

COUNCIL MINUTES

December 5, 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 – Mark Labutis

PLEDGE OF ALLEGIANCE - Tristan Presley, 5th grade Ben Franklin

CAUCUS

MINUTES of November 21, 2022, Motion to approve by Mr. Labutis, second by Mr. Barker , passed by acclamation

APPOINTMENTS

Mayor Jeff Hall - Appointing Veronica Patton to the Newark Community Improvement Corporation, known as Newark Development Partners, her 3 year term will begin January 1st, 2023 and will expire December 31, 2025

Mayor Hall - I would just say thank you. Most people are probably familiar with Ms. Patton, she's the Vice President of LMH and she has taken the spot and it will be a nice transition.

REPORTS OF STANDING COMMITTEES

Finance - **Received and filed without objection**

Service - **Received and filed without objection**

Economic Development - **Received and filed without objection**

REPORTS FROM CITY OFFICIALS

Roger Loomis, Water Administrator – properties being sent to lien for past due water, sewer and storm water bills in the amount of \$3,800.21 **Received and Filed without objection**

COMMUNICATIONS

Ohio Division of Liquor Control - New Application from Babas Grill LLC, dba Babas Grill, 19 S. Park Pl., Newark, Ohio 43055

League of Women Voters of Licking County - Assigning an observer to the Newark City Council

Columbia Gas of Ohio - 2022 Infrastructure Replacement Program

COMMENTS FROM CITIZENS

Jeri Good, 12 North park Place - I've been here before. I'm going to look at my card so I don't forget what I want to tell you. This is going on three years since I first came here to discuss downtown residential parking. So, it's still going on. It's really unnerving to think that the place where you live is telling you that you can't park where you live and how would you like it if somebody told you. I guess nobody that's making these decisions lives down here. I emailed a list of various cities throughout the country, in Ohio and all around, I emailed that to Mr. Dave Rhodes because that's who I had worked with in the beginning, showing that mixed use Commercial residential, no other city is restricting their citizens like Newark. No other city. I mean you can keep checking, I left one example here earlier this year, so I don't know what else I can give you. I just feel that people living downtown are not being given the same respect as other people where they live. I mention to friends and other people that I live downtown and they say what about parking and I explain it to them and they say I can't believe you are going through this. You try to make downtown a livable place but then you penalize us. I'm going to share whatever I've researched with everyone here, I'm willing to come to meetings and discuss it, I offered that in the beginning. But I haven't been contacted by anybody to come to a meeting. So, it's just disappointing that I keep going through this. So that's my parking issue. The other thing is maybe a little lighter issue. Councilwoman Bline has been helping me. Downtown, the Courthouse, the music is sometimes off the charts. Now it's a little better, but the beginning of last week you could hear it probably 6,7,8 blocks away. People thought people were playing loud music in their home, they realized it was the Courthouse and felt bad for me because I live down here. It's not as loud now but just sporadic as far as when it comes on and goes off. It would be great if it was like 9am - 9pm. The other night I thought it was working fine then it came on at 11pm and went to 4am. So, I'm hoping that can be fixed.

President Ellington - Ma'am if you have any information if you would email to our clerk she will get it to everybody. Janine what would your email be?

Janine Paul - janinep@newarkohio.net

Dave Lipstreu, 40 N. 40th Street - I am the League of Women Voters designated observer.

Steven Smith, 237 Violet Ct. - There was a piece on WOSU radio that says there is a spike in overdoses in Licking County this year. I feel this is a crisis, it needs to be addressed and there's a lot of misunderstanding and bad information out about how to address it. Substance Abuse and Mental Health organization of Health and Human Services promotes the use of harm reduction protocols as a means of getting people off of substance abuse and other sort of harmful practices. They have good results in these sort of tragedies. These include a number of practices including the supply of sterile needles. It's part of their counseling and getting people into programs to limit their use of harmful substances. We're continuing to have this problem in Licking County and I think that it's a disaster for us and I think it's something that you really should be taking seriously at all levels in the City and County.

ORDINANCES ON SECOND READING

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

22-45 AN ORDINANCE AUTHORIZING AND DIRECTING THE NEWARK CITY SAFETY DIRECTOR TO CERTIFY TO THE LICKING COUNTY AUDITOR, THE SUM OF \$440,515.00 INCURRED BY THE

NEWARK CITY PROPERTY MAINTENANCE DEPARTMENT WITH RESPECT TO PROPERTY MAINTENANCE VIOLATIONS TO BE PLACED AS A LIEN UPON CERTAIN PARCELS OF REAL PROPERTY SITUATED IN THE CITY OF NEWARK, OHIO.

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

ORDINANCES ON FIRST READING

By: Mr. Barker, Ms. Bline, Mr. Labutis, Mr. Houser

22-47 AMENDING ORDINANCE NO. 06-61 TO INCLUDE ADDITIONAL PUBLIC INFRASTRUCTURE IMPROVEMENTS RELATED TO AN EXISTING TAX INCREMENT FINANCING EXEMPTION IN THE CITY OF NEWARK, OHIO GRANTED PURSUANT TO SECTION 5709.40(b) OF THE OHIO REVISED CODE (MT. VERNON ROAD TIF) AND AUTHORIZING A SUPPLEMENT TO THE REVENUE SHARING AGREEMENT WITH NEWARK CITY SCHOOL DISTRICT

Held until 12-19-22 for second reading

RESOLUTIONS ON SECOND READING

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

22-101 APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$442.45 - Appropriate Funds back into Overtime from Special Duty Coverage of Hockey Game)

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

RESOLUTIONS ON FIRST READING

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

22-107 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE REPLACEMENT OF THE ROOFING SYSTEM ON THE INFLUENT PUMP STATION AT THE WASTEWATER TREATMENT PLANT.

Held until 12-19-22 for second reading

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

22-108 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. Lang

Mr. Marmie - We have some money that needed to come back, we had some SCRAM Units that were damages so we always want to put that back in so we can purchase right away, also we had some grant money that came in and we want to make sure we get them that so they can use it this year.

Motion to waive 2 day reading rule passed 10-0

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

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

22-109 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 WEST MAIN STREET BETWEEN 6TH STREET AND 3RD STREET IN THE DOWNTOWN AREA AS HERBERT J. MURPHY JR. WAY

Held until 12-19-22 for second reading

COMMENTS FROM CITIZENS

There were none

Miscellaneous

Tricia Moore, Law Director - I would like to wish Jeff Rath a happy birthday, so you mind if I say the age? Big 60, so congratulations. I also wanted to give congratulations to Newark Catholic Football team, their season may be ended, but they had a fantastic season, so congratulations to them. Spencer thank you for the Courthouse it looks pretty and I appreciate all of your work on that as well. Jeri, the Courthouse music is the County, so we do not have control of that, but I believe it has been communicated to them.

Mayor Hall - The Courthouse looks great and we had a great Courthouse lighting with thousands of people downtown and the weather was nice and Santa Claus did a nice job of stopping in Newark for just a little bit. I appreciate the activities this time of year, we attended the Newark-Granville Symphony Orchestra at the Midland this past weekend, it was just short of 1,000 people, so it was quite crowded and very nice holiday spirit, the Heisey Wind Ensemble is coming this weekend, also holiday spirit, so a lot going on. Also Kenny G is sold out this week at the Midland, the community looks great and with that I look forward to our upcoming last meeting of the year.

President Ellington - I would like to add, I had on my list someone is having their 16th birthday, I thought that must be Mr. Houser, I noticed I must've misread it that's 60. Whoever is having their 60th birthday in a couple of days should probably raise their hand so we can recognize you for it.

Ms. Bline - Ms. Good I know we've spoken several times and I've contacted the County on multiple occasions concerning your complaint and other complaints concerning the sound, so you say it is improving, I will convey that to them again tomorrow and let them know. As far as meeting on parking, I have gotten calls from other residents and they would like to convene after the first of the year, they will let me know. I would like to thank Mr. Loomis and his wonderful crew at the water department for approving, I call it a lateral stent, from Miller to keep the flooding down there. I really appreciate that and the residents do too. I'd like to thank Property Maintenance for bringing into compliance a couple of residences on 6th, Weiant, Wherle and Iron, it's a big deal. It means a lot to the residents. I really appreciate Property Maintenance and their hard work, they do a tough job and they're good at it. There's going to

be a community meeting this Thursday, 12/8 at 7pm in the Ben Franklin cafeteria on homelessness in the City. It's going to be short, only from 7-8pm, as much as I talk here, I keep short meetings, so anyone is welcome to come. I would like to thank the great crew working on the East Street Park. People have asked why are they tearing into that place. Because no community, no mother and father should have to go out and pick up needles before their kids go out to play. They should not have to patrol and pick up things that are left that are harmful to their children, therefore the children can enjoy that park. So I'd like to thank our crew leader there and all those who have given selflessly of their time to help secure that area. I'd also like to thank Moundbuilders for considering putting gates back up on their site as there have been some activities there that are counter-productive for those living in that vicinity. And as to needles, speaking of boundaries, borders matter.

Mr. Harris - I want to thank Tristan for coming in and doing the pledge, he was really excited to do it tonight so I appreciate that. I want to invite everyone on January 16th to the Martin Luther King breakfast and it will be the first biggest snowfall of the year. Every year. That will be at the Reese Center and start at I believe 7am. If anyone wants to sponsor or get a table just let me know.

Ms. Hottinger - I would wish Councilman Rath Happy Birthday early. I also want to thank Tristan, the audience couldn't see his face when he was doing it he was so excited. wouldn't it be nice if we were all that excited to say the Pledge of Allegiance for our country. He did a great job and that was exciting. I want to thank Spencer on the Courthouse lighting, I know you had some challenges, but you really couldn't tell. At least from our perspective in the crowd it was great, a wonderful Santa, the music was wonderful, the weather was actually very nice, so you had it all organized, congratulations and I appreciate you and your committee doing that.

Mr. Houser - I'd like to thank Auditor Bubb for keeping us well informed through the Budget process, it was my first time doing it and I appreciate him making himself available for any questions.

Mr. Labutis - I'd like to wish Mr. Rath a happy birthday early and also like to congratulate Mr. Barker on the Courthouse lighting everyone had a good time.

Mr. Lang - I'll wish Jeff a happy birthday as well. I'd also like to thank our Law Director for setting up time for a few of us to meet with the folks from FLOCK and go through the contract. I will say they were receptive to walking through the contract, looking at the issues that we had raised. Not sure we're going to get everything that I would hope to have in the contract, but it was promising that they were at least willing to work with us and I'm hopeful that we'll at least nip around the edges a little bit and perhaps get some terms in place that are reasonable and that we can live with. I want to thank the Law Director for setting that up and for her time and efforts to listen and pass those comments along.

Mr. Marmie - I need to call a Finance Committee meeting for December 19th. I want to wish Mr. Rath a happy birthday this Wednesday and then Mr. Houser this Saturday so, happy birthday to

both of you this week. I just want to piggy back on what Councilman Lang talked about as far as meeting with FLOCK, they were so receptive. I mean we thought we might go in there, so helpful. They actually thanked us for bringing things to their attention and I want to say this guy here, he knows contract language. So, very very helpful along with the Law Director and it was just so pleasant working with them and they understood all the concerns and literally most of their comments were, you know we know what we mean, but yet it doesn't say that in the contract, so we understand. So, it was very good to hear that and I came out of that meeting feeling good and so I want to thank the Law Director also for setting that up. It was greatly appreciated. Downtown parking, we've been trying to address that for years. We try to come up with something that is fair and equitable for everyone. I know that if we don't have restrictions then what happens is employees park there then the merchants are upset or else the residents park there and the merchants are or the merchants folks park there, residents are upset, so I think it's one of those things where it's first come first served that we just get a free for all and then sometimes it blocks everything I think that's why some of the parking is the way that it is. Now, I do know that we're trying to address that actually in some various ways, an additional parking garage hopefully in the future we're hoping will help with the situation, some other things and maybe even down the road another parking garage, so it is something that is being looked at, it's not an overnight fix though, but I will tell you that folks are listening and it's being addressed even into the future not just for today. So, I appreciate you coming and voicing your concerns and I think no matter what if there are good ideas, the City always listens. So, I appreciate you coming.

Mr. Rath - First I'll call a Service Committee meeting for December 19th. I wanted to bring everyone's attention to this. WCLT program Director "Wild Walley" Schneider is doing what he can to make sure nobody goes hungry this holiday season. He will be on the radio anchoring a 12 hour food drive and broadcast at Coughlin-Chevrolet-Kia of Newark. Beginning Saturday morning December 10th at 6am residents will be invited to drive by and drop off any non-perishable food items or make a cash donation to the Food Pantry Network of Licking County. Taking care of families at the holidays pretty much clears the Pantry shelves, he added this effort will help them restock so they can keep on helping those in need. That's this Saturday 6am-6pm at Coughlin Chevrolet in Newark. I sent this email to everybody on Council. I'll challenge everybody, it says here \$25 feeds a family of four for a week, I'm not sure what level I'm, going to give it will be at least that, I challenge everybody to match that, if you can do better great. Mr. Houser, happy birthday. Mr. Waldren, if you're out there watching this I always wish him a happy birthday because we share a birthday, so Tim Waldren wherever you are happy birthday.

Mr. Rine - I just want to wish you two happy birthday.

Mr. Barker - Thank you everybody for your kind words on the Courthouse lighting, it was a bit of a challenge this year, but I also want to make sure that we thank the NFD who every year

bring in Santa to downtown and I think some of them sometimes fight to see who's going to drive Santa in, is what my understanding is, they may play rock, paper, scissors sometimes to figure out who's doing it, but they do a great job, we always have a smooth Santa delivery, so we can't appreciate them enough. Also, want to say thank you to NPD. This year had the most security ever at that event. We've been working on our security plan over many years just because of how many people come into the downtown to the point I had to dig through my center console and find my city badge just to get on the square, so we're going to be working on that next year to get committee members in, but again can't thank NPD as well as NFD enough keeping everybody safe that night and in accordance with County EMA as well. I want to address the carillon, as some may not know, that is actually a memorial to my Dad when he passed away and so it's been installed for about 8-9 years next year and we've never had any issues with it until this year. I don't really know what is drawing on that, we've talked with the County they are working on adjusting it to meet the noise ordinance times, they also know of an issue which we found on Friday where the clock tower was reporting the wrong time and the clock tower is what controls what time it starts playing, that has all been addressed. The County Commissioners Office handles all of that with the carillon and the top part of the tower lighting, so we'll be having further discussions with them. Running from 11pm - 4am is a new one, I hadn't heard that, so we'll definitely address that with the County tomorrow. I want to say happy birthday to Mr. Rath and Mr. Houser and I would be remiss Mr. Mayor if I didn't say Happy Anniversary to you and Helen. She let me know tonight she was coming here to spend some time with you because you have been so busy and today is your anniversary.

President Ellington - I would like to thank everyone for coming this evening we appreciate your attention.

ADJOURNMENT

Motion to adjourn by Mr. Houser , second by Mr. Rath, with that we are adjourned

Don Ellington, President of Council