

COUNCIL MINUTES

March 20, 2023
Council Chambers
7:00 P.M.

President Ellington called the meeting to order

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

INVOCATION – Mr. Labutis

PLEDGE OF ALLEGIANCE - Kaelyn Firestone, 1st grade, Blessed Sacrament

CAUCUS - Ms. Hottinger - I will need to abstain from Resolutions 23-18 and 23-19

MINUTES of March 6, 2023, Motion to approve by Mr. Labutis, second by Mr., Harris , passed by acclamation

APPOINTMENTS

There are none this meeting

REPORTS OF STANDING COMMITTEES

Finance -**Received and Filed with no objections**

Service-**Received and Filed with no objections**

REPORTS FROM CITY OFFICIALS

City Auditor, Ryan T. Bubb – Operating report for period ending February 28, 2023

Brenda Cooper, Tax Administrator’s Office – Income Tax Revenue Reports for period ending February 28, 2023

Roger Loomis, Water Administrator – properties being sent to lien for past due water, sewer and storm water bills in the amount of \$5,782.92

All received and filed without objection

COMMUNICATIONS

Ohio Department of Liquor Control - Transfer liquor application from Newark BBQ LLC, 5 N. 3rd St., Newark, Ohio 43055 to Five North Third LLC, 5 N. 3rd St., Newark, Ohio 43055

Received and filed without objection

COMMENTS FROM CITIZENS

Rochelle Volen- Smith, 237 Violet Ct. - I would like to say I’m kind of pleased with the City’s position as of the last time it was discussed on the gambling issue. Since then I heard a really good program on WOSU with more on that issue. One thing that was discussed was that the goal is not just about these

skilled sort of things, but the goals after that. Those seem to be toward things like sports betting online and other gambling issues because they're the bigger money makers. I think the public needs to be aware of that because especially in these times the public is very vulnerable and it's going to continue to be. So, I think we need to be vigilant.

ORDINANCES ON SECOND READING

There were none this meeting

ORDINANCES ON FIRST READING

There were none this meeting

RESOLUTIONS ON SECOND READING

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

23-17 APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$2,500,000.00 -Note Re-issue) (\$759.09 Appropriate Funds from reimbursement of Overtime from Licking County for Hazardous material response)

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

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

23-18 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE FOR THE CITY OF NEWARK, OHIO, TO ENTER INTO A LEASE AGREEMENT WITH PARK NATIONAL BANK FOR THE LEASE-PURCHASE OF ONE (1) MEDIC UNIT FOR THE DIVISION OF FIRE

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

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

23-19 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE FOR THE CITY OF NEWARK, OHIO, TO ENTER INTO A LEASE-PURCHASE AGREEMENT WITH THE PARK NATIONAL BANK FOR THE PURCHASE OF TWO(2) SNOW PLOWS

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

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

23-20 A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AMENDED AGREEMENT WITH THE NEWARK DEVELOPMENT PARTNERS AS ITS AGENCY AND INSTRUMENTALITY FOR COMMERCIAL DEVELOPMENT IN THE CITY OF NEWARK

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

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

23-21 A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE NECESSARY PAPERWORK TO HAVE THE CITY OF NEWARK, OHIO, JOIN THE MID-OHIO REGIONAL PLANNING COMMISSION

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

Ms. Bline - I'm wondering there are three representatives to be chosen to present Newark's mandate to the Mid-Ohio Planning Commission, do we know who they are yet?

Mayor Jeff Hall - We don't exactly because I need to clarify that count number one and two they have some recommendations, somebody from transportation, somebody from public works, myself as the highest ranking elected official, I'll keep you updated.

Motion passed 10-0

RESOLUTIONS ON FIRST READING

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

23-22 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR THE OFF-SITE DISPOSAL AND BENEFICIAL REUSE OF BIOSOLIDS FROM NEWARK'S WASTEWATER TREATMENT PLANT. **Held until April 3rd, 2023**

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

23-23 APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$7,088.28 -Appropriate funds from Gov Deals sales into the computer hardware/software account to upgrade/replace station computers)
Held until April 3rd, 2023

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

23-24-A A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO TO APPLY FOR, ACCEPT AND ENTER INTO A WATER SUPPLY REVOLVING LOAN ACCOUNT AGREEMENT ON BEHALF OF THE CITY OF NEWARK FOR PLANNING, DESIGN AND/OR CONSTRUCTION OF LEAD SERVICE LINE REPLACEMENTS AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN AND DECLARING AN EMERGENCY.

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

Mr. Rath - The reason for the emergency clause on this is to meet the loan deadlines.

Motion passed 10-0

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

23-25 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF NEWARK, OHIO, TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACTS, SUBJECT TO THE APPROPRIATION OF FUNDS, FOR REPLACEMENT OF LEAD SERVICE LINES WITHIN THE WATER DISTRIBUTION SYSTEM FOR PROJECT YEARS 2023-2027 **Held until April 3rd, 2023**

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

23-26 Exp APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$68,713.48 -City Hall Lobby Improvements)

Motion to waive the two day reading rule by Mr. Marie, Second by Mr. Lang

Mr. Marmie - We need to expedite this, this is a bill that is due for the entrance here to City Hall and we need to expedite this so we can get that paid.

Motion to waive the two day reading rule passed 10-0

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

COMMENTS FROM CITIZENS

Chief Eric McKee , Newark Police Department - I wanted to give you a little update about what we have going on because you appropriated a bunch of projects for us last year. Almost every single one is completely enacted right now, Chief Riley is taking a long two week vacation as a result. Just to give you where we are sitting currently here year to date. Currently we have 68 officers, we just swore in 2 a week or so ago. We're going to be hiring 5 more soon. You guys appropriated money for 4 of those and 1 that's a lateral, he's going through some medical testing right now and then he'll be hires as soon as we possibly can once he's cleared through medical. So, that will give us actually a full staff for a really short period of time. Don't get too excited because we have somebody retiring April 15th. Then we'll be back down one. We'll be working with Civil Service to get a new list and test in place. Currently we don't have any applicants because of that, that process takes a little while. We're trying to work with them to streamline that as well. We are going to be applying for the COPS grant, they put that out again, so hopefully we can get some officers through that, you guys are familiar with that it's very similar to the SAFR grants. Barbara would have more information for you but I do know the deadline for that is May 11th, we have been working with her to give her the information she needs to apply and get that done. We haven't been following it because we just don't know at this time, I'd like to see us get several officers off that if we possibly can. Total calls for service in 2022 was 47,000 and some change, so as you can tell, for having 51,000 people we're pretty busy her in the City. Just to give you some examples of some of the stats, responded to just over 1500 car crashes, made just under 5,000 traffic stops in the City, issued just over 1,000 citations, about 700 parking citations which the SID and NDA cover that, total domestics in our City, I know we've been working on a domestic violence task force, we had 1,427 domestics in our City, so that keeps us pretty busy, when you think about a domestic for us is a two person call, so that ties up two units right there and if you have multiples in a day, which we usually do, it ties up our people pretty quick. I told you when I first became Chief I wanted to modernize our department as best we can, try to make it more efficient for our officers. So, some of the technological advancements we did, we brought the online reporting system in which you guys appropriated, it didn't go live until September of last year and from September until December 31st, 315 calls for service were handled just by that system alone. So, that means and officer

doesn't have to respond right away, we follow up on it, it could be a call where there is no suspect, somebody wanted it for insurance purposes or just to report something to us. This year to date we've taken 260 calls with that system, so if we keep going that is a significant change, it's a change I was hoping to free up our officers and get them out on the street more instead of handling some calls with a little bit more minutia. The backside of that is what's called Request a Report, so it's a public records management system, we get a lot of public records requests in our department. So, it's an automated system that handles all that and tracks down to the second who filled it, when it was filled, it has a lot of legal ramifications and safeguards in place for us that we can actually tell people any record was done on this date and time. Same thing people can contact in with that system and get their own reports. We got new radios, the robot and drone program are up. We actually used our drone the other day to help look for a missing child in Moundbuilders Park, so that's been pretty successful. Our officers are carrying those on dayshift right now but we have 5 pilots, they had to go through a major school actually, they're considered pilots to fly drones commercially, so we have those available, if the Fire Department they need to use it or other City entities to use those. Tracking which is a document management system for us, we have a lot of paper going up and down and we're kind of getting away from that so this tracking system monitors everything. If you want to create a document now you can put it in there and now it's searchable. So, it is completely user friendly and will lead us into the future way ahead of where we were. Body camera program and cruiser cams are all done, they are all deployed, I have mine here, Mr. Rath. So, everything gets recorded. Out in the community too our officers have really embraced the community aspect that we've been putting out. You guys have seen our e-bikes, we hope to get those out a lot more this summer, we got them a little late last year, hopefully you did see them, they were at festivals, they were integral at the Court House lighting, once the Court House was all lit up people were kind of trapped in the square, the bike patrol handled getting all those people out safely and tried to control the crowds a little bit so nobody got injured. Actually watching that in action was pretty neat that was why we got those and people interact with those officers. It's very unique seeing them come up and interact with them, a little bit more approachable for whatever reason I guess outside of a car. So, that's been successful. Our RAD Program which stands for Rape Prevention Defense is really sort of a self defense program, Law Director Moore is part that she is an instructor, that has been a huge success and it tag teams into the next thing, we created a group at our department, we actually have a lot of women officers at NPD a significant more ratio than most departments, so women in law enforcement have unique challenges that men do not. So, we created a group at our department it's Women in Law Enforcement, we have them meet, we send them to training, they meet with local leadership, just to discuss what they have going on in their lives that's different than ours and that's actually been a really big success down at our place with those officers, they're doing an amazing job with it and they are running it, they enacted it, they run it and it's doing very well.

You may have seen at least on our Facebook, we had the battle of the badges softball game against police and fire, fire won, but it was West Licking, but that raised several thousand dollars that our officers went around and actually were buying sports equipment, back packs, coats and stuff and they distributed that out to local schools here just this last week. So, that program was a real big success, same thing two of my detectives came up with that they pushed it they ran with it, they did everything with it. We had our community day, most of you guys were there, Mr. Harris won the sprint competition for that day. We got him on laser to see how fast he could run, 9mph, that's actually pretty fast, I'll give you some kudos. I think a 9 year old beat you, but it's okay. Cookies in schools, we have some officers that go out and buy cookies and they take them to schools on a regular basis, so we have a pretty tight network with Newark City Schools, obviously they invite us in any time they need to, but our officers are making it a point to stop there as much as they can just to interact with the kids. Piggybacking on that with Newark City Schools, we assisted over 90 children and families with Christmas with COPS up at Walmart. We go shop with the children they buy gifts for their family and we give money to the family to buy gifts for the child. Our officers like to do that, almost our entire department gets up there, it was on a Wednesday training day so we had all those people in, we did multiple sessions in order to get those kids through. Then those of you who go to the neighborhood watch group, you see our CIU officers, although I'd rather have them out on the street taking calls, I think it's vital for them to be out in the community, they're also the ones who are handling most of the traffic and speed complaints, so we have a couple officers and also a school resource officer involved in that, so they'll keep going to the neighborhood watch groups giving you onsite information or anything you need. Our fleet, for the first time in my career, is the best that it's ever been. Special thanks to Director Rhodes and the Service Department for updating that, you folks are appropriating the money and we've developed a viable replacement plan for the future that will last at least as long as I'm here. We're using hybrid technology for our vehicles, you may not have known that, but almost, right now, I would have to say at least 75% of our fleet is the hybrid, so in the first year that we had them we saved 20% on gas in just those vehicles alone. Now that the gas price is up it kind of evens out, but at least we hit our budget instead of being over, so that's good, but when gas comes back down that technology will grow leaps and bounds for us. The all of this wouldn't be possible without the relationship we've fostered with each of you, we talk to each of you as much as we possibly can keeping you informed. The City Administration the same thing, working with the Mayor, the Law Director on a daily basis. So the Division of Police would like to thank you for your support moving forward.

President Ellington - Nice report, thank you, does anyone have any questions about his report?

Rochelle Volen- Smith, 237 Violet Ct. - Because it's the beginning of spring I've decided to get myself a lot more buff, I know it's a miracle, but anyway I started last week taking a walk from the downtown area to my own neighborhood and got to explore a bunch of the sidewalks and

the streets in the process. It involved daylight and dark because it took me a long time to get back home. Anyway, I found the lighting isn't so great and the streets particularly around Main Street north and south have a lot of rough passages and lack of sidewalks, a lot of mud, which make it really difficult for a walking neighborhood. I do have to say that I noticed that Mr. Housers' and Mr. Rines' areas there has been a lot of work on sidewalks and I really appreciate that because I do intend to walk a lot of neighborhoods. So, a reminder that one of the worst areas in terms of that was as I got closer to home. There are some unfinished projects and it's been going on for about 3 years that are still incomplete. Particularly on 40th Street and Main Street. The other thing is, I've had to report some phone calls that I and a lot of seniors have been getting along political lines. They seem to be asking for information on voting and asking for money and mention an awful lot of political figures. I'm surprised at this and it does seem to be Spammish, sort of corrupt, so I'm going to continue reporting these and I'm going to encourage other people to do so as well because this is dangerous, they are definitely looking to scam people.

MISCELLANEOUS

Mr. Houser - I'd just like to thank the police chief for his update it was good to hear about all of those good programs and Mr. Hickman, my condolences to his family.

Mr. Labutis - I too want to thank Chief McKee for a fantastic report, that's a full list, in addition to keeping the City safe as well, so kudos to you and all of the police for doing that. Mr. Hickman you will be in our prayer sin the coming days.

Mr. Lang - Chief, thank you that was a really great report. Any chance we can get an email of that list because I'm going to lose my notes, any chance we can get it electronically. I'm really excited about all the work you guys are doing and appreciate the relationship as well, so thank you.

Mr. Marmie - I need to call a Finance Committee meeting for April 3rd. Just a couple of comments, one, Chief I really appreciate the information and I love the fact that things are getting better, the improvements. I know the last election that I ran that was the number one thing citizens were concerned about was our police force and their ability to be able to secure the safety of our citizens and so that's just more information that we can pass along to folks, I really do greatly appreciate that.

Mr. Rath - I'm pretty excited about getting a new medic in and I find it very ironic that one the first day of spring we passed legislation to buy two new snow plows. Chief McKee I'm excited we're at full force if only for a minute, but we are nowhere close to the past, so kudos to that and glad you've got a great fleet going and even more impressed that we have a plan in place to keep it up where it is. In regards to the sidewalk on West Main, we've talked about that for years and we have a major sidewalk project that's scheduled and I imagine it's going to start sometime this spring. We passed legislation to fund that last fall. Condolences to Mr. Hickman and your family I'll be thinking about you. I'll call a Service Committee meeting for April 3rd.

Mr. Rine - I'd like to echo that Chief, I appreciate all you've done for the City. The culture that you're building in the NPD is par none, so I appreciate you very much. I have an update on the

Hollander Pool. April 5th we're looking at a grant for shade structures, that was sent to me by Parks and Recreation Director Chance Patznick, I appreciate her for that.

Mr. Barker - Director Hickman condolences on your loss, I understand completely how it is and your family will be in my family's prayers. Chief McKee, as everyone said, thank you, your leadership with the rest of the Deputy Chiefs has set the tone for the department and it's definitely being seen in the community. I know recently, Director Hickman helped me with this, a corporate company in the city reached out about the FLOCK cameras and wanted to know more and we got them connected with FLOCK directly and it looks like they may be purchasing the FLOCK cameras for their own private facilities, so that was great news to me as a win as one of the things we talked about initially when FLOCK came around, so thank you for that. One last thing I just have is I would hope, you know we're getting to the end of the first quarter, I know we've had one union contract approved, we have two others out there, I would hope that we as Council would have an update here soon on what the status of those two contracts are.

Ms. Bline - Safety Director I am sorry for your loss, we will be praying for you if you need to travel during this next month. I'd like to thank all of the community volunteers who have been coming out every weekend in different parts of south Newark to make improvements, some are important to their hearts some they just want to take care of the other people in the neighborhood and that means a lot it's great to see people working together on goals that really include everyone. I'd like to thank the Fire Department, they responded quickly and very well to the two emergencies in south Newark and I want to tell you how beloved you are because peer pressure is starting to push back against those who are making calls or starting fires, so they want to take care of them so they can take care of you. Chief, thank you for that very good report. I had a resident reach out recently, in fact, last week and he had said that for the first time his property value had come up significantly because the calls for police are getting less and less in that neighborhood as the neighborhood's becoming more secure and Property Maintenance is doing a great job in our neighborhoods, but your presence is so important. Thank you so much, thank you for all you do. I'm grateful for the snow plows as well.

Mr. Harris - Mr. Hickman, my condolences, been there, it's a rough spot, but it'll get better, just hang in there. I need to call a Rules Committee meeting for April 3rd. Chief thank you for the update, since we're up to snuff, we can talk about bringing team 7 back. Team seven was really good back in the day so hopefully we can get that rolling again.

Ms. Hottinger - Being last you don't get to say anything new, although I do have one thing. Condolences Mr. Hickman to your family, I'm sorry to hear that. Chief McKee thank you so much for the wonderful update, next year I'm looking forward to you can talk about FLOCK and how that helps, the number of times we were able to use that and put more officers on the street. It's just exciting to be able to say that we have a full force now. I was happy to support that legislation that came through Finance earlier today to fund those positions, I'm sure everyone else is excited about that too, that's great, so thank you for that. And my one thing I can say that nobody else said is I want to thank the Mayor, the Law Director, Mark Mauter and Council Member Michael Houser for coming out to the ribbon cutting last Friday for St. Vincent Haven Mens Shelter, it was a wonderful turn out even though the weather wasn't so great, thank you for standing in the rain for a little bit of it, but a wonderful facility and just nice to be able to get that up and running.

President Ellington - I changed the order tonight just because Mr. Spurgeon is going to go last here and he would like to go to executive session to discuss a personnel matter. That's why I changed the order, so we're not done yet, but that way the audience doesn't have to stay because as soon as he's done we're going to come out nothing is going to be discussed and we're going to adjourn. That way they didn't have to come back in to hear us.

Law Director Tricia Moore - Director, my condolences to you and your family. Chief McKee it's been an honor serving with you and I feel very grateful to be part of RAD, that is a great thing and I know that was important to you to start. April Fleming and Mackenzie Harris do a great job leading that and I guess I'm just so happy to be a part of that it's such a good thing. People should know that you can call the police department and women can get a class with the police department, schedule that with them and it's free to the public it gives women some things to do to know how to simply act. So, great program.

Mayor Jeff Hall - Tim, condolences, we've had some discussions the last couple days and truly our family has their prayer out for you and as Jeff said, it gets a little better, but there are always good memories. I want to thank the Chief certainly for his update on the Police Department, appreciate all of the Police Officers, Firefighters and Paramedics that are here this evening. It's an honor to work with those two departments I will tell you that and we as administration we love working with you guys and gals, first class, if you can't tell that, they work hard, they run a lot of calls and this is a great community because of that. So, for all the citizens I want to thank all of you for all of what you do. From the Administration it's a pleasure to work with all of you.

Bill Spurgeon, HR Director - I too would like to extend my condolences to Director Hickman. I didn't know Mr. Hickman, but I do know this, he raised a fine son that I am blessed to call a friend, so Tim, you're not alone I'll keep your family in my thoughts and prayers. Also, Mr. President I would like to provide an update on behalf of the Administration on the contract negotiations, I think it best we do that in Executive Session, if you could extend your professional courtesy please.

President Ellington - Who would you like in the Executive Session?

Director Spurgeon - Well sir, the Council, the Mayor, the cabinet and certainly whoever the Council deems fit, certainly the Directors.

President Ellington - We're going to go into Executive Session here in just a minute but we'll have to clear the room. When we get done with the Executive Session, we'll come back out, there will be no decisions made in the Executive Session and then we're going to adjourn. If you want to stick around you can, but we're just going to come back and adjourn. That's why I changed the order so you could hear what everybody had to say and you wouldn't have to come back in. So, if everyone would like to leave except who Mr. Spurgeon would like to be here.

Motion by Mr. Marmie to go into Executive Session to discuss the status of the contract negotiations, second by Mr. Lang

Motion passed 10-0

Motion to come out of Executive Session by Mr. Marmie, second by Mr. Barker

Motion passed 10-0

President Ellington - We are now out of Executive Session, no decisions were made.

ADJOURNMENT

Motion to adjourn by Mr. Barker, second by Mr. Harris , passed by acclamation, with that we are adjourned

Don Ellington, President of Council