

COUNCIL MINUTES

September 19, 2022
Council Chambers
7:00 P.M.

President Ellington called the meeting to order

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

INVOCATION – Jeff Harris

PLEDGE OF ALLEGIANCE - Jacob Schwab from St. Francis de Sales

CAUCUS – Mr. Marmie, motion to excuse Mr. Labutis, Ms. Hottinger and Mr. Rine, second by Mr. Houser, motion passed by acclamation

RULE 11 To Be Considered

President Ellington – We will be considering these two items for Rule 11, tonight which means these two items were discussed in Service Committee but did not make it in time to be on the agenda, Rule 11 would be if Mr. Marmie okays that and the President agrees we would go ahead and consider that, Mr. Marmie has agreed, so Mr. Marmie, if it's okay, why don't we go ahead and do that now.

Mr. Marmie – Okay.

By: Mr. Rath

22-37 AN ORDINANCE APPROPRIATING THE REAL ESTATE KNOWN AS PARCEL # 020-041304-00.000, LOCATED AT CHERRY VALLEY 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. Marmie, motion passed 7-0

By: Mr. Rath, Ms. Bline

22-38 AN ORDINANCE APPROPRIATING THE REAL ESTATE KNOWN AS PARCEL # 054-246708-00.000, LOCATED AT WEST CHURCH STREET, 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 7-0

MINUTES of September 6 , 2022 - Motion to approve the September 6, 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 report for period ending August 31, 2022

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

COMMUNICATIONS

Spencer Barker – News Release 2022 Licking County Christmas Courthouse Lighting Fundraising Kick-Off

Trish Perry – Syringe Service Program (SSP) Fact sheet and information sheet

Keith Faber, Auditor of State of Ohio – Notification of filing of Auditor of State Report 1/1/21 – 12/31/21

COMMENTS FROM CITIZENS

Linda Mossholder, 224 Green Meadow Dr. – At the last council meeting I made a statement that was incorrect. Mr. Marmie did call me on that. I stated that the average rent for a 2 bedroom in Licking County is a little over \$1200.00, the average wage earner is \$12.96. I should have said the average renter in Licking County earns about \$12.96 per hour. This was stated by Deb Tegtmeyer in the August 21st article in the Advocate. The average renter in Licking County earns \$12.96 per hour or about \$2,246 per month. If they pay the average of about \$1,032 per month rent, that is 47% of their salary. She also said, 30% to 35% of monthly income is considered affordable, 40% if utilities are included, but lots are paying more than that. According to the 2020 census the percentage of renters in Newark was approximately 45.3%. According to citydata.com the 2019 residents below poverty level 75.9%, residents above poverty level 36.6%. The estimated poverty rating recorded in the 2020 census was 16.7%. With the coming of Intel the situation has changed over the last 2 years. Robert Oneal, President and owner of real estate developer Southgate and a Grow Licking County board member said the County housing needs are great, especially multi-family housing.

There's a lack of apartments in the pipeline. I think the study that's being done makes a lot of sense. Hopefully it will not just look at single family, but multi-family residents. Many times multi-family residents leave to invest in single family, but there needs to be a starting point. I think multi-family is clearly way behind. Some of the local governments are just hard on apartments, they think of the old section 8 housing. I don't know how we impact that. How can we make them understand that this could be a real positive thing. I think it's a huge challenge, how does the City of Newark address this challenge.

Desiree Blake, 125 S. 2nd Street – I want to thank the Parks and Recreation for mowing the little park at the end of Fleek Street. That's real good so kids can go down there, I take my little ones down there, but I'd like to see some benches underneath that pavilion. Even if it's the ones with the cement benches so no one can take them, so me and other adults could have a place to sit down there, that's what I'd like to see. Thank you.

ORDINANCES ON SECOND READING

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

22-34 AN ORDINANCE ABOLISHING THE DIVISION OF TRAFFIC CONTROL WITHIN THE DEPARTMENT OF PUBLIC SERVICE; ABOLISHING THE DIVISION OF TRAFFIC CONTROL POSITIONS OF THREE TRAFFIC TECHNICIANS AND ONE TRAFFIC/STREET WORKER; CREATING TWO EQUIPMENT OPERATOR POSITIONS IN THE DEPARTMENT OF PUBLIC SERVICE STREET MAINTENANCE DIVISION; AND RECLASSIFYING AND AMENDING THE PAY RANGE AND POSITION AUTHORIZATION TABLES OF THE STREET MAINTENANCE DIVISION TO ABSORB THE REMAINING DIVISION OF TRAFFIC CONTROL POSITIONS

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

Mr. Lang – I understand from our Law Director and HR Director there were some additional corrections we needed to make, so I would like to make a **Motion to amend 22-34 and replace it with 22-34-A**, and I'd ask Mr. Spurgeon to just briefly summarize the updates to it.

Bill Spurgeon, H.R. Director – We wish to combine our efforts so we can prioritize Street Maintenance. We discovered through collaboration with our Auditor and Law Director's Office that the previous legislation which combined those divisions, still mentions Traffic Control. So, that's the number one strategy of this amendment. Number 2 is the Auditor found some legacy positions, a crew leader and a technician, which we wish to reclassify as a part of this amendment as well. I would urge your support, we want to pave patch and plow, so thank you.

Second by Mr. Barker, motion to amend to 22-34-A passed 7-0

Motion to adopt 22-34-A as amended passed 7-0

ORDINANCES ON FIRST READING

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

22-35-A AN ORDINANCE AMENDING THE DEPARTMENT AUTHORIZATION TABLES OF THE CITY OF NEWARK DEPARTMENT OF ENGINEERING AND ZONING AND CREATING THE POSITION OF

DEVELOPMENT ENGINEER AND SETTING THE COMPENSATION THEREFORE

Held until 10-3-22

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

22-36 AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 26 VINE STREET, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID #054-192246-00.000 FROM THAT OF SINGLE FAMILY RESIDENCE, RH-HIGH DENSITY DISTRICT TO HB – HIGH INTENSITY BUSINESS DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO

To be referred to the Planning Commission

RESOLUTIONS ON SECOND READING

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

22-73 APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$24,980.00 -Check received from PERSCO for a cruiser totaled in a crash was deposited to 100.203.4921-misc. reimbursements, would like appropriated to go toward a replacement cruiser)

Motion to adopt by Mr. Marmie, second by Lang, motion passed 7-0

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

22-77 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO TO PROCEED WITH THE STEPS NECESSARY TO DESIGNATE A PORTION OF ALLEY RUNNING WEST FROM NORTH 4TH STREET IN THE DOWNTOWN AREA AS LEWIS E. CLAGGETT WAY.

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

Mr. Rath – Motion to amend 22-77, to include a section of street North of South Second Street and East of Walnut Street as Sarah Reese Wallace Way. Second by Mr. Harris, motion to amend passed 7-0; Motion to adopt passed 7-0

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

22-79-A A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE FOR THE CITY OF NEWARK, OHIO, TO NEGOTIATE AND ENTER INTO A PURCHASE AGREEMENT WITHOUT COMPETITIVE BIDDING WITH PARK NATIONAL BANK FOR THE LEASE-PURCHASE OF FIVE (5) VEHICLES.

Motion to adopt by Mr. Marmie, second by Mr. Lang, motion passed 7-0

RESOLUTIONS ON FIRST READING

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

22-80 A RESOLUTION APPROVING THE EXECUTION OF A FIRST AMENDMENT TO THE PATASKALA CORPORATE PARK JOINT ECONOMIC DEVELOPMENT DISTRICT CONTRACT

WITH THE CITY OF PATASKALA AND THE TOWNSHIP OF HARRISON.

Held until 10-3-22

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

22-81 Exp APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION \$2,500,000.00 and the 623 Water Projects Fund in the amount of \$2,340,000.00 total of \$4,840,000.00 (Note Re-Issue/Funds for Thornwood Booster Project from Note) (\$14,980.00 -Collected more than anticipated on property taxes/Additional money needed to pay schools per TIF agreements) (\$16,000.00 -Fuel Prices)

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

Mr. Marmie – We have some items that we need to pay the bills immediately and also we have funds in a Tif agreement that we need to make sure they get their funds as soon as possible.

Motion to waive 2 day reading rule passed 7-0

Motion to adopt by Mr. Marmie, Second by Mr. Lang, motion passed 7-0

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

22-82 APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$7,532.27 -Additional monies needed for Hillview Elementary drive extension) (\$100,000.00 -Rising Chemical costs at Treatment Plant) (\$153,457.00 -Update for billing system software) (\$4,010.00 -we rec'd a check for \$4,010 from CODE TF for a seizure in a drug case. The check was deposited to 100.203.4518 seizures & forfeitures, we're requesting it be appropriated as stated to make a weapons purchase)

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

Mr. Marmie – We have an item in here that we need to pay a bill for as quickly as possible, so we are also expediting this.

Motion to waive 2 day reading rule passed 7-0

Motion to adopt by Mr. Marmie, second by Mr. Lang, motion passed 7-0

By: Mr. Marmie, Mr. Barker

22-83 A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

Held until 10-3-22

By: Mr. Barker, Mr. Marmie

22-84 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE FOR THE CITY OF NEWARK, OHIO, TO ADVERTISE FOR BIDS AND ENTER INTO A COOPERATIVE AGREEMENT WITH THE DEVELOPERS OF THE LANDING AT NEWARK STATION APARTMENT DEVELOPMENT, SUBJECT TO THE APPROPRIATION OF FUNDS, FOR ROADWAY IMPROVEMENTS TO WEST MAIN STREET AND SOUTH 11th STREET.

Held until 10-3-22

By: Mr. Barker, Mr. Marmie

22-85 A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO PREPARE AND SUBMIT APPLICATIONS TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENTS PROGRAM AND TO EXECUTE CONTRACTS AS REQUIRED.

Held until 10-3-22

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

22-86 Bridge maintenance work on various structures on LIC SR 16/SR 79 Coordination note with PID 98279 (LIC-79-13.30). ODOT will complete maintenance and rehabilitation on 22 structures along State Routes 16 and 79 within City of Newark.

Held until 10-3-22

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

22-87 Resurfacing with related work. ODOT will complete resurfacing (mill and fill) along State Routes 16 and 79 in cities of Heath and Newark.

Held until 10-3-33

COMMENTS FROM CITIZENS

Daniel Crawford, 163 S. Second Street – Nice to see you Don, last time I was here you weren't here. Forgive me I'm operating on very little sleep because for whatever reason my body wouldn't let me sleep. I was going to say that here recently I've seen the news, that of course everyone else has that a set of Governors sent some poor immigrants across the country to Washington D.C as a political message, which was deeply unfortunate. I wish this was something you only see on one side of the aisle because while that particular move was something we saw on one side, we've also seen, referencing the homeless, places like Hawaii sending their homeless back to the mainland. That kind of reminds me of the whole discussion from last council meeting about people being bussed into the city from outside of Newark. Now, I don't know whether or not that's happened here, like I said before, I just haven't seen evidence of it, but if it does exist, then obviously those communities sending them here should definitely be addressed. However, I think in all of this discussion and this whole thing about bussing the homeless has been happening all across the country for a long time I remember reading articles about it. Usually the bigger cities send them around, whether it's Democrats or Republicans, Independents, it's just repulsive. I think what's lost in all of this is the humanity of the people who are being shipped around. Immigrants, homeless, whether native Americans or undocumented, regardless they still deserve to be respected as humans. When we have these discussions about this we forget to talk about the needs of people, human beings in general that still need to be addressed. So, sometimes, not saying the people here, but sometimes when people reference homeless people being bussed in from out the city, they're using that as an excuse to say we shouldn't help these people because they aren't from here. We just need to remember that they are still human at the end of the day.

MISCELLANEOUS

Bill Spurgeon, HR Director – Quickly I wanted to thank the Council for the support on 22-34 as amended, but certainly wanted to thank our Director of Law and the Auditors Office and our business partners, it's been a collaboration and I appreciate them helping us.

Tricia Moore, Law Director – I would be remiss not to thank Mr. Spurgeon for his help on the legislation, we spent quite a bit of time on this. I want to give a shout out to the troops from St. Vincent De Sales, my home Parrish.

Mr. Rath – I'll call a Service Committee Meeting for October 3rd.

Ms. Bline – Thank you for coming you all. It's very refreshing to see you here and I'm grateful. I want to thank our Law Director for attending our South Newark Community meeting. We spoke about possibilities with the upcoming sound ordinance as well as past legislation written there and she brought great clarity and people, I know I appreciate it as well. Thanks to our Street Department, they fill potholes and do things none of us can do by ourselves. I want to thank John Spring from AEP and David Rhodes for giving permission to hang some lights around the city in needed places.

Mr. Harris – I just want say the Civil War Echoes of Heros Friday night at the cemetery was really good, pretty well attended, and the cemetery guys did a nice job of getting the cemetery together, it looked really nice. I want to thank the troops for coming in, if you guys are here to get your badges, I think you need to get 3 or 4 to sit here for this boring meeting, so thanks for coming guys.

Mr. Houser – Just a couple things, I want to echo Mr. Harris' comments about Echoes of the Past, the cemetery looked great. Also, I was able to attend with Councilman Barker, the Look-Up Center ribbon cutting. They did a \$500,000 campaign to build a new building and do a lot of improvements to that facility, so that was great. They do a lot of great things out there. They have a dental and vision clinic, they've recently done over a million dollars in service at their dental clinic so that's been a great asset to the community, they also have a skilled trades program, they have a lot of programs out there. That was great to see and congratulation to Lori Hubble on all her great work there.

Mr. Lang – I wanted to mention the ribbon cutting for our new pickle ball courts, which I am really excited are finally open. I see Director Rhodes in the back, we're going to play soon, I'm getting my racket and getting ready, so looking forward to doing that. This Friday, September 23rd at noon there will be a ribbon cutting. It's in front of the Lou Gib Reese Ice Arena if you haven't seen the courts being built there, they look fantastic and I want to thank Director Rhodes for all of his efforts to help raise funds for that without a whole lot of investment from the City and that was due in large part to his efforts on that, so really excited to have some new recreational items and looking forward to having that open.

Mr. Marmie – I will call a Finance Committee meeting for October 3rd. I want to thank the troops for coming out and watching part of your government at work, I don't know what you thought of it, but as everyone else has mentioned, it's a little bit boring at times. The other thing is, a lot of the things we

talked about this evening, we've already talked about in Committee and we have a lot more dialogue with folks in our committee meetings. So, not that you have to come back for those, I just wanted you to know that a lot of the dialogue and discussion and back and forth happens in our committee meetings, but thank you very much for attending. I just want to make a couple comments, Ms. Mossholder has indicated about the need for more rentals within the city limits of Newark, you know the City of Newark needs to do something to help address it. The City of Newark, of course, anytime a developer comes to us and wishes to have rezoning, we always take that into consideration and with the property owner rights, we have passed some of those very recently, there's going to be new rentals going up around the Walmart, the entire downtown if you look around, the lofts that are coming in, there's more expansion that's going to take place as far as rentals coming downtown. The City of Newark is very active and very vibrant as far as helping, what we can do with the private sector and helping them and encouraging them to do that. I think it's been fantastic as far as what we've seen with the expansion of that in the most recent past and the very near future it's really going to explode even more. So I applaud the City of Newark for our part in it, it's not a large part that the City takes part in, but it is a small piece of it because it's the developers, it's those folks that are willing to put their hard earned dollars out there to invest in order to have those rental properties and we appreciate those folks too. I'm excited about what's happening now and what's going to be happening in the future as far as those properties.

President Ellington – I noticed a couple of Scout Leaders made a face about that comment for coming back. I'd like to thank the Scouts for coming, you guys were great, very attentive, thank you , appreciate you coming and hope you get a good badge for that. I stopped out at the pickle ball courts today, really looking nice, they look great, you did a very nice job and that was a very nice City/private partnership that we've got to do things in this city and we are very fortunate. Thanks Mr. Rhodes for putting that all together. I would like to thank everyone for coming, everyone who spoke, we appreciate it, we appreciate you coming and being a part of your government. Our next meeting is October 3rd at 5:45 is committee at 7:00pm is full council and we will see you then.

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

Don Ellington, President of Council