms of the programs and what they're offering because they're not the same. I can't speak to the Salvation Army or Vertical 196, I can speak to St Vincent Haven and I know that they care about the whole person and it's not just a hand out, food or shelter, they have to go through a program and I have really high respect for that organization and what they are trying to accomplish. I'm not saying I don't for the other ones. I'm just not intimately involved in knowing what the other ones do, but I don't believe that all social service agencies are putting good practices in place to actually have appositive end result. Feeding and housing is one thing, but that is not going to get success if there is not programming to help those individuals. So, we definitely have issues, I don't have answers, but we do care about those people and want to help them succeed. It's unfortunate that we see all of the negative aspects of homelessness in our community right now, but they are people and they need help too. I don't have solutions, but I feel it's something we need to take seriously and see how we can come up with a solution.

Mr. Houser – I want to thank the Mayor for his Proclamations.. The River Roundup, I've been involved with the last couple of years and it's a good event. I also want to thank BJ Varner and Tim Hickman for some signs by a residence, I appreciate that. Mr. Romine, I want to thank you for coming and sharing your comments, you definitely have some legitimate concerns.

President Ellington – I want to thank everyone for coming this evening, we certainly appreciate it. Our next meeting is September 6th, Committees at 5:45pm, Council at 7:00pm. Labor Day is almost here so have a safe and happy Labor Day. It's hard to believe that summer is almost over. Mr. Romine, I wish I

had some good answers for some of your questions this evening,, but I don't. we're here, we understand what you're saying and doing our best to work out something.

ADJOURNMENT Motion to adjourn by Mr. Harris, second by Mr. Rath , passed by acclamation

Don Ellington, President of Council